

## Confidentiality in Juvenile Cases

In the United States, courts often try to protect the identities of juvenile offenders by keeping their names redacted in public documents and instructing the parties to the case to keep identities secret. This can apply to any number of crimes and misdemeanors, including sexual assault.

Savannah, a high school student from Kentucky, was sexually assaulted by two boys at a party after passing out from drinking. The boys took photos of their assault and forwarded them around the high school. They were arrested and charged, and took a plea bargain that Savannah thought was too light. The court also ordered Savannah to not publicly name her attackers.

Outraged at the course of events, Savannah defied the court and named her attackers on Twitter, saying "I'm not protecting anyone that made my life a living Hell."

Some criminal justice experts say that rape and sexual assault are underreported crimes. It may be that the practice of keeping victims and attackers secret contributes to this under-reporting. Savannah, for example, posted on her facebook wall: "If reporting a rape only got me to the point that I'm not allowed to talk about it, then I regret it...I regret reporting it."

In adult sexual assault cases, most media outlets have a policy of not releasing victims' names without their consent, but adult offenders are nearly always disclosed (in fact, there is an online database of convicted sex offenders).

Savannah was charged with contempt of court, charges that were later dropped.

### STUDY QUESTIONS

1. Did Savannah behave ethically when she defied the court order and released her attackers' names?
2. Savannah was a victim of a crime, part of which involved the public distribution of photos of her being assaulted. Was the gag order by the court ethical?