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### **New push to divert youth from juvenile court in Ramsey County stirs controversy**



[Tina Thomas, grandmother of a teen accused of assaulting an Uber driver in St. Paul, pointed to where he sometimes sleeps in her home. He was not charged, and she's afraid he'll reoffend.](#)

— [RICHARD TSONG-TAATARII • Star Tribune](#)

By [CHRIS SERRES](#) AND [LIZ SAWYER](#), STAR TRIBUNE

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After learning that her 16-year-old grandson brutally beat and robbed an elderly Uber driver, Tina Thomas meticulously rehearsed what she would say to a judge in a Ramsey County courtroom.

She would describe his childhood trauma and his addiction to opioids before pleading with the judge to send him to a locked treatment center where he would be far from his drug-using friends.

"I would beg the court," said Thomas, 58. "Because if he continues on his current path, he or someone else likely will end up dead."

But her day in court never came. That's because her grandson is among dozens of young people since July who have been arrested in serious and sometimes violent crimes but have avoided criminal prosecution under a new initiative in Ramsey County that aims to rehabilitate troubled youth rather than punish them. Young people who stand accused of crimes as serious as assault, gun possession and robbery are not being criminally charged but are instead being sent to community support programs, where their cases are handled outside the traditional court process.

The initiative marks a dramatic shift in how youth crimes are handled in Minnesota's second most populous county, and it has already aroused intense debate from law enforcement officials, judges and

some legal scholars, who fear it may be putting the public at risk by allowing dangerous youth to return to the streets without judicial oversight. It also has pitted two of Ramsey County's most powerful officials — Sheriff Bob Fletcher and County Attorney John Choi — against each other in a pitched struggle over how to address a recent rise in violent crime among juveniles.

"The beauty of the court system is that it's transparent and accountable, but this particular program has no accountability," Fletcher said. "It's a complete end run around the judicial system."

Since July, the Ramsey County Attorney's Office has quietly channeled scores of criminal cases involving accused youth to a three-person panel for review instead of filing juvenile charges in court. So far, the vast majority of cases reviewed by this panel, known as the Collaborative Review Team, or CRT, have avoided prosecution.

Of 66 cases reviewed as of Oct. 5, including 23 involving felony-level offenses, four have been petitioned to the courts for criminal charges. The rest have been referred to community programs, such as restorative talking circles, that are less punitive and designed to help troubled youth access social services and build empathy for their victims.

The project arose from two years of discussions over the future of the juvenile justice system in Ramsey County and is driven by the idea that courts are failing to address the root causes of criminal behavior among youth.

Officials in Choi's office point to statistics showing rising rates of recidivism among young people charged with crimes. Last year, fully a third of youth who were referred to the Ramsey County Attorney's Office for alleged crimes had five or more criminal referrals within 12 months.

Police are arresting the same children again and again, and often for more severe and violent crimes. Murders, aggravated robberies and felony-level assaults involving juveniles have increased in Ramsey County over the past two years, and a surge of violent carjackings has led to [deadly crashes](#) and devastated families.

In Ramsey County, the number of aggravated robberies — in which victims are often assaulted or threatened with a deadly weapon — rose 53% last year to 112 cases, up from 73 in 2019. More serious, felony-level offenses involving youth now account for 45% of juvenile cases referred to the county attorney's office, up from 31% in 2018.

In an interview, Choi said the numbers underscore that the court system "simply doesn't work" for children and their families, and that a less-adversarial approach would enable youth to connect with services more swiftly and avoid reoffending. He noted that it can take months for juvenile cases to wind their way through courts and, regardless of the offense, the outcome is often the same — a guilty plea and then a stayed disposition involving community service or probation. There is often little follow-up to ensure the conditions are met, and the cycle repeats itself when a child reoffends, he said. "Why can't we short-circuit that process and get to something that would be more effective?" Choi asked.

The review panel, Choi said, will be able to achieve faster results by enabling prosecutors to gather more information on the front end from families, victims and professionals who work with the youth. "We spend an awful lot of money on our justice system and we're not getting that great of a bang for the

buck," he said. "And so I think it behooves us to start thinking about trying things differently to get better outcomes."

