

In an adult world

Court applies justice to juveniles

By CAROLINE PRICE

As the police car cruises past a closed gas station late at night the headlights pick up the form of a shadowy figure racing away from the station's open door. The car swerves to a halt, and an officer leaps out shouting, "Halt or I'll shoot!" The figure stops and covers next to one of the gas pumps. "Don't shoot," a thin voice pipes up. The officer approaches the figure, hand poised on his holster. The dim moonlight reveals the pale face of a boy who can't be more than 14 years old. When police in Oakland County apprehend someone under 17 years old in a situation like this, they take the juvenile back to the station and make two phone calls: one to his parents or legal guardian and one to Oakland County's juvenile court.

The juvenile division of Oakland County's Probate Court deals with many young teens in the course of a day. Most of the cases involve around runaways or those with parent or school problems. But about 30 per cent of the caseload is juveniles who have committed a criminal offense as minor as breaking and entering and others as grave as murder.

Your vote can count 1 of 3 ways

The ballot for the Aug. 3 primary election is going to be different than any previously seen in Michigan. The difference is that voters will be offered an opportunity to vote for a minor political party in order to allow that party's candidates to appear on the general election ballot.

This alternative has never been on the primary ballot before. It is the direct result of a fear of election officials that voting machines could not handle the 10 or more parties which might be on the November ballot. Voting machines cannot handle more than nine parties, if 10 were approved it would force a return to paper ballots.

Minor parties will qualify for the presidential election ballot if they receive a vote totaling more than 0.3 per cent of the total number of ballots cast in the primary election.

VOTERS WILL have the choice of voting in one—and only one—section of a three-sectioned ballot. 1) Democratic Party candidates; 2) Republican Party candidates; and 3) a listing of minor parties which qualified for the ballot under a law signed by Gov. William Milliken in April this year.

The wording of the third section, either in a row or a column, will be "I declare that the party indicated below shall have its name, party vignette and candidates listed on the next general election ballot." Minor parties appearing on the Oakland County ballot, for example, are Socialist Worker, Socialist Labor, Communist Labor, Libertarian and U.S. Labor. Democrats and Republicans were grandfathered on the November ballot because of their previous capture of the vote, as are the Human Rights and American Independent parties. The American Independent Party (AIP) has split into two parties, each with a separate slate, and the party will have to decide which party is going to be considered the AIP. The important thing to remember about the primary ballot is that a voter may only vote in one party, as in all primary elections in Michigan. Voters may not vote for candidates in either the Democratic or Republican parties and vote to see one of the minor parties on the November ballot. Voting in more than one section of the ballot will invalidate the ballot.

Class may save lives

The Oakland County Council for Emergency Medical Services is sponsoring classes that may help you save someone's life. Cardiopulmonary resuscitation classes will be held in cooperation with the Michigan Heart Association and William Beaumont, Detroit General, and Pontiac General hospitals.

The classes will teach the emergency first aid procedure which involves mouth-to-mouth breathing and external heart massage. The classes are aimed at teaching people what to do in the event of a medical emergency when a person's breathing and heartbeat have stopped for less than five minutes.

Dates and times for the classes are Beaumont Hospital, Aug. 18, from 5:45 p.m. to 7:10 p.m.; Detroit General, July 18, from 5:45 p.m. to 7:10 p.m.; Pontiac General, July 20, from 7:10 p.m. to 8:30 p.m.; and Aug. 30, from 7:10 p.m. to 8:30 p.m.

Additional information may be obtained by calling Beaumont Hospital at 568-7000, ext. 227; Detroit General at 665-7000, ext. 344; or Pontiac General at 637-7322.

their parents and cause no more trouble, may be brought in by the police or called in because of a complaint issued against him. The complaint can be issued by police parents, or anyone over age 18 who has a grievance against the youngster.

The first step in the juvenile court process is calling one of the division's authorized referees to hold a preliminary hearing. One such referee is Gary Sabourin, an intake officer for the division.

The hearing, which must be held within 48 hours, will decide if the charges against the youth are correct, if these charges will stick in court and whether or not to hold a trial. Sabourin says.

The referee also decides whether to keep the juvenile in custody or release him to his parents. If the kid is kept in custody, a hearing must be held within two weeks, Sabourin adds.

A child who is kept in custody then goes to Children's Village at the Oakland County Service Center. Children's Village comprises several buildings. Building "J" is for youths awaiting trial for serious criminal complaints and is closely guarded. The other buildings house juveniles going to court on lesser offenses or involved in neglect cases.

According to Sabourin, the only problem with the open building is that it is too easy to walk away from. "Eleven kids left the building in one day. It's a nice place, the staff is nice, and the food isn't even that bad, but it's still an institution and has a set schedule and rules," Sabourin says.

