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ADAM, 15

a threat made in school

ADAM'S BACKGROUND LEADING UP TO THE CRIME

Adam, 15, is the youngest of four children. His parents are divorced. He lives with his mother, has regular contact with his father, and works part-time in construction for his uncle. Adam earns good grades in school, but has been disciplined a few times for problems with his temper. One day in class, Adam makes a comment to a teacher that he is “homicidal”—wants to kill people. He later says that he was joking and the matter is dropped.



ADAM'S CRIME: SCHOOL INTERFERENCE AND THREATENING

Shortly after the shootings at Columbine High School in Colorado, Adam is in class with a few friends. Other students overhear him talking about the shootings. Adam says that a better way to get rid of kids you don't like is to put sleeping gas in the school vents, and then go through the school and “kill the people you don't like.”



Adam is reported to the office, the police are notified, and an investigation is conducted. Adam is brought to court and admits the statement to the prosecutor, but says he was joking. Instead of being charged with the crimes of school interference and threatening, Adam agrees to complete eight community service hours under a diversion program.

For certain crimes, a prosecutor may decide not to file formal charges. Instead, an agreement is reached where the juvenile admits his or her responsibility for the offense and a penalty is decided by the prosecutor. This is called "diversion," because the juvenile is diverted away from formal court proceedings. This speeds cases through the overcrowded courts and prevents a young person from having a criminal record. Diversion is generally available in cases involving minor offenses and a first-time offender. Since Adam did not have a previous juvenile record, he was eligible for the diversion program.

A week after reaching this agreement, Adam gets in a fight with another teen at a party. He is arrested and spends one day in jail before being released to his parents. There isn't enough evidence to determine fault and no charges are filed.

However, because of the fight, the diversion offer is withdrawn by the prosecutor. Two incidents in such a short period of time call for more than community service. Adam is formally charged with school interference and threatening.

He goes to trial and is found guilty of both charges. Now you have to decide what his punishment should be and how to sentence him.

Legal Definitions of School Interference and Threatening

A person commits **INTERFERENCE** with an educational institution by knowingly going upon or remaining upon the property of a school, for the purpose of interfering with the lawful use of such property by others, or in such a manner as to deny or interfere with the lawful use of such property by others.

A person commits **THREATENING** or intimidation if such person threatens or intimidates by word or conduct to cause physical injury to another person, or serious damage to the property of another.

THEY BROKE THE LAW—

Fifteen-year-old Adam makes a threat in school. Olivia, 14, steals a car. Charles, 16, is found with cocaine and a loaded gun. Nine-year-old Philip is charged with assaulting his mother. Joshua, 15, cuts school.

Should Adam go to jail? What about Olivia? Should Charles be locked up or put on probation? Could counseling help Philip and his mom? What can be done for Joshua?

YOU BE THE JUDGE

You've heard lots of stories about teens in trouble with the law. But you probably haven't been asked what *you* think should happen next and why.

Get ready, because that's what this book is about.

You're invited to preside over 21 real-life cases. The facts are exactly as they happened. Nothing has been changed. It's up to you to decide what's right, what's fair, and what's best for the teen and the community.

Like author Tom Jacobs—the real-life judge in all 21 cases—you'll learn each teen's background leading up to the crime. You'll read about the crime: how it was committed, against whom, how the police were notified, and the young person's reaction to getting caught. You'll be asked to choose from a range of possible punishments and services: jail time, probation, community service, fines or payments to the victim, placement in foster care, and more. You'll also have the freedom to come up with your own ideas for sentencing, as juvenile court judges do in real courtrooms.

Then you'll find out what really happened—the sentence the young person actually got, his or her reaction, and Judge Jacobs's explanation. Finally, you'll discover what each teen is doing today. Who's trying to make something of himself or herself? Who's in jail or on the run?

Step into a judge's shoes and see what it's like to lay down the law. Learn more about the juvenile justice system and the laws that affect you and your friends. Want more? Visit the Free Spirit Web site (www.freespirit.com) for role-playing ideas and scenarios related to the stories, available as free downloads.

Thomas A. Jacobs, J.D., spent 30 years as a lawyer and a judge, most in juvenile court. He was an Arizona assistant attorney general, a superior court juvenile division judge, and a family court judge. He is also the author of *What Are My Rights?* and *Teens Take It to Court*.



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