

The Punishment Fits the Crime?



Dave Coverly

"I thought I was guilty until my lawyer straightened me out on that."

It all started in the mid-1990s with a defendant who passed a school bus. "I made them take a day off of work and ride with the school bus driver so they could see first-hand what happens when a car goes around a school bus, and what the dangers could be," Painesville Municipal Court Judge Michael A. Cicconetti recalled.

That case was the accidental start to the judge's headline-making creative sentences. "We started small," he said. "It was more out of frustration because after a year or two years, we were seeing the same people come back, with the same offenses. I thought, 'There has to be a better way to do this.' Some people, let's face it, you're never going to deter their conduct. It took me awhile to figure that out, too."

So Cicconetti decided to start offering first-time offenders alternatives to jail. "We try to give them a sentence that's meaningful but also provocative enough so it gets everybody's attention and stops other people from doing the same thing," he said.

In February 2002, the judge sentenced a Painesville man who shouted obscenities at police and called them pigs to stand on a busy street corner for two hours with a real swine and a sign stating, "This is not a police officer."

Cicconetti said he sees very few repeat offenders with his alternative sentences, but occasionally it happens, such as in the Michael Logar case.

Cicconetti ordered Logar, who fled from a trooper after he was driving with someone who was pulled over for speeding, to run from police in a more constructive way. Logar chose to run in a police-sponsored marathon to greatly reduce his six-month jail sentence. But after running in the race, Logar again got into trouble for stealing a woman's purse and was sent to prison. "He was one of the very few that had a prior criminal record," Cicconetti said. "It was a gamble, and it was a bad gamble on my part."

Cicconetti said another case that didn't turn out as well as he'd hoped was when he sentenced a woman who abandoned dozens of kittens at the Lake Metroparks to spend the entire night alone in a remote area of the park (with rangers hidden to protect her) on a cold November night with no food, beverage (other than water) or shelter.

"That almost turned out to be a disaster," he said. "When I put her in the woods that night, the forecast wasn't that bad." Then, while home watching the news, Cicconetti saw the weatherman warning that a blizzard with up to 18 inches of snow was expected in some areas. "At midnight, I said, 'That's it. I can't

do this anymore.' It was too treacherous...so she had to spend the rest of the night in jail," the judge said.

But many of the people who opt for jail alternatives express their gratitude to the judge for turning their lives around. Cicconetti saves their letters in a large scrapbook.

As for the Pig Man, who hasn't been in any trouble since, he and the judge have since developed a friendship of sorts. "The Pig Man comes in every once in awhile just to say hello," said Cicconetti. "He even calls me and wants to go to lunch, and I have. That's what makes the job worthwhile. People coming in 10 years later saying they turned their lives around."

Find the word that best fits the definition provided:

1. discourage (someone) from doing something
2. causing annoyance, anger, or another strong reaction
3. Indecency, lewdness, or offensiveness in behavior or speech
4. move a vehicle to the side of or off the road
5. existing or coming before in time, order, or importance
6. a prediction or estimate of future events, such as coming weather
7. very difficult or dangerous to deal with
8. make a choice from a range of possibilities

In groups decide on creative punishments for the following crimes:

- An arsonist who sets fire to a part of the city park.
- A 15 year old who is caught drinking and smoking.
- Someone who parks illegally and causes major traffic delays.
- A group of teenagers who paint graffiti all over the walls of a popular building.
- A couple whose dog barks endlessly and bothers the neighbors.
- A teenager who bullied a gay teenager so badly