

Rocky Mountain News

JOHNSON: It's a crime what courts do to kids just being kids

By **Bill Johnson**, Rocky Mountain News ([Contact](#))

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You want your jaw to drop into your lap, your eyes to well up? You should take a peek at my e-mail inbox or listen to the voice mail that arrived on Friday.

There was Sheldon Page, who hadn't slept the night before and picked up the paper the moment they threw it on his doorstep. He read in this space on Friday of the elementary school boy now facing criminal charges for allegedly slapping a female classmate on the buttocks. He called.

His 14-year-old grandson was due in court Friday afternoon for sentencing. His anguish had kept him awake. A 13-year-old girl had told her mother the boy touched her bottom during a game of tag in May.

The boy ultimately pleaded guilty to sexual assault and was placed in a juvenile facility Tuesday.

"It is the most outrageous thing I've ever heard of," Sheldon Page, 51, said. "He is a kid, a teenager playing a kid's game, and now they've made him a criminal."

There was the lawyer who wrote to tell of his client, a fourth-grader charged with sexual assault for putting his hand in the pants of a female fourth-grader. The police picked him up at school.

"Common sense has left the building," he writes.

There was Catherine - who, like almost all who called or wrote, asked that I not use a last name.

"Tell that boy's parents to leave the country because it will be hell on earth from now on," she said.

Her grandson was 11 years old when an 11-year-old girl told her parents they were on the playground swing together and she could feel his genitals.

"He was convicted of sexual harassment, and life has been hell ever since," Catherine said.

Now 13 years old, he has registered as a sex offender, sees a probation officer once a month and must undergo lie-detector tests. He cannot go more than four blocks from home without his parents, she said. At school, he is not allowed to touch anyone and must use a private restroom.

"Tell those parents I feel sorry for their son and them," she said.

And then there was Mel. His story is typical of the more than a dozen I've heard since Friday's column appeared. Mel is 63. He has a 12-year-old boy.

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It was late in the last school year when a shoving match broke out at the boy's school. About eight kids were involved. One kid suffered a cracked lip and a few bruises. The cops came for only Mel's kid and one other.

Assault and intent to commit injury were the charges. Mel hired an attorney, took his boy out of the school after he served a one-day suspension and got him a tutor to help him finish the school year. He also put the boy in counseling.

"With that many witnesses, there was no way we could win. Our lawyer told us," Mel said, "that the best thing we could do is take a deal or spend \$20,000- plus for a trial."

So his boy took the deal, which wasn't much of one. Forty-five days in jail, deferred, the judge ordered, plus two years of supervised probation, 75 hours community service, anger-management classes, court costs, \$600 restitution, a two-year restraining order and a written apology to the victim.

"It was a schoolyard fight, and not much of one at that," Mel said in an interview. "You just don't know what such a little thing can lead to until you get tangled up in it."

He remembers the trip he took with his boy to the juvenile detention center - "a zoo," he called it. It broke his heart, he said, to see the large number of children sitting on the floors in jail clothes.

A counselor testing his son found him not to be an angry child or a criminal, but a kid who didn't think before he acted, he said.

"In hindsight," Mel said, "I think he was showing off to his peers. Should my son have been punished? Certainly. I don't understand why the other six weren't charged. They should also go after real criminals, not just those who are the easiest to get."

His boy is doing well in a new school, he said. His probation officer sees him every other month now.

"There's nothing they need to talk about," Mel said. "My son is a good kid."

Still, everywhere they go, there is a constant fear they might run into the other boy.

"Until a parent experiences this, they don't have a clue about how the system works and how crazy it is," he said. In total, the schoolyard fight cost him about \$10,000.

"It doesn't make any sense. And after all of it, I have to tell you I've lost faith in the criminal justice system. It's a terrible thing to say, and a worse thing to feel."

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