

Gun Court

A gun court is a type of problem-solving court that intervenes with youths who have committed first-time, nonviolent gun offenses that have not resulted in serious physical injury. Most juvenile gun courts are short-term programs that augment rather than replace normal juvenile court proceedings. Juvenile gun courts work as early intervention programs that concentrate on preventing future gun use, reducing recidivism rates, and increasing youths' involvement in community-based programs. This basic model of juvenile gun court includes several principal elements: 1) early intervention (in many jurisdictions, before resolution of the court proceedings); 2) short-term (often a single 2- to 4-hour session), intensive programming; 3) an intensive educational emphasis to show youths the harm that can come from unlawful gun use and the immediate response that will result when youths are involved with guns; and 4) the inclusion of a wide range of court personnel and law enforcement officials working together with community members (Sheppard and Kelly 2002).

Theoretical Foundation

During the first decade of the 21st century, hundreds of experimental courts have sprung up across the country, testing new solutions to problems such as substance use, domestic violence, and child neglect. These "problem-solving courts" include drug courts, domestic violence courts, community courts, family treatment courts, mental health courts, and others. While each of these initiatives targets a different problem, the common feature to all problem-solving courts is the active use of judicial authority to solve problems and to change the behavior of offenders. Instead of passing off cases – to other judges, to probation departments, to community-based treatment programs – judges residing over problem-solving courts stay involved with each case throughout the post-adjudication process (Huddleston III, Marlowe, and Casebolt 2008).

Gun violence is one of the issues that have been applied to the problem-solving court model. While only a few programs have been developed to date, interest is growing. Currently, there are juvenile gun courts operating in Detroit, Mich.; Indianapolis, Ind.; New York, N.Y.; Pima County, Ariz.; and Washington, D.C. (Noble 2008; Sheppard and Kelly 2002). The use of gun courts for juveniles is particularly relevant because the impact of gun violence is especially pronounced among juveniles and adolescents. The firearm homicide rate for children under 15 is 16 times as high in the United States as in 25 other industrialized countries collectively (Office of Juvenile Justice and Delinquency Prevention 1999). In 2006, 3,184 children and teens died from gunfire in the United States, including 2,225 homicides, which is a 6 percent increase from 2005 (Children's Defense Fund 2009).

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Adult vs. Juvenile Gun Courts

Juvenile gun courts differ from adult gun courts in numerous ways. Adult gun courts concentrate on quick and efficient case processing and usually result in harsh punishments, such as a long prison sentence, even for first-time offenders. The aim is to take violent offenders off of the streets as soon as possible and deter them from future gun-related crimes through harsh sentencing. Conversely, juvenile gun courts concentrate on providing intervention for youths, while still holding them accountable for their offenses. The idea is to deter youths from further gun use by educating them about the consequences of gun-related crimes. Juvenile and adult gun courts do, however, share one common goal: to convey the message that violent crimes will not be tolerated (Noble 2008).

Outcome Evidence

One of the more well-known juvenile gun courts is located in Jefferson County, Ala. The Jefferson County Juvenile Gun Court is an example of a more intensive and comprehensive approach. Only first-time gun offenders are eligible for the court; youths with multiple gun charges or with violent or other serious offenses are transferred to adult court or to the Department of Youth Services (DYS). Core components of the Jefferson County program include a 28-day boot camp, a parent education program, a substance abuse program, intensive follow-up supervision, and community service. Jefferson County's gun court is part of the family court, which administers 24 programs that provide "wraparound" services to offenders and their families; most services are offered onsite (Office of Juvenile Justice and Delinquency Prevention 1999). This centralization and the comprehensive services are considered key to the gun court's success.

Unfortunately, because there are a small number of juvenile gun courts in operation, there are only a few evaluations that have examined the effectiveness of the program. One evaluation came from the University of Alabama at Birmingham's Center for Law and Civic Education (Birmingham is Jefferson's county seat), which received OJJDP funding to analyze program outcomes during the first 4 years of the Jefferson County Juvenile Gun Court's development. Evaluators compared case-processing records and recidivism rates for three groups of juvenile gun offenders: 1) an intensive supervision group of Birmingham youth with limited prior offenses who participated in the gun court's core intervention components, including intensive aftercare monitoring; 2) a nonintensive supervision group of Birmingham youth with prior offenses who received only short commitments to the DHS detention center and who did not participate in the aftercare monitoring program; and 3) a comparison group of youth who did not participate in the aftercare monitoring program. The evaluation found that overall recidivism for all three groups was low. The intensive supervision group had lower levels of recidivism (17 percent) than the nonintensive supervision group (37 percent) and the comparison group (40 percent). Having a prior gun offense (common to youth in the nonintensive and comparison groups) increased the odds of recidivism. (Sheppard and Kelly 2002). However, there were limitations to the study. For instance, members of the comparison group did receive some of the treatment experienced by the nonintensive and intensive supervision groups, making it difficult to determine the program's effect on participants (Cowin and Sloan 2001).

References

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