



# In Their Own Words



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Each year in Ohio, approximately 300 youth under the age of 18 are bound over to the adult criminal justice system. The Children's Law Center recently released a report, "Falling Through the Cracks: A New Look at Ohio Youth in the Adult Criminal Justice System," that examines the data and research on youth who become involved in the adult criminal justice system, including bindover youth, in Ohio.

The stories highlighted below go beyond the data and research and tell the stories of eight individuals – four bound over youth and four family members of bound over youth – who have firsthand knowledge of what it is like to be bound over or have a loved one bound over to adult court.

## Linda H.

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*Linda's son Joey suffered with mental health issues before and after being bound over; his full story is available in a book written by Linda - "In My Petticoat: A Touch of Insanity."*

On Mother's Day in 1962 a beautiful baby boy was born. His Mom and Dad were over the moon. No one could foresee that this family would NOT move forward as a typical young family headed for a happy future.

Joey's trouble started early. In layperson terms, he was a handful. He was expelled from pre-kindergarten at age 4 and by kindergarten was labeled hyper active and placed on drugs. By third grade Joey was placed in a neurological handicapped class. We worked with psychologists, counselors, therapists and psychiatrists. Tactics that should've worked didn't; drugs didn't work either. Mental illness not only destroys the victim, it destroys the family.

Eventually Joey's behavior turned into vandalism. By the age of twelve, the juvenile court system became involved. All the while, we pleaded for hospitalization in a mental hospital facility. We believed our son was mentally ill and that no one was seeing what we saw.

At seventeen Joey was arrested and bound over to the adult system. There it was thought he should plead not guilty by reason of insanity. I finally felt like Joey's mental illness was getting attention, but why did it take this to assess my son's mental health and give it a label?

Joey was sent to Prison and thrust in with the worst of the worst. He spent the next 23 years in prison **untreated** for his mental illness. Two years after his release he was diagnosed. Treated as a patient in a hospital setting, Joey, now at age 42, had his disorders identified again and properly medicated. During this time, he graduated with honors from college.

But six months later Joey was dead. He ran out into interstate traffic where he was hit by three cars. Joey lost his battle with mental illness. If he were here today, I believe he would tell you he wanted to live, but not with all the pain. But he's not here.

I am left to keep fighting the stigma. I have to wonder if he got the better deal. I continue to cry almost every day for my child and still hope that someone will hear my cries and help me change the system.

Joey's story taught me many things, including that we should not make children adults in a court of law. Instead they should be placed in quality mental health facilities to rehabilitate their minds.

## Michael P.

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*Michael was a star student athlete and honor roll student before being bound over at age 16.*

I was the one who was going to be my family's hero. Take my family and get them out of the inner city. Be a professional, something my parents didn't do.

Growing up, I was raised by my grandmother. My father supported me financially and my mother was in and out of my life. I strived in elementary. I enjoyed playing the piano and competing in chess in my childhood. As I started to get older, I wanted to play football. I played for several seasons and received numerous awards for my outstanding performance on the field. The one that stuck out the most was "Team MVP." I did excellent in High School, getting accepted to the National Honor Society and earning GPAs from a 3.4 to a 4.0.

In high school, I started to make my own decisions which led me into the juvenile system. I never did any serious crimes. In the juvenile justice center, they let us do school work to keep us fresh for our grades. When I was told I was going to get bound over to the adult system I was shocked. In the adult prison system, it is only what you make it. I have received my GED and earned a trade in Administrative Office Technology. I am continuing to learn and grow, so now am currently attending Ashland University while I fight for my freedom.

If I do not win my appeals, my future is going to be affected tremendously. I face living with an adult felony for an alleged act when I was 17 years old. My hopes are to be a successful man in this world, not only successful but a positive role model to those who come from the inner city. My goals are to attend college, stay focused, and work on my mind, body and soul. Ultimately I would love to establish a charity or foundation to give back to the community.

