

The Juvenile Detention Dilemma

Kosciusko Leadership Academy

White Paper

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As we proceed into the 21st Century, the United States of America is regarded as having the best judicial system in the world. Whether one agrees with what our society chooses to do with our adult criminals, most agree we have more than an adequate system in place. The one area that brings the most concern and controversy in our legal system is our juvenile problems. When children are involved in the committing of crime, there is no consensus among experts as to the most effective long term solution. Some feel, that due to the young ages of these offenders the best treatment is assistance and counseling for better developed social skills. Others would like to see juveniles treated much the same way as adults and be placed into correctional facilities. Still, there are many other groups that fall somewhere in-between. The many problems of juvenile crime are certainly not limited to Kosciusko County. We are not proposing that our area is under any more urgent need for a juvenile justice system overhaul than any other county. We will show that both, economically and logistically; this facility would benefit Kosciusko County.

We believe the main reason a facility has not become a reality is financial. County governments are reluctant to take on projects that are costly to initiate and to maintain. We also believe that a juvenile detention facility is not at the "top of the list" for taxpayers. Our best hope for such a facility is through the private sector. There are many businesses across America that construct and operate detention centers. These centers are run for profit and would not be as much of a burden on taxpayers as a government run facility. At one time, the Correction Corporation of America (CCA) was set to finance and build a center by April 2000. Property was bought off U.S. 30 north of Pierceton for this project. Then a "stop work" order was placed. Judge Huffer made many telephone calls to the CCA and never received an actual answer on why plans had been stopped. The facility would have served ten counties. Kevin Ashburn of the Correction Corporation of America stated the CCA would not be proceeding with putting in a center and felt the land would eventually be sold. The reason given was their company was going through a re-organization of management and finances.

On March 26, 2001, Ron Robinson of the Kosciusko Clerk's office informed us that some ideas are being discussed with a company based out of Fort Wayne. This company, Life Line Youth and Family Services, owns Riverwood Ranch, which is just outside of Warsaw, and Blacklake Lodge, which is located off of U.S. 30 in Larwill. During one meeting between the county clerk's office and the Life Line Company, ways were discussed on how and if these properties would aid in Kosciusko's need for a juvenile center. No decision has yet been made.

Our position is to be concerned with those juveniles that are actually affecting the lives of our citizens. A juvenile, when arrested, is usually released to a parent or guardian. Often times their family is a contributing factor to the youth committing a crime in the first place. At this time, law enforcement officers have few options when dealing with juvenile offenders of the law. As can be seen from the statistics provided by the Kosciusko County Probation Department, crimes are being committed in this county that would justify detention. A center in our county would not only benefit us, but the surrounding counties as well.

It is another belief that in most cases a juvenile offender will only grow into an adult criminal with a weak judicial system. A juvenile detention center is needed to help bolster our judicial system. Showing juveniles who choose to break the law that they will be dealt with more swiftly and strictly than they are now can only help deter future criminal activity. For those who choose not to be rehabilitated, a juvenile detention center can be our only answer for keeping them detained.

Many police officers in Kosciusko County are of the opinion that the juvenile delinquency dilemma started in 1974 when Congress enacted the Juvenile Justice and Delinquency Prevention Act. This required that all juveniles be removed from adult jails. In 1988, the department of Justice began actively pursuing removal of juveniles from jails. According to the Indiana Department of Corrections, at that time over 7000 juveniles were incarcerated in adult jails in Indiana.

Most juvenile court cases are referred by law enforcement. Others, such as parents, victims, schools and probation officers make the remaining referrals. The court intake function is generally the responsibility of the juvenile probation department and/or the prosecutor's office. At this point, intake must decide either to dismiss the case, handle the matter informally, or request formal intervention by the court.

The office of Juvenile Justice and Delinquency Prevention dictates juvenile courts may hold delinquents in a secure detention facility if the court believes it is in the best interest of the community or the child. A detention hearing must be held within a certain time period. At the detention hearing, a judge reviews the case and determines if continued detention is warranted. As a result of the detention hearing, the youth may be released or detention continued. In serious cases involving juveniles, the youths can be handled as a criminal offender. The prosecutor has the discretion of filing in either juvenile or adult court. Both the juvenile and adult courts have original jurisdiction over these cases, and the prosecutor selects the court that will handle the matter.

