

When the Kid's in Cuffs, What's a Parent to Do?

By Joan E. Lisante December 27, 2001

You might get "the call" in the middle of a staff meeting, or at 2 a.m. after reading three pages of Oprah's latest pick before your eyes cross and you flick off the light.

But the shock and feeling of helplessness triggered by the caller's opening words don't vary: "This is a detective down at the Reston district station -- we've got your daughter in custody."

There must be some mistake.

Your life flashes before your eyes. It's all you can do to sputter out a few words: "What happened? Is she all right? Who else is with her?"

Should you call a lawyer? Page the public defender? Go over there and pick her up? Then what?

Tim Henry of the Moorestown, N.J., police department has peeled many a parent off the ceiling. Henry, who spent 13 years as a detective working on juvenile cases, advises parents to "get the facts. Find out who's handling the case and try to ascertain what's going to happen. Remember that juvenile justice is set up differently from adult court. There's an emphasis on accountability, but guidance and reinforcement are usually more important than punishment."

Here are more issues to ponder:

* How serious is the incident and how involved is your child? Do you need a lawyer? In some juvenile matters, children and parents appear without counsel. But going it alone may not be the best decision -- it depends on the charge and the consequences.

* Could your child be detained or put on probation? Do community service, or lose a driver's license?

* Does this incident reveal a hidden side of your child? Does his judgment need a little work?

* What will this cost in time, money and aggravation?

While you need to handle it, don't let this incident dominate your life. Figure out how your child got into the situation. Did he go along with a friend's nutty idea, or is something truly wrong? Now's the time to intervene, while he's still under the jurisdiction of a rehabilitation-focused juvenile court.

And don't feel alone -- this sort of thing is as common as acne. In 1999, according to the Department of Justice, more than 900,000 juveniles were taken into custody for crimes ranging from destruction of property to public intoxication. Most of these kids had parents who, stunned and bewildered, made that long trip to pick up their little darling when they'd just as soon have dropped her off at military school.

Once your child is under arrest, police, security personnel and judges seem less like servants of the law than people who have upended your life and cast a jailbird shadow over your child's future.

But what's the view from the other side? What's it like running down teens with beer or marijuana in the Camaro?

Tim Henry doesn't consider cops and kids "natural enemies." "I think the arresting officer sets the tone. The most effective way to deal with a situation is to talk to kids with respect. Don't get into a battle of the

egos," he says.

And Henry takes a personal interest in those he's chasing, many times looking into a kid's family situation. One night, he followed a "teen caravan" of three to four cars into a local park and watched for a while. When he stepped out of the patrol car, one kid shouted "Five-O!" as the rest scattered. "Later," Henry recalled, "I phoned some of the fleeing kids who know me, and they apologized."

And what about the judge, who ends up sorting out the mess? Eugene Hyman, a Superior Court judge on delinquency assignment in San Jose, Calif., has a unique view on things: He used to be a police officer. Hyman doesn't think kids and cops are natural enemies, either.

"I don't think police officers dislike juveniles, but over the years kids have been treated more and more as adults under the law," Hyman said. "Today they have virtually the same rights, except the right to a jury trial. So this drives the perception of juvenile court as no longer a gentler place ruled by the 'best interests of the child.' Society is afraid of kids, and everyone wants the book dropped on kids -- with the exception of their own."

And Hyman realizes that parents of a child in trouble are in a tough position, especially in states like California, where communications between a parent and child aren't privileged. Result: Parents can be forced to testify in court about something their child told them.

High school security officers see a lot of action, too. Oakton High School's Mikey Wood has specialized in kids with bad judgment since 1991.

What does she see in a school of more than 2,500 students? "Fights, vandalism, theft, threats, possession of drugs or alcohol, and truants and runaways," Wood says. Besides testifying in court, she's also the Vienna school's police, fire and security contact.

There's nothing pretty about a cornered kid, and Wood knows all the standard lines: "My friend gave it to me and I didn't know what it was"

and "I don't know the kid's name -- he just came up and gave it to me" are two favorites.

Wood has also seen disappearing acts worthy of Houdini: "Students will drop things they shouldn't have if they think they're going to be searched. We've seen students put baggies of marijuana on top of tires as they walk by a car, stuff weapons and drugs in underwear, and hide marijuana pipes up sleeves, in shoes, or under hatbands," she says.

School psychologists like Fran Gatlin, who works at Fairfax's Robinson High School, are also on the front lines. "When I work with kids facing court dates," Gatlin says, "I work on management of anxiety. I interview to make sure the teen isn't feeling desperate. Beyond that, I urge them to be honest, not argumentative. I may do some role-playing to help them come up with appropriate responses."

Although you know, from the time you camped out with eight whiny Cub Scouts, that you're on your kid's side, observers might think differently as you turn blood-red when confronted with your child's wild side.

Henry says he typically encounters two attitudes: "Sometimes parents are very angry at their child, and I remind them that kids can make inappropriate decisions. Other times, they're mad at the system or the police, and blame them for that lost chance at a job, scholarship, et cetera."

Henry believes that neither is productive and advises parents not to overreact: "Kids learn valuable life lessons from being arrested -- they find the whole thing unpleasant, and usually don't repeat the experience."