

Is it a chain overreaction?

Dangerous adults stand unfettered before Pinellas judges, while children are routinely shackled. Some are asking why.

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LARGO - Amos Lee King Jr., a convicted killer facing execution, walked unshackled in a Pinellas courtroom last year as a judge heard an ultimately unsuccessful appeal to save his life.

One floor below in juvenile court, 11- and 12-year-olds facing far less serious crimes stood shackled hand and foot as they appeared before another judge.

In a justice system that often leaves adult defendants unfettered, juveniles in Pinellas County are kept chained as if they pose more serious security risks than killers, rapists and child molesters.



[Times photo: Cherie Diez]

Wearing handcuffs and shackles, a 15-year-old waits to go before Judge Robert Morris at the Pinellas County Criminal Justice Center.

"I've heard people say, "Well, that will teach those kids a lesson," " said Pinellas-Pasco Public Defender Bob Dillinger. "Well, I don't think demeaning people and treating them differently and worse than adults is a positive experience."

Dillinger wants the practice to stop. He has asked Pinellas judges to take the chains off the children. So far, the judges have refused after verbal requests to do so, including Circuit Judge Frank Quesada, administrative judge for the Unified Family Court.

"Some things I don't do," Quesada said in an interview last week. "I don't operate the jail system and I don't operate the transportation system and I don't operate the security system."

On Wednesday, courts spokesman Ron Stuart said judges won't consider unshackling juveniles unless Dillinger's office files a formal written motion to the court.

Dillinger said he expects to do that within the next two weeks.

Pasco and Hillsborough counties generally shackle both adults and juveniles. But in courtrooms across Florida, the judge has the final say.

Juveniles are routinely shackled around the state. It is the policy of the Florida Department of Juvenile Justice to shackle minors while they are transported between detention facilities and courthouses.

The juveniles remain shackled inside the courtroom, unless a judge orders otherwise, a DJJ woman said.

"The courtroom is the judge's domain," said DJJ spokeswoman Catherine Arnold. "It's strictly up to the discretion of the judge."

Judges in Pinellas have ordered the chains off the arms and legs of children in past years.

Circuit Judge Walt Logan said he didn't find the shackles necessary when he served in juvenile court several years ago and ordered them off. He said he wasn't criticizing judges who disagree. Each judge, he said, must assess security in their own courtroom.

After ordering the chains off the juveniles, Logan said no problems occurred.

Logan recalled that while he served in juvenile court, Oba Chandler was on trial for the murders of three tourists from Ohio. Chandler wore no shackles.

"Security seemed adequate for him," Logan said. "And the juveniles didn't seem to be a security risk."

Cathy Corry, a Clearwater resident who founded a Web site called www.justice4kids.org to advocate juvenile justice issues, said she recalled the horror she felt when she saw her son in chains.

He had been arrested for domestic battery after a minor altercation with her. The 15-year-old attempted to pull Corry's purse away to get his checkbook during an argument, scratching her finger, Corry said.

Corry said the charge was later dismissed.

"It was a terribly traumatic feeling for me and him," she said.

"I do think it's degrading and disrespectful. It makes the children have less respect for authority. They're trying to let these children know who is in control, who the boss is. They just end up distrusting authority more."

But some in law enforcement say that juveniles are often more difficult to handle than adults and offer special security risks.

"Juveniles are impulsive, as most children are," said Sgt. Melissa Hall, supervisor of a bailiff squad in Hillsborough.

Or as John Skye, a spokesman for the Hillsborough Public Defender's Office, said, "That's why it's harder to control a roomful of 16-year-olds than a roomful of adults."

Pinellas Sheriff Everett Rice, who is in charge of security at Pinellas courthouses, said he has no preference about whether juveniles should be shackled.

"As a practical matter, juveniles are more likely to run and harder to catch," Rice said. "Other than that, I don't see a whole lot of difference" between them and adults from a security perspective.

But judges, he said, rule the courtroom. "As the sheriff, I'm going to do what the judges say," Rice said.

Quesada said he has seen instances where children who were unshackled became really disruptive, flailing away with their hands and arm, when ordered into custody.

"It gets to be problematic for my children and it gets to be problematic for my bailiffs," the judge said.

Quesada, however, does insist that pregnant girls not be leg ironed. And he won't let people be cuffed to their waists or behind their back because they could trip and get hurt.

Dillinger said he doesn't think children should be shackled unless they are known security threats, even in counties that restrain adults, too.

And Pinellas' criminal courthouse, he said, is a modern, secure facility that makes escape next to impossible.

"We want juveniles to grow up with respect for the legal system and to understand that we are trying to treat them fairly because we really have their best interests at heart," Dillinger said. "To treat them in a more degrading fashion than we treat adults to me is just manifestly unfair."