According to a telephone interview with Judge Huffer on October 30, 2000, our county has a great need for this type of facility. Judge Huffer stated that Kosciusko County would be an ideal area to house "pre- and post-verdict" juveniles. At this time juveniles are sent to St. Joseph County, at the cost of \$141.00 per day. The responsibility of transportation has been placed with the Kosciusko County Sheriff's Office. For a county police officer, this is "down time". A juvenile transport takes approximately three hours round-trip. This is time our officers should be patrolling our county roadways. Surrounding counties would pay our county to house their juveniles. This would be money flowing into the county instead of out. Just a couple more reasons to show our need for this type of facility.

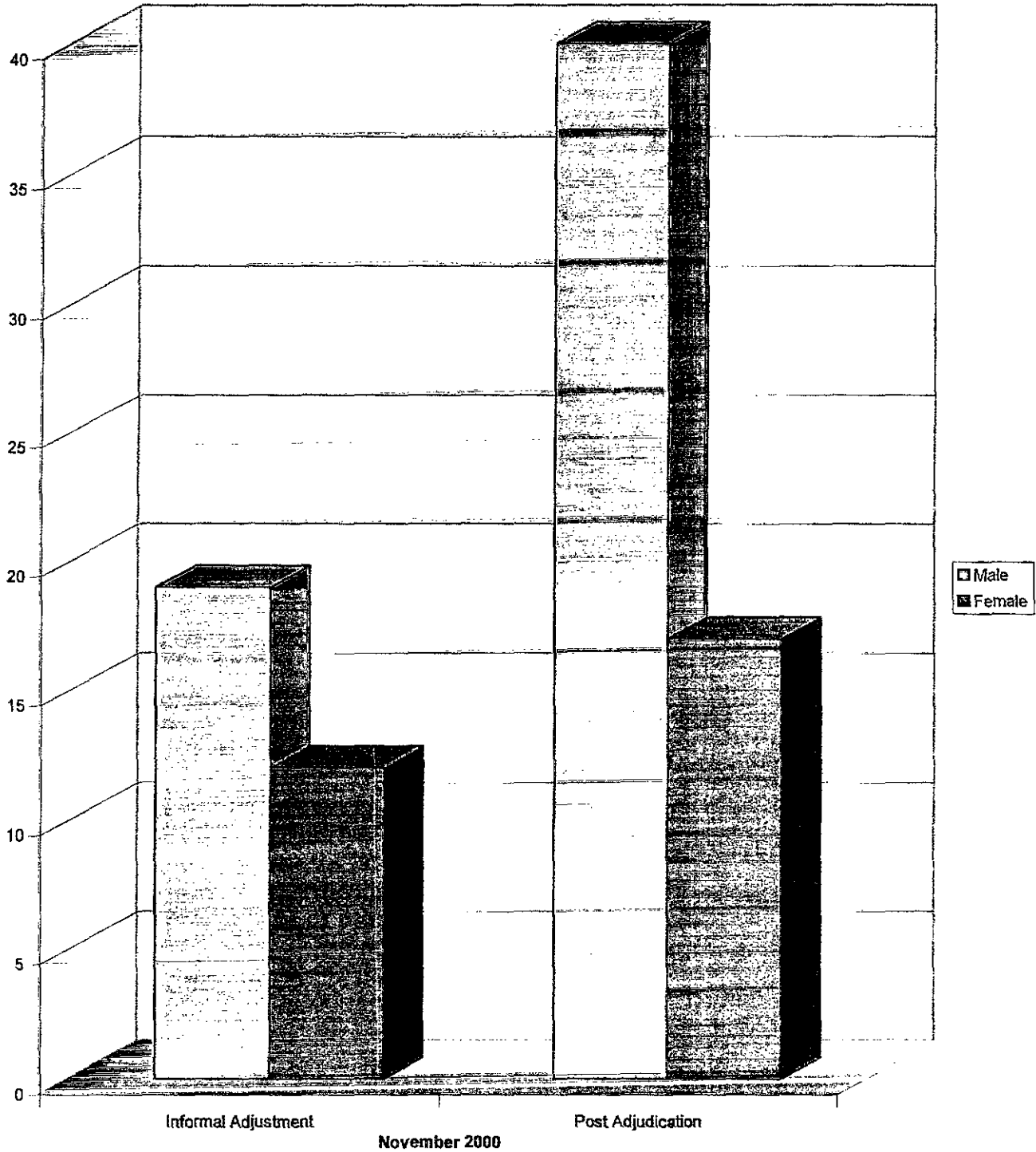
Residents of Kosciusko County need to recognize the need for this type of facility. If we, as a group, continue to fail to see this problem, then we, as a group, will fail to effectively raise our children. The statistics we've included with this project show the amount of crime being committed in this county by our youth. *Many families will feel that this doesn't affect them, so why should they worry about getting involved.* Our answer to this is also simple. Our children walk through hallways, sit at lunch tables, and ride buses daily with many children we will never

