

Accountability betrayed

You couldn't tell, just by reading Lt. Gov. Steve Pence's self-congratulatory article in yesterday's Forum about passage of his sex-offender legislation, but public accountability in the juvenile justice system has been dealt a setback by that measure.

Oddly, Mr. Pence accurately noted that "information is the most powerful tool parents can have in shielding their families from danger."

But as a result of Sen. Ernesto Scorsone's amendments, House Bill 3 goes out of its way to help hide information about the way the justice system handles the juveniles for whom it is responsible.

The lieutenant governor argued that citizens have a right to know if there's a dangerous person in the classroom or lurking in the neighborhood.

Of course, they also have a right to know that courts, officers of the courts and the public agencies into whose care and custody children are placed are working efficiently and effectively.

They have a right to know how, and how well, those authorities are dealing with troubled young people and the families in which abuse, neglect and dependency are at issue.

They have a right to know that the entirely human adults presiding over the public's judicial, law enforcement, corrections and youth welfare institutions are not hiding their own brands of neglect and abuse behind the closed courtroom doors and the securely locked files.

Mr. Pence claims a "consensus" in favor of HB 3, but consensus in favor of such self-protective secrecy is all too easy to

achieve among those fearful of governmental accountability. They need only claim to be protecting vulnerable kids instead of themselves. Who could be against that?

Of course, real protection for juveniles will only come from public access to a system that operates on the presumption of openness, while preserving judges' discretion to close proceedings and records when prudent, on a case-by-case basis.

That's what would have been assured by House Bill 436, the good bipartisan proposal sponsored by Rep. Bob Damron, D-Nicholasville, and 16 others.

Unfortunately, it was sent to the House Judiciary Committee, where the chairman, Rep. Gross Lindsay, D-Henderson, sat on it.

With the passage, instead, of HB 3, the system will not become "a little more accountable," as Mr. Pence claims; it will become a little less open.

The only access this measure ensures is the kind that some judges and prosecutors want in order to posture as "tough on young thugs" and to put their trophies out on public display.

Mr. Pence didn't just "bend a little" to get this bill passed, as he gently put it. He curled up in the fetal position and sucked his thumb.

It is hard to take seriously the pledges of anyone in that posture, but at least he says he plans to "work toward more progressive changes" in future legislative sessions.

Those who care about the way children — all children — are treated in the justice system should take him at his word and hold him to it.



Lt. Gov. Steve Pence