

**Juvenile Assessment Center
of Lee County**
2107 Dr. Martin Luther King Blvd.
Fort Myers, FL 33901
(239) 258-3450
www.swfjac.org

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The JAC Perspective



The Juvenile Assessment Center of Lee County ... assisting youth and their families to seek the treatment and programs they need to lead productive, crime free lives.

Free drug testing kits are available at the JAC 24 hours a day for parents to use with their youth.

Law enforcement should call ahead to

**258-3461
or 258-3471**

when bringing an arrested youth to the JAC or to confirm that a youth is eligible for a civil citation.



The JAC of Lee County is operated by the Lee County Sheriff's Office in partnership with the Lee County Board of County Commissioners and the Department of Juvenile Justice.

Tech Alert: New Way for Teen Trouble

Live streaming video appears to be one of the newest technologies that teens are latching on to through applications such as Periscope, Meerkat, and YouNow. With the tap of a button on a smart phone one is able to start streaming

audio and video of whatever the camera lens sees. Viewers, who can be both friends or strangers, can interact by commenting or asking questions while the broadcast is in progress. This



technology is expected to change the way news is viewed and created as bystanders are now able to broadcast unfiltered and unedited breaking news even before the first responders or news crews arrive. However, the "unfiltered" and "unedited"

aspects of this technology should sound alarm bells for parents of teens. Teens are still learning to use good judgment and may be impulsive, especially in emotionally charged situations or with their peers. Live streaming is immedi-

ate. The technology eliminates any pauses between a teen's impulse and a tap on a button to start broadcasting, leaving out any time for reflection on whether or not the content might hurt someone else, might have negative consequences for the teen, or possibly be illegal.

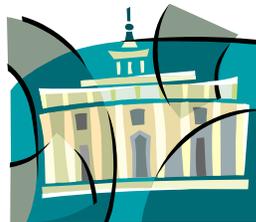
Teens are also able to view broadcasts from others making them vulnerable to any inappropriate content. While this technology may have many positive applications, parents need to take *(Continued page 2)*

Life Sentences for Juveniles to Be Reconsidered

Recently some of Lee County's most notorious juvenile offenders (recall the "Cash Fiends," for example) who were tried as adults and sentenced to life in

prison have been transported to the Lee County Jail where they are being held for court hearings. Their reappearance in Lee County is part of a much bigger picture that has ties all the

way to the Supreme Court of the United States (SCOTUS) and recent research on brain development. For the past few years the SCOTUS has considered the neuroscience on adolescent brain development which led them to conclude that, due to adolescents' inherent psychological and neurobiological immaturity, they are not as responsible for their behavior



as are adults. According to the research, most adolescents know the difference between right and wrong but have diminished capacities for

using good judgment and considering the consequences of their behavior compared to competent adults. They also are more capable of change and rehabilitation than adults. The SCOTUS has taken the

approach that adolescents' deficiencies don't warrant an exemption from criminal sanctions, but do diminish their personal culpability. In 2012 in Miller vs. Alabama the SCOTUS held that juvenile offenders cannot be sentenced to life in prison without the possibility of parole as it would *(Continued page 2)*

Tech Alert (cont.)

seriously the potential for teens to use it in ways that are inappropriate, not safe, or could potentially get teens into trouble. Some reviewers of the applications note that often teens are using live video streaming for very mundane things, such as, their daily activities. Even videos of themselves sleeping seem to be a popular teen subject. However, some teens are looking for shocking content to broadcast to build their viewership, and they will likely find it. Although pornography is prohibited by the applications, it is likely that some R-rated content will slip through the cracks. Live streaming can be a lot like inviting strangers into your home. Periscope, a Twitter-owned

application, shows the city where the video is being broadcast. It initially allowed viewers to zoom in on a map to the exact location but this feature was disabled within the first week. However, reviewers found that some teens responded to questions from viewers by giving out personal information, such as, their age, where they live, and where they attend school. When asked if their parents were home, some teens told the viewers, “no.” Add in other clues from the video and a teen could become a target to anyone with inappropriate intentions. Other troubling issues include the potential use of this technology for cyberbullying, cyberstalking, or for sharing of

sexual content. Teens in Lee County have been arrested or otherwise sanctioned for all of the above using other forms of social media so there is no reason to believe that it won’t happen using live video streaming. While teens may expect that their streamed content will disappear, they should know that anything they record can be viewed, saved, and shared by numerous third parties. This includes exes, school administrators, parents, law enforcement, college admissions, and employers. It is important for parents to talk to teens who use live video streaming applications about how to use them in a safe and smart way.

Life Sentences (cont.)

violate the U.S. Constitution’s 8th Amendment protection against cruel and unusual punishment. In 2014 the Florida Legislature revised Florida statutes to comply with the Miller vs. Alabama ruling. However, the legislature left it to the courts to clarify whether the law should apply only to cases that occurred after the statutory change or should apply retroactively. Several cases in which offenders were serving life sentences for crimes committed

as juveniles were heard by Florida District Courts of Appeal. However, the District Courts were at odds with each other over whether the law should be applied retroactively or not. In March of this year the Florida Supreme Court held that Miller vs. Alabama could be applied retroactively. Any affected inmate has two years from the time the mandate was issued to file a motion for post-conviction relief in the trial court to correct

this or her sentence. Being granted a resentencing hearing does not guarantee a reduced sentence. The Court may still sentence an offender to life without parole but this decision must be made only after a judge weighs criteria such as the nature of the crime, the juvenile’s personal background, and the juvenile’s maturity at the time of the crime. These kinds of issues were generally not considered in the original sentencing.

Flakka Alert

In Florida there has been a growing number of overdoses of a new designer drug that goes by the name flakka. Flakka first started showing up on the east coast of Florida where some bizarre cases of its use received much media attention. According to local drug treatment professionals it has now made its way to southwest Florida. Flakka is sometimes referred to as “gravel” due to its

similarity in appearance to white aquarium gravel. Flakka is one of the newer chemicals in the category of synthetic drugs similar to “bath salts.” It can be snorted, smoked, vaped, injected, swallowed, or combined with other drugs, such as, marijuana. It is often sold for as little as \$3 to \$5, making it an affordable drug for many kids. While flakka can produce a euphoric high, it can also

cause users to act violent, manic, or paranoid. It can cause physical symptoms including a spike in temperature, elevated blood pressure, and an elevated heart rate. There is no regularity in its potency so there is a high potential for users to overdose. Drug abuse experts warn that the use of flakka can cause serious, permanent neurological damage and kidney dysfunction.