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Don't try teen as an adult

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Teenager Marcus Cox should not be prosecuted as an adult for his alleged role in the January shootout that left a DATA bus riddled with bullet holes.

Durham Chief District Court Judge Elaine M. O'Neal's closed hearing decision to proceed with a felony case against the 16-year-old Cox is shameful and flawed.

O'Neal concluded there was sufficient evidence to shift the matter to Superior Court. The case against a second unidentified teen, accused in the shooting was also considered, but he was deemed too immature for adult court and his case will be tried in juvenile court.

Treating juvenile offenders in a system established for adults endangers young criminals and fails to deter youths from further criminal action.

The two defendants were 15 when they allegedly fired three bullets into a Durham Area Transit Authority bus during a shootout at Alston Avenue and Dowd Street.

Normally, criminal suspects under age 16 are handled in juvenile court, where the maximum punishment is a few years in "training school." However, they can be transferred over to adult court, where the potential penalties are much more severe.

Legally, this nation's youth are not afforded the benefits of adulthood until the age of 18. Youth under the age of 18 aren't allowed to serve their country, vote in elections, or enter into contracts. If youth aren't permitted to take on the responsibilities of adulthood, then they should not be treated as adults in criminal court.

The system needs to be re-evaluated. Attempting to eliminate juvenile delinquency through incarceration and intimidation has not worked. Institutionalizing youth will not prevent criminal activity among them or safeguard the future of our country. Punishing youths by placing them in prisons will not further combat the problems of crime. Youth incarceration and adult accountability is not the solution to the city's growing crime problem.

Recent headlines referencing youth crime and gangs serve as a wake-up call to the juvenile justice system and elected offices to seek an alternative to current policies of dealing with juvenile delinquency.

The youth stage of life is an educational phase of life, not a time to learn the ins and outs of the courtroom and a prison cell. Rather than lengthy jail terms, education must be considered as an alternative. This will pass on the necessary things youth need to participate productively and responsibly in society. While it is important to uphold the law and secure the rights of others, the right of the youth, our future, cannot be wavered.

The youth of Durham must be provided a visible alternative to crime. The system of incarceration cannot rehabilitate a person who has not been habilitated in the first place. At no time should a youth be classified as an adult in the judicial perspective to be subjected to adult penalties and incarcerated within adult populations where they will harden and be introduced to a cycle of crime and recidivism. In order for the juvenile justice system to ensure that the needs and interests that programs serving youth in the juvenile justice system receive sufficient funds and youth participation at every stage of the decision-making process: consultation, formulation, design, implementation, and evaluation.

Youth are capable of transforming needs into policy, especially in an atmosphere of trust and respect.

In a supportive environment, young people are better able to identify their own needs, which will surely deter juvenile delinquency.

While accountability for one's actions is important, exposing and subjecting juveniles to physical and sexual abuse is not the solution to juvenile delinquency, nor will it end the growing crime rate among youth.

Youth participation is about developing partnerships between young people and adults in all areas of life so that young people can take a valued position in society and the community as a whole can benefit.

The criminalization and victimization within the community will not stop at the expense of jailed youth. Justice at the hand of injustice is not justice but a crime and disservice to the true meaning of the judicial system.

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