meet. Do we want a juvenile offender, that should have been detained for his or her actions, sitting next to our children at lunch or on the bus? Simply put, no. Yet each day this is already happening. Not every parent has to deal with delinquent children, but every parent's child does.

Police officers, Judges, Schools, Probation Officers, and a few private citizens are aware of this need. It is our hope that those few will be able to educate the many whom do not know of this great need in our county. Truly, the only way this dilemma will be solved is by public awareness.

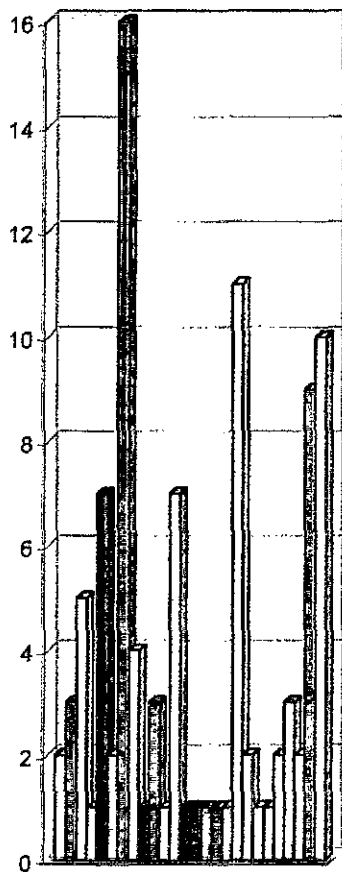
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Juveniles on Probation



