

**Corrupt 'Kids for Cash' Judge Ruined More Than 3,000 Young Lives!**

**Infamous Child Warehousing Scandal in PA Involved Judges, Law Enforcement, Child Protection Services, Private Agencies, and a Local Builder, from 2000-2007**

**At Least One Suicide Attributed to the Scandal... and Many Lives Wrecked!**

**A For-Profit Juvenile Detention Center Housed Innocent Kids-  
For State Dollars Per Bed!**



Sandy Fonzo of Wilkes-Barre screams at former Judge Mark Ciavarella, who was found guilty, saying that he was responsible for her son's suicide. Photo taken on steps of the Federal courthouse, Scranton, PA, 2011.

Victims of the scandal, highlighted in a recent film, include Hillary Transue, who created a fake, humorous Myspace page about her school's vice principal at age 14. Justin Bodnar, then aged 12, cursed at another student's mother. Ed Kenzakoski, then 17, did nothing at all. It didn't matter. They were all thrown into a Luzerne County PA Juvenile Detention Center, along with thousands of other minors...

The "**Kids for Cash**" scandal (2000-2007) unfolded in 2008 over judicial kickbacks at the Luzerne County Court of Common Pleas in Wilkes-Barre, Pennsylvania. Two judges, President Judge Mark Ciavarella and Senior Judge Michael Conahan, were accused of accepting money from Robert Mericle, builder of two private, for-profit juvenile facilities, in return for contracting with the facilities and imposing harsh sentences on juveniles brought before their courts to increase the number of inmates in the detention centers.

Ciavarella sentenced children to extended stays in harsh juvenile detention for offenses as minimal as mocking a principal on Myspace, trespassing in a vacant building, or shoplifting DVDs from Wal-mart. Ciavarella and Conahan pled guilty on February 13, 2009, pursuant to a plea agreement, to federal charges of honest services fraud and conspiracy to defraud the United States (failing to report income to the Internal Revenue Service; tax evasion) in connection with receiving \$2.6 million in payments from managers at PA Child Care in Pittston Township and its sister company Western PA Child Care in Butler County. The plea agreement was later voided by a Federal judge, who was dissatisfied with the post-plea conduct of the defendants, and the two judges subsequently withdrew their guilty pleas, raising the possibility of a criminal trial.

A Federal grand jury in Harrisburg, Pennsylvania returned a 48-count indictment against Ciavarella and Conahan, including racketeering, fraud, money laundering, extortion, bribery, and federal tax violations on September 9, 2009. Conahan entered a revised guilty plea to one count of racketeering conspiracy in July 2010. In a verdict reached at the conclusion of a jury trial, Ciavarella was convicted February 18, 2011 on 12 of the 39 counts he faced.

Following the original plea agreement, the Pennsylvania Supreme Court ordered an investigation of the cases handled by these judges, and following its outcome,

overturned several hundred convictions of youths in Luzerne County. The Juvenile Law Center filed a class action lawsuit against the judges and numerous other parties, and the PA state legislature created a commission to investigate the wide-ranging juvenile justice problems in the county

As seen in the documentary “Kids for Cash,” all three Luzerne County, Pa. teens followed in the movie met the same fate for minor infractions. They were hauled into court with their parents, sometimes after being persuaded — coerced, according to at least one parent — by police to waive their right to legal counsel.

They were brought before Judge Mark A. Ciavarella and, without warning or the chance to offer a defense, found themselves pronounced guilty, shackled and sentenced to months of detention in a cockroach-infested jail built by a corrupt developer who was paying off the judges to have minors placed there. The kids were then trapped in the juvenile justice system for years, robbing most of them of their entire high-school experience and giving them criminal records and social stigma in their communities.

Hillary Transue was sent to juvenile detention for making a fake Myspace page of her teacher.

Judge Ciavarella, who sentenced around 3,000 children in this manner, was later sentenced himself to 28 years in prison for financial crimes related to his acceptance of \$2.2 million as a “finder’s fee” for the construction of a for-profit facility in which to house these so-called delinquents. The scandal was called “Kids for Cash,” and it rocked the state in 2009 — for the accusation that Ciavarella was happy to tear families apart in exchange for payoffs.