I guess it's better to lose some than to lock them all up," he adds.

CHILDREN'S VILLAGE even has a school for detained youngsters. The school is run by the Waterford school district and enables participants to return to their own schools without losing too much credit.

Kids like to think it's the easiest school around," Sabourin says.

During the period before the official court hearing a lawyer will be appointed for the juvenile. Even if the complaint was filed by the parents they will be billed for the cost of an attorney to represent their child. As in adult trials, a lawyer will be provided even if the family is unable to pay.

The main purpose of a court hearing is to decide if the youth is guilty of the charge—but in juvenile cases official terminology says the judge is "taking jurisdiction" over the guilty party.

If the young person is innocent he may go home. But if the judge takes jurisdiction he has a number of options.

A judge may order the child home on probation. "It's surprising the number of kids who go through the court process and are never heard from again," Sabourin says.

A YOUTH convicted of a more serious crime can be committed to the State of Michigan. The state has a number of programs, among them halfway houses in various cities, and Green Oaks, a maximum security institution.

According to Sabourin, runaway or incorrigibility cases often involve problems with the parents as well as the child, so the judge has the option of ordering parents to go to parent education classes, where they are taught how to cope with problems they may encounter in raising their families. Also, parents who are able must look the bill if their child is placed in an institution.

The court recognizes that 80 per cent of the children go home someday, and case-workers try to deal with the whole family. Nonetheless, I do not prescribe to the notion that there is no such thing as a bad boy, because I've seen a couple," Sabourin comments.

It is these "bad boys" or girls who are the most disheartening to the court. They are the repeat offenders, the ones whose only goal in life seems to be becoming a professional criminal.

And shooting as the thought of a 14-year-old murderer is, these warped children do exist. Sabourin has dealt with several during his nine years working for the county. The law provides for the juvenile court judge to decide that a 15 or 16 year old can be tried as an adult," he says.

In this process, which is called a waiver to circuit court, a youth who has committed a serious felony may have his case sent to a probate judge in the adult court. The probate judge will then grant a hearing to determine if the interests of the youngster and the public would be served best by granting a waiver of jurisdiction to the criminal court, or by saying the youth will be tried in juvenile court.

But in the case of 14-year-old murderers, the ultimate penalty is that the kid is held until he is 18 and then released, Sabourin says.

THE NATURE of juvenile crime has changed along with each generation. Nine years ago drug cases drove us to noons. But I'm convinced these cases have gone down dramatically," Sabourin says.

But there are more horrible crimes—more murders, rapes and armed robberies—he has a number of options.

berries," he adds. "I've met some mean little kids."

But on the whole, Sabourin says, the majority of youngsters just make a mistake. "I see a lot of good kids go through here. They just did something stupid."

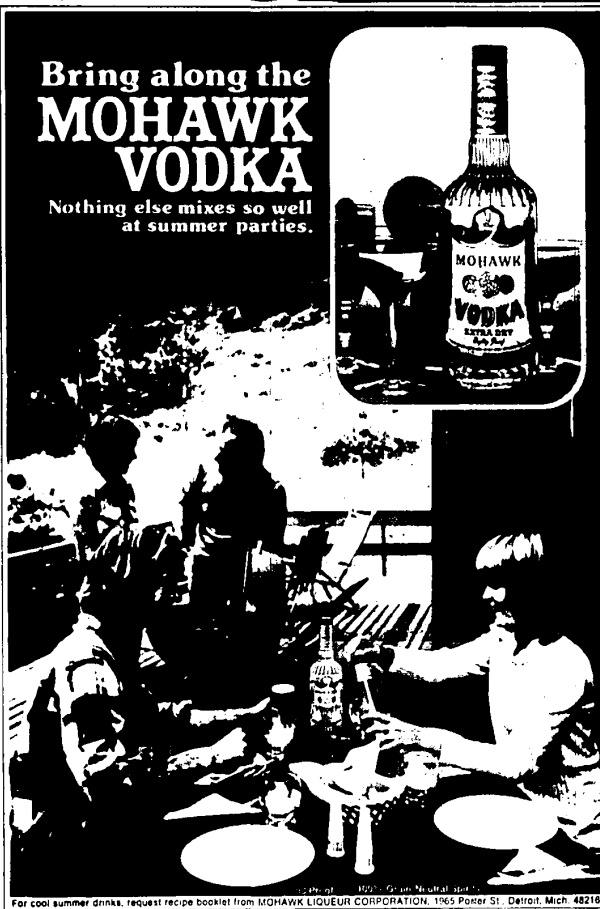
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