Source: Juvenile Offense Report, November 2000

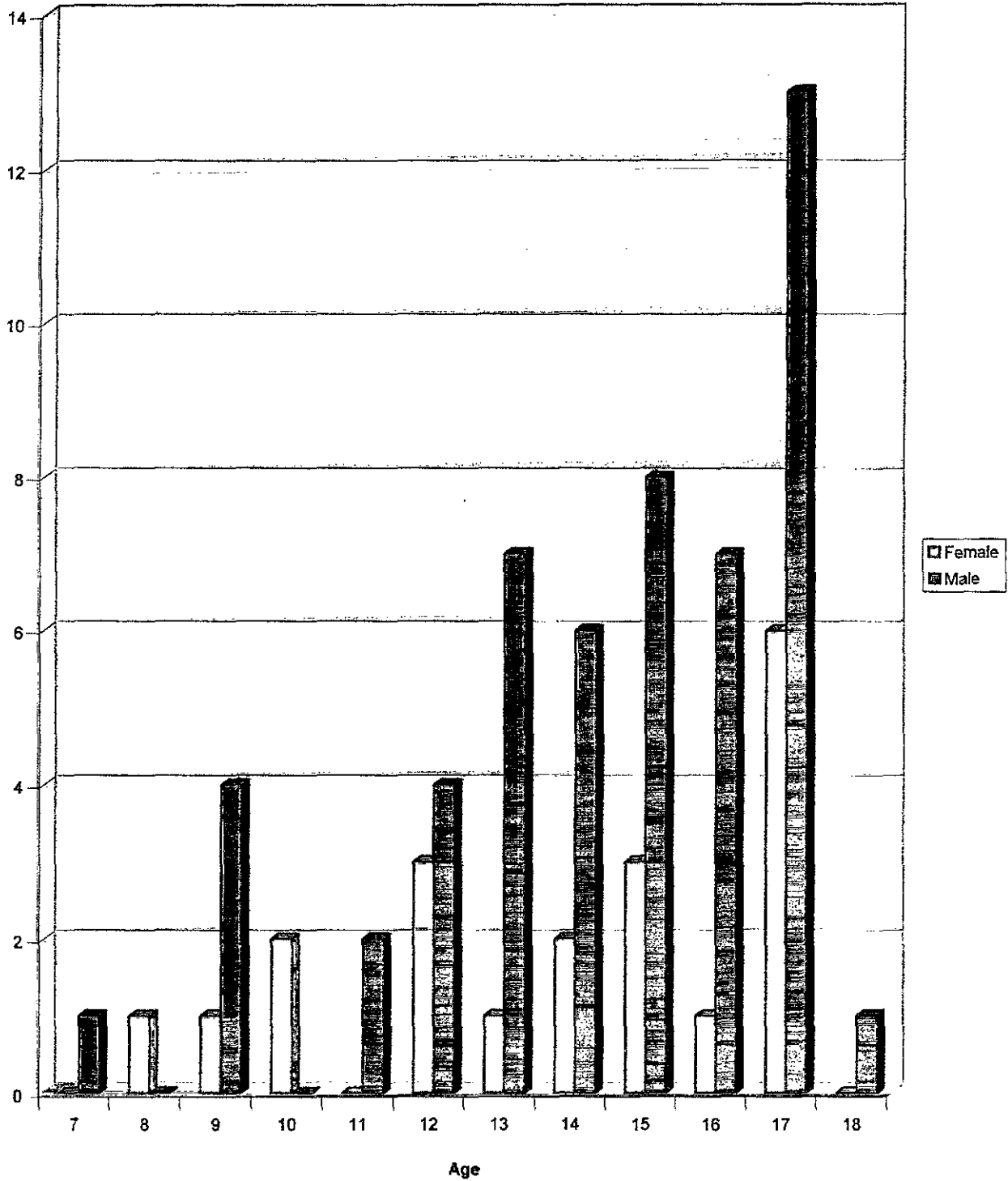
Juvenile Offenses



- Aiding, Inducing, Causing an Offense
- Auto Theft/Class D Felony
- Battery/Class B Misdemeanor
- Battery Resulting in Bodily Injury/Class A Misdemeanor
- Burglary/Class C Felony
- Burglary/Class B Felony
- Conversion/Class A Misdemeanor
- Criminal Mischief/Class B Misdemeanor
- Criminal Mischief/Class A Misdemeanor
- Criminal Recklessness/Class B Misdemeanor
- Dealing in Marijuana/Class D Felony
- Illegal Consumption of an Alcoholic Beverage/Class C Misdemeanor
- Intimidation/Class D Felony
- Obstruction of Justice/Class D Felony
- Operating Vehicle w/out Ever Receiving License/Class C Misdemeanor
- Operating Vehicle w/ Sch 1 or 2 Controlled Substance in Blood/Class C Misdemeanor
- Possession of Cocaine/Class D Felony
- Possession of Marijuana/Class A Misdemeanor
- Receiving Stolen Property/Class D Felony
- Reckless Driving/Class B Misdemeanor
- Residential Entry/Class D Felony
- Resisting Law Enforcement/Class A Misdemeanor
- Runaway
- Theft/Class A Misdemeanor
- Theft/Class D Felony
- Truancy