Victim Mr. Kenzakoski was diagnosed with ADD before he was 10 and was drinking by 14; his parents were so worried about him that his father developed a plan to “scare him straight”. Along with two police officer buddies, Kenzakoski’s father planted a marijuana

pipe in the boy's truck, hoping he would be arrested and "turned around" after a confrontation with the authorities.

But the second part of that plan went awry, and Ciavarella sent the boy away.

In the film, victim Mr. Bodnar recalls how, shackled and torn from his home for saying a dirty word, he approached the juvenile facility on a convict bus and saw the 20-foot high razor wire. "I'm now one of those people you see in the movies," thought the 12-year-old, who would smoke pot for the first time three months later, influenced by "living around criminals" in a facility intended to make him a better person.

After her release from incarceration, victim Ms. Transue returned to school with a stigma, viewed as a criminal by her teachers and under watch from her probation officer, who kept an office in the school.

Corrupt Mark Ciavarella had been elected judge to a 10-year-term in Luzerne County in 1995, on a platform of getting tough on teen crime. Much admired for his stance, he was a frequent speaker at schools and was re-elected in 2005. Knowing he was sending children to a run-down detention facility, Ciavarella decided a new one was needed and approached power broker Judge Michael Conahan, who assembled an investor group to build a private, for-profit detention facility named PA Child Care. Ciavarella was paid a finder's fee of 10 percent of construction costs, or \$2.2 million, by its builder.

Undone by a tip from a reputed underworld friend of Conahan's, among other information, Ciavarella had 2,480 of his convictions reversed and expunged.

After his initial release, Bodnar, now 24, was shipped off to a military academy. He now works as a cook. Transue, 22, eventually graduated from college.

A fender-bender landed Kenzakoski back in court when he was 19. Ciavarella again sentenced him to a juvenile facility. When he got out, said his mother, his demeanor was all pent-up anger, and a fight landed him in state prison. He was released in

January 2010. That Memorial Day, after a day of drinking and arguing with his father, Ed Kenzakoski placed a gun against his heart, and pulled the trigger. Had he lived, he would now be 27 years old.

The most harrowing moment in the film occurs during Ciavarella's trial. As his lawyer holds a press conference outside the courthouse, Kenzakoski's mother, Sandy Fonzo, who had been standing to the side, unleashed years of pain and anguish on the man she held responsible. "My kid's not here anymore! He's dead! Because of him!" she screamed, pointing at Ciavarella as news cameras rolled. "He ruined my f—ing life!!! Go to hell, and rot there forever! You know what he told everybody in court — [the kids] need to be held accountable for their actions! You need to be!"

In 2013, three companies behind the private juvenile detention and treatment facilities at the heart of a juvenile justice scandal in northeastern Pennsylvania settled a civil lawsuit for \$2.5 million. The settlement involved claims brought by thousands of juveniles against PA Child Care, Western PA Child Care, and Mid-Atlantic Youth Services Corp., and was granted preliminary approval in Federal court.

Two former Luzerne County judges are serving lengthy prison terms in connection with the "kids for cash" scandal. Prosecutors say children were locked away in the facilities, often for minor offenses, by judges who took illegal payments from the facilities' builder and co-owner.

Former Luzerne County judge Mark A. Ciavarella Jr. was sentenced to 28 years in prison after he was convicted of racketeering and conspiracy. Judge Michael Conahan pleaded guilty to a racketeering charge and was sentenced to more than 17 years.

The two judges and the facilities' co-owner remain defendants in additional lawsuits. All juveniles adjudicated or sent to a facility from 2003 to mid-2008 would be eligible to receive damages, with those placed in PA Child Care and Western PA Child Care eligible for more damages, according to the settlement terms.

At the end of the film "Kids for Cash," directed by Robert May, information flashes across the screen saying: "Two million children are arrested every year in the US, 95%

for non-violent crimes”; that “66% of children who have been incarcerated never return to school”; and that “the US incarcerates nearly 5 times more children than any other nation in the world.”