

Polk County hires juvenile attorneys

Written by Jeff Eckhoff
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Polk County supervisors Tuesday agreed to hire two new county attorneys to handle juvenile court matters, rebuffing efforts by a central Iowa civic group to delay the move amid questions it has raised about a recent surge in juvenile court cases filed by County Attorney John Sarcone.

A May report by the Iowa Department of Human Rights' Division of Criminal and Juvenile Justice Planning included statistics showing that the number of juvenile court petitions filed against white children in Polk County jumped 70.8 percent between 2010 and 2012. Filings jumped 80.4 percent for Hispanic youth during the same period and 182.2 percent for blacks.

Members of A Metropolitan Organizing Strategy, or AMOS, have argued the numbers mean Sarcone's office has backed away from previous policies intended to divert juveniles who commit minor crimes into alternative resolutions that involve community service, restitution and special classes instead of criminal convictions. The group packed Tuesday's Polk County supervisors meeting in a bid to at least temporarily block Sarcone from hiring two new lawyers who would be assigned to handle cases in front of a new juvenile court judge.

Adding more prosecutors would do nothing to halt the filing of new juvenile cases, AMOS member Cameron Barr argued Tuesday.

"We're not here to call anybody racist or anything like that," Barr, an associate minister at Plymouth United Church of Christ, told supervisors. "We're just here to say that we sense that there's an abiding racial bias in our criminal justice system across the country and indeed here in Polk County."

Barr was one of several speakers who called for a new community conversation about the racial disparity in juvenile court and how it should be addressed.

"We're all very smart and caring people," he said. "We're asking that we might just *talk* about this racial bias."

AMOS member David Witke suggested to supervisors that a community mediator might even be helpful, because "this is an issue that already has raised concerns among a proportion of your constituents."

The problem, according to Sarcone, is that nobody at AMOS has listened.

In a hallway outside the supervisors' meeting room, Sarcone later said AMOS members have been repeatedly told about mediation and diversion programs that are available to troubled youth. Polk County authorities file court cases against roughly 1 percent of the area's juvenile population, he said. County officials are not anxious to put juveniles in jail, but there sometimes has to be the threat of a criminal penalty before troubled juveniles will change their ways, he said.

Sarcone and Assistant Polk County Attorney Frank Severino, who oversees the office's juvenile bureau, said Polk prosecutors are filing roughly the same number of cases as they did in 1995. In between that time, however, a previous occupant of Severino's job allegedly asked juvenile court officials not to refer

misdemeanor cases to the office. Misdemeanor cases are now being filed when juvenile case workers believe intervention is necessary to stop a cycle of bad behavior, Sarcone said.

“The procedure has always been to intervene at a quicker point,” Sarcone said. Before, “someone just wasn’t doing it.”

Inside the meeting, Sarcone’s position was supported by Polk County Sheriff Bill McCarthy, who accused AMOS of having “a fundamental misunderstanding about how the juvenile justice system developed.”

“The fact that (youths) find themselves in that system is not a bad thing,” McCarthy told supervisors. “Sometimes, it’s the only thing that will save a child... .”

Supervisors ultimately voted unanimously to add two new lawyers to Sarcone’s office so they can process cases heard by what will be the county’s sixth juvenile court judge. The new lawyers will be paid between \$69,571 and \$119,653 a year.

Supervisors Chairman Tom Hockensmith acknowledged the statistics Tuesday and allowed that a possible problem exists with juvenile crime.

“It seems to me that it’s more of an issue that needs to be addressed through society,” Hockensmith said. “Not by not prosecuting people who break the law.”

Barr later said supervisors had done what AMOS expected them to do, “but we thought it was important for us to get on the record.”

Sarcone spent time in the hallway urging AMOS members to volunteer in other ways and to serve as mentors for troubled families.

“The only way you can ever stop the disproportionality, I think, is you’ve got to get to it before it happens,” he later told a reporter. “It’s dealing with the families... These families need help.”