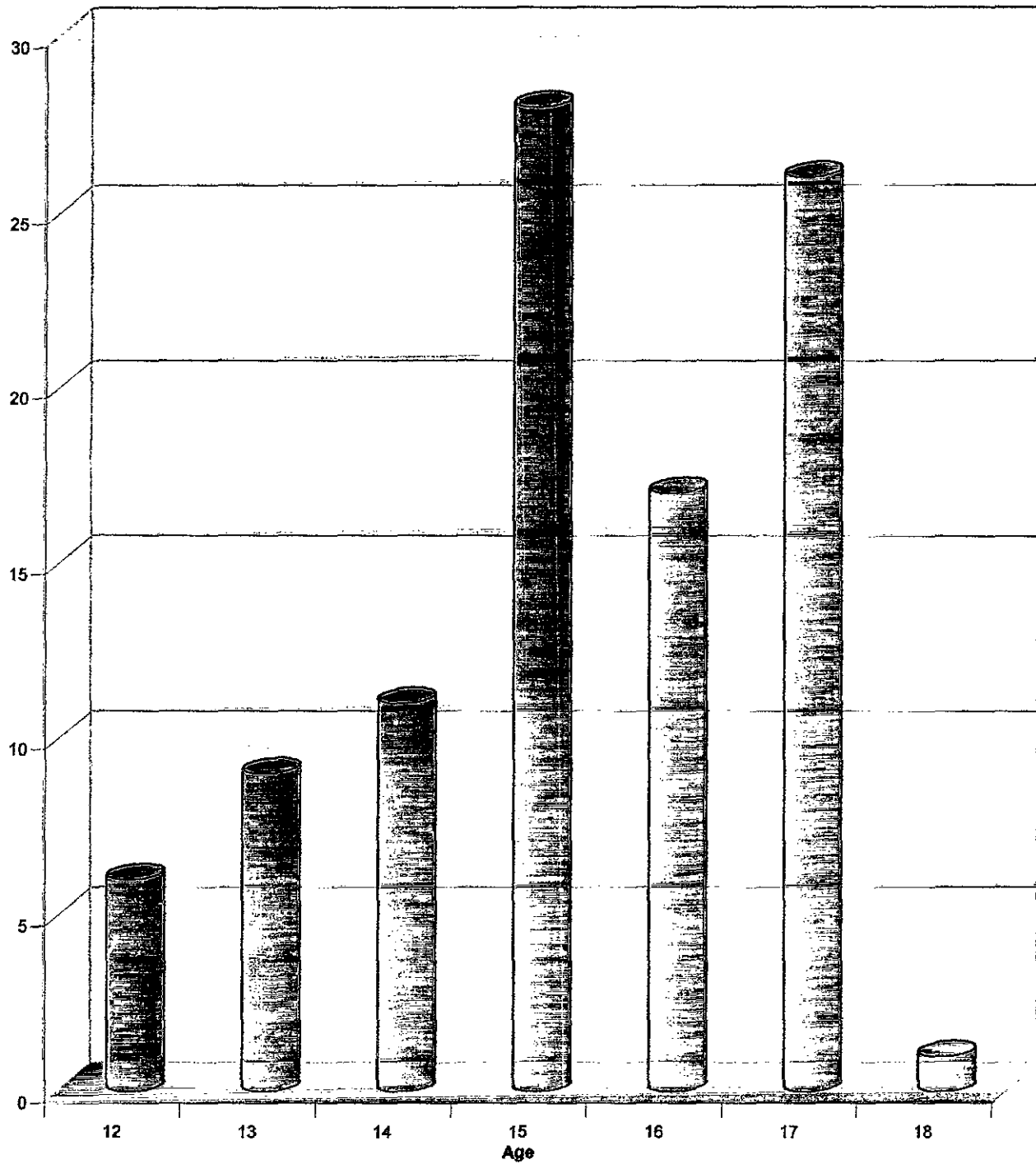
Delinquent Act

Referred Juveniles Breakdown



Source: Juvenile Offense Report, November 2000

Juvenile Age Analysis



Source: Juvenile Offense Report, November 2000