## Lynay S.

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*Lynay's nephew James was bound over at age 15:*

I was there when James was born. I taught him how to walk and gave him his nickname. James's dad, my brother, was a heroin addict, but tried to provide for his family. James's mother died from congestive heart failure when James was 7.

[After his mother died, James went to live with relatives in Washington. His dad got clean and James decided to move home. James's relatives] sent this child – James was 11 – alone on a bus to Ohio with very little money. The bus driver called me because James was panhandling for money to get home.

He and his dad lived for a while in a homeless shelter, but his dad started using again. James started skipping school and panhandling. He was taken in by children's protective services and put in the local juvenile detention center for problems at school.

My brother ended up dying of a drug overdose. I went to the detention center and deliver the news to James. I got permission to take him to the funeral and a voucher to buy him some clothes to wear.

After the funeral, James was placed with a foster family who wouldn't let James keep a car his dad had left him. James got upset and hitchhiked back to Cincinnati. I didn't even know James was back in the city, until one Friday evening, a Crime Stopper's alert with James' picture flashes across the television screen.

I started looking for James. I looked in abandoned buildings. I bribed little kids in the neighborhood to tell me if they saw him. The police eventually found James. They had him bound over to adult court even though he was just 15. I was just amazed they could do that.

I didn't know that kids could be tried as adults in Ohio. When I found that out, I lost my breath and my mind went blank. At the sentencing, I asked to speak to the judge. I said, "Your honor, everybody needs a second chance. This child has been traumatized with both parents dead and being shipped all over the country." I said to the judge, "You take a child with a GED in criminology and he'll come out with a master's degree." The judge said, "I'm as compassionate as the best of them but he needs to be locked away like an animal." I thought I was back in 1960 in Jackson, Mississippi.

James spent his first two and a half years in prison in isolation because he didn't know how to deal with what was going on and was acting out. James turned 21 in November. He's still a 14-year-old, though, a 14-year-old in a 21-year-old body in a facility for hard-core criminals, murderers and rapists. I don't know if he's been molested. He says the guards pick on him because he's small. I don't know what to believe.

## Rosa K.

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*Rosa's son Malcom was bound over at age 17.*

I had always taught Malcolm not to be afraid of the police. He was taken into custody and I was actually proud that he had spoken up. Looking back, I can see how they used everything he said in his interview against him and led him along. I beat myself up about that for a long time.

When Malcolm was in the juvenile detention center, I would call ahead to see when I could go visit him and get him his medicine. When he was moved to the adult jail, I had no rights to him. I was too scared to call and get on anyone's nerves because I was afraid they would take it out on Malcolm.

After Malcolm was bonded out from the jail, he was placed on house arrest. I asked if Malcolm could stay out past 12am now that he was supposedly an adult. They told me no. That didn't make any sense to me because they was punishing him as an adult, but he couldn't have any adult privileges!

Malcolm was a different person when he came home. He was distant and went into a deep depression.

Right now I'm relieved that he's home, but I'm almost as nervous today as I was the first day. Our whole family is taking it hard – Malcolm has two sisters and we are all losing sleep. I am in a cold zone and wish this would disappear. Malcolm has not been in trouble before and needs to stay in juvenile court. He doesn't belong in the adult system – he's a boy. I went to watch him in a choir concert at school the other day and it really hurt me that he's still a little boy.

## Malcolm K.

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*Malcolm, Rosa's son, was bound over at age 17.*

I didn't know I could get sent to the adult court. Other people at the juvenile detention center had to explain to me what bindover was. After I found out I could get bound over, I cried for a whole week. It was the longest week of my life.

After I got arrested, I spent 2½ months in the juvenile detention center and it was OK there. I was able to go to school. While I was in detention, I never got in any trouble and was always complimented on my behavior. I was able to work my way up to and stay on the highest level of privileges after 2 weeks there.

After I got bound over, I was taken to the adult jail. It was eye-opening. I never thought anything would be like that. I was put in a room with bunks in it. I didn't feel safe in the dorm, you were back there with whoever you were back there with. There were no staff or guards watching us.

