

Another Florida teenager receives harsh adult prison sentence

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Nathaniel Brazill, 14, was sentenced July 27 in a Florida court to 28 years in prison without the possibility of parole. Brazill was convicted as an adult on May 16 of second-degree murder in the shooting death of a 30-year-old seventh grade teacher at a middle school in Lake Worth, Florida on the last day of classes in May 2000. He was only 13 years old at the time.

The trial and sentencing of this teenager is the latest widely reported case of what has increasingly become standard practice in the American judicial system: prosecuting children as adults. Last month in Broward County Florida, 14-year-old Lionel Tate was convicted of first-degree murder. He was 12 years old when his six-year-old playmate died of injuries inflicted by Tate as he acted out moves he had seen on a TV wrestling show. Tate's mother rejected a plea bargain in the case, contending the death was an accident, and the teenager was subsequently sentenced to life in prison without parole under Florida's mandatory sentencing laws.

Nathaniel Brazil and his defense have not denied that he fired the shot that killed language arts teacher Barry Grunow on May 26, 2000, although they say it was an accident. Defense attorney Robert Udell said at trial that the teenager thought the gun's safety was on when he pointed it at the teacher. Brazill had been suspended earlier that day for throwing water balloons in the school cafeteria. He returned later and asked Grunow if he could enter the teacher's classroom to speak with two students. When Grunow said no, Nathaniel pointed the gun at him and it went off, killing the teacher with one bullet to the head.

Although the jury assembled to judge the case rejected the prosecution's argument that the shooting was premeditated, they handed down a conviction of second-degree murder. Under the new Florida

sentencing laws, the judge was required to impose a sentence of 25 years to life. Many news reports on the 28-year sentence—which will be followed by two years of house arrest and five years' probation—commented that it was lenient under the circumstances. This so-called lenient sentence will keep Nathaniel behind bars until his early 40s, with little opportunity for rehabilitation or psychological treatment.

For the most part, the political establishment has come to accept the basic premise of the adult prosecution of juveniles: if a child allegedly commits an "adult crime" he or she must "pay" as an adult. According to this view, consideration of the child's mental maturity, psychological health, and social or personal situation should take a back seat to what is seen as the overriding need of society to lock up these "bad seeds." In Nathaniel Brazill's case, the prosecution put aside the young man's background and painted the defendant as a cold-blooded killer, incapable of being rehabilitated.

Prosecutor Marc Shiner commented following the judge's sentencing: "This was a heinous crime committed by a young man with a difficult personality who should be behind bars. Let us not forget a man's life has been taken away." According to the law-and-order mentality so prevalent today in prosecutors' offices across the country, a crime is a crime, and the criminal is responsible for it.

But there was a time not so long ago when juveniles were treated differently in the criminal justice system. The trials of Nathaniel Brazil, Lionel Tate and other children as adults have been made possible by changes in laws in virtually every state over the past decade. In 15 of these states, the decision whether or not to charge children as adults is left up to the prosecutors, many of them elected officials wanting to be seen as being tough

on crime.

The entire judicial framework has shifted so dramatically that the distinction between prosecuting adults and juveniles is becoming more and more blurred. In Nathaniel Brazill's case, he found himself in a situation where the Florida state legal setup was heavily weighted towards charging him as an adult and, following his conviction, the trial judge was mandated to impose a minimum sentence of more than twice Nathaniel's age at the time of the school shooting.

What is rarely questioned in the media, however, is the legitimacy of prosecuting a child as an adult. No one cries out: *these are children!* Laws prohibit them from driving a car, purchasing alcohol and cigarettes, voting or serving in the military, but they are allowed to be prosecuted according to adult laws and sentenced to draconian prison terms, in some instances in adult facilities where they face physical and sexual assault. The century-long tradition of the juvenile justice system's role in protecting and rehabilitating the youth in society has been turned on its head.

There is a certain unease among the population to changes which have taken place in the judicial system over the past quarter century—the resumption of executions, mandatory prison sentences, corruption and increased violence on the part of police, and now the prosecution of juveniles as adults. But lacking an alternative perspective the majority generally defers to the law-and-order atmosphere cultivated by the political establishment and broadcast daily in the news. In the absence of an approach that looks to the class and social relations in society as the ultimate roots of this violence, the policy of government authorities predominates: more police repression and judicial retribution.

The most cursory examination of any of these juvenile cases reveals lives plagued by personal problems, and Nathaniel Brazill's story is no different. Although he was an honor student with a perfect attendance record, family relations at home were strained. Nathaniel's mother, Polly Powell, an assistant food services director at a Lake Worth retirement home, was involved in several abusive relationships. Police reported that there were 17 domestic incident reports at her home in the six years prior to the shooting. One of Ms. Powell's partners demanded that Nathaniel move out of the house.

Nathaniel was also reportedly fascinated with weapons and wanted to pursue a career in law enforcement or the military. He spent a good deal of his spare time playing simulated fighter pilot games and visiting military-related web sites. The bullet that killed Barry Grunow may very well have been discharged accidentally, as the defense contends. But the fact that the teenager responded to being suspended from school by riding his bicycle to retrieve a .25-caliber handgun is a telling indictment of a society that sees violence and individualism as the answer to every problem.

What transpired that day at Lake Worth Middle School tragically affected two lives. Barry Grunow, referred to by Nathaniel Brazill as his favorite teacher, died, leaving behind a wife and two small children. Nathaniel will be imprisoned for close to three decades. Class conscious working people should be outraged at a political establishment that advocates the incarceration of its youngest citizens as a legitimate response to disturbing social problems.



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