But the new, less-punitive approach has already aroused indignation from some law enforcement officials, including Fletcher, who argue that the three-person review panel circumvents the judicial process and excludes input from victims, police and family members who may want tougher sanctions.

Both the Ramsey County Sheriff's Office and the St. Paul Police Department said they were not formally briefed on the new initiative until early this month; and that only occurred after they inquired about why so many youths were not being formally charged after being arrested in violent crimes. They also raised concerns that the Collaborative Review Team does not include representatives from law enforcement, families, victims, probation or the juvenile court bench. The panel consists of a public defender, a prosecutor and a community member who runs a restorative justice nonprofit.

[In a strongly worded letter](#) sent last week, Fletcher urged Choi to "abandon the concept" of the Collaborative Review Team until other voices are added to the panel. "By failing to petition children to the juvenile court process you have eliminated several tools of the juvenile court system and removed the transparency and accountability that law enforcement, the public, and victims expect, deserve, and are entitled to under law," Fletcher wrote.

Law enforcement officials said they have identified several recent cases in which youths have been arrested and accused of violent offenses after being referred to the panel. In one case, a 16-year-old who was involved in a shooting in May outside a St. Paul recreation center, and who had multiple arrest warrants, was referred to the Collaborative Review Team. Days later, the adolescent stole a Subaru Outback with a dog inside and abandoned the vehicle 4 miles away, leaving the dog to suffocate and die in the car, according to a criminal complaint.

Katie Klaren, owner of the dog, a German shepherd-husky mix named GoGo, said she has recurring nightmares of her dog being trapped and struggling for hours to claw her way out of the abandoned car. "It will make me sick to my stomach every time I think about it for the rest of my life," Klaren said from her home in St. Paul's Frogtown neighborhood. "My faith in humanity has been a little lost."

Officials with the Ramsey County Attorney's Office said they still have the flexibility to recommend that a youth be charged even after the person has been referred to community programming by the new panel. In the stolen vehicle case, the 16-year-old was charged in late August with vehicle theft and animal cruelty.

Criticism of the new initiative comes amid a broader debate over the role of courts and police when young people offend, and an increased emphasis on preventing young people from entering the criminal justice system. In counties across Minnesota and the nation, prosecutors have been diverting more juveniles to a patchwork of community support programs. The goal: Provide access to services such as mental health therapy, rather than formally charging them with crimes that can limit their ability to find jobs or housing and push them further to society's margins.

Yet such programs are more effective when law enforcement, prosecutors, victims and community nonprofits are working in tandem and sharing information, said James Densley, a professor and head of the criminal justice department at Metropolitan State University in St. Paul. "The lack of communication with law enforcement is potentially setting this [initiative] up to fail," Densley said. "You need a 'carrot

and stick' approach to convince young people to change their ways, and the carrot and stick need to be in sync with one another."

In an interview, the adult son of the Uber driver who was assaulted said the attack left his father bleeding profusely from his head and rendered him unable to walk for days because of internal injuries. Yet no one from the County Attorney's Office, he said, has kept the family informed of whether charges will be filed. "We wait and wait and wait, and still nothing is happening," said the son, who declined to be identified for fear of retaliation. "It sends a message that you can beat a person until they are bleeding and get away with it."

Thomas, the grandmother, said her "jaw nearly dropped to the floor" when she learned that her grandson would not be charged in the assault. Without intervention from the courts, Thomas said, it is unlikely that he will understand the harm that he has caused and undergo substance use treatment. The only thing that's going to save him at this point, she said, "is if a judge orders him locked up."

As Thomas walked through her home in St. Paul, she pointed out the double locks that she keeps on all her doors — in what has been a futile effort to keep the 16-year-old from absconding at night with his friends.

Only a month ago, he overdosed on a potentially lethal mix of painkillers and fentanyl, and was discovered by police lying comatose in a parking lot in St. Paul. He was given four shots of the overdose-reversal drug Narcan and rushed to the emergency room, where he repeatedly promised to his grandmother that he would never use drugs again, Thomas said.

"He's a good kid with a big heart, but he's a different person once he walks out that door," Thomas said, gesturing toward the street. "My fear is that he's been given one too many chances."

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