We were fed through the door slots and people ate like dogs. One time they brought trays of food and were one tray short. Instead of bringing another tray, one person just didn't get to eat. I couldn't sleep at all in the jail; I felt like I had to have one eye open all the time.

I'm a senior in high school and am on track to graduate. I got a 3.7 GPA last quarter and have applied to a couple of colleges. I wanted to be a lawyer before, but now I'm not sure.

Sometimes I think about suicide, I'd rather be dead than in prison. Sometimes I feel like the world is on my shoulders and there is no sense in trying. Even in school sometimes I lose focus and picture myself in prison and I black out. I fight through dark thoughts and search for better days, but this dark cloud is over my head. I can't eat nor sleep sometimes. I'm still a kid. I play basketball at the park like a kid. Do homework like a kid.

## LaToya M.

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*LaToya's brother Gerald was bound over when she was 12 years old.*

**L**ike a lot of older brothers, Gerald used to pick on me when we were little. We grew up in a poor neighborhood where it wasn't unusual for kids to get in trouble with the law, especially boys.

Gerald was in junior high school the first time he got in trouble. He spent some time in a Department of Youth Services facility.

My other brother says when you first start breaking the law, you feel like you're doing something good for your family. But then it becomes this way of life and you don't know anything else and you eventually realize that you're not going to bring your family out of poverty. When you're young and in that culture, I think the consequence side of behavior isn't top of your mind until you end up in prison. For Gerald it became real he was sent to prison for the final time.

Over the years, we have talked a lot about why we ended up on different paths. I was luckier than Gerald in some ways. I was the only one in the family with an active father and, as a girl, I grew up a little more sheltered. I was bussed to another school on the other side of Cincinnati.

Every time we hear rumors that something bad is happening at the prison, like a riot, we get really nervous and worry about Gerald. The guards are terrible to the inmates, most of the time unprovoked. They treat them like they are not human beings but property.

Since being in prison, Gerald has earned his GED and barber's license, steered clear of trouble and become a positive mentor to new prisoners. He has stayed out of trouble and is ready – 15 years later – to come home.

I don't care who believes it — Gerald is a really great guy. He's super intelligent and is going to be great when he gets out. I tell everyone, he's the most resilient person I know. Still, I feel like his expectations should be really low. I don't want him to be disappointed. Unfortunately our society isn't ready to handle people who are released. Everybody is going to put a barrier in front of him and he'll have to break those barriers down.

I hope that when Gerald gets out he can focus on finding his happiness.

## Stephan M.

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*Stephan was bound over at age 14.*

**M**y mother is a faithful churchgoing woman. My father is a hardworking man who takes his work seriously, he is also an Alcoholic. I used to like spending time with him when he was drunk because he was a real father to me when he was like that. I picked up the habit of drinking.

I found myself doing anything to get drunk, I would skip school to drink, spend my hard earned money to get my hands on more alcohol, anything.

Juveniles who get sentenced usually go to Department of Youth Services (DYS) it's the "Juvenile Prison." I have never been there.

In the juvenile detention center, when my bind over hearing was getting closer everyone started treating me different, looking at me in a sad way. When I got to the adult jail, all they did was throw me in a cell. The rooms were dirty. A lot of inmates in there would say things to me and some would run their fingers across their necks saying that I was going to die. My first day in there I spent it in a cold dirty cell. I slept in a suicide gown that night. It was a long night.

After my sentencing life for me was miserable. I really just lied around doing nothing. Stay in bed all day every day. I knew life was over. Being a Juvenile was over. I was trash. Property of the state. My life then was dull. Empty, weak. I was 15. I had almost 20 years of my life gone. What could I say to my mom? I'll be home again in almost 20 years.

I had only seen barbed wire fences in movies, this time I was in it for real. They took us all to a small room and made us all strip out in front of everyone. I was the only Juvenile there so it was very uncomfortable for me.

I was put in a cell all the way in the back of the Pod. I don't remember how long I was there but when it was lunch time, they popped all the doors and we all came out together. When I walked out 5 dudes tried to corner me in and drag me in my cell. They tried to drop a Locker Box on my head.

When a juvenile is bound over it means the juvenile system believes you can't change. That there is no hope for your future, when we were bound over. The juvenile system threw us away. Saw no hope for our lives. This is not the way, this is a dead end. As much as I want so desperately a new beginning, a clean slate, I know I will never get one now with this number.

## Jonathan R.

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*Jonathan was bound over as a teen.*

**T**hroughout my 19 years of life I have experienced tragedies and joys bypassing most of my elders. As a young child, my mother had little-to-no contact with me except for the occasional raise-your-hopes-then-drop-the-ball visit. I have multiple brothers, all of whom, before I was incarcerated, had some form of run-in with the judicial system.

I had "astronomical potential." Even after coming to prison I managed to graduate at the age of 17. At this point, one of the many thoughts that scare me is thinking of what a would-be employer would say to a diploma from a correctional institution? I am still afraid to say that when an employer sees F3, GSI, on an application, my intelligence will not save me.

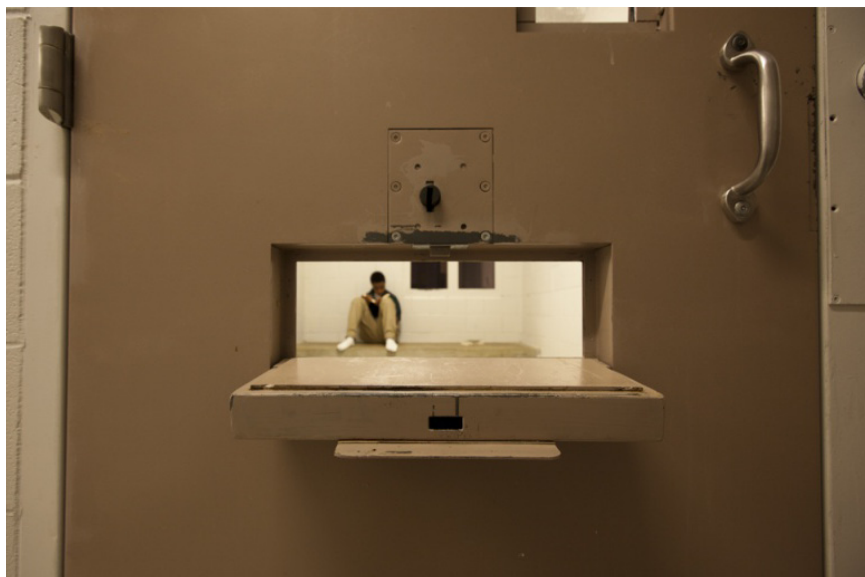
The first thing after arriving to prison sporting a new “bald-head” and “stateblues” that I learned was adaptability. There are an infinite number of situations in the adult prison system that one does not ready themselves for under normal circumstances.

Imagine, if you will, a young white male, age 17, 6’0,” under 170 pounds, and new to “the system.” Now throw that individual into an environment fueled by hostility on the side of inmates and correctional officers. You must instantly adapt or fall victim to circumstance. As of now, I remain in my “pack of wolves,” but I learned quickly as a sheep to don their clothing and act as one of the pack, thus effectively diverting their attention to the next poor, lost sheep.

There are many things I have learned since being incarcerated. Not all of them good, not all of them bad, not all of them even entirely useful, but ALL are alike in that they could only have been learned in prison.

As I see it, except in EXTREME cases, I do not believe this form of punishment should even be conceivable. The reasoning is simple, a child is a child and an adult is an adult. There should be no guidelines saying “a child is a child, but will be punished as an adult under these criteria.”

Frankly, I believe that the prison system does not “correct” or “rehabilitate” any individual as the departments would have you believe. There is simply too much violence. There seems to be no way to avoid mental, verbal, or physical confrontation throughout one full day of incarceration. I have had teeth misplaced, bones broken, bloody wounds, bruises, and mental scars that will never heal.



Photography By Richard Ross. <http://www.juvenile-in-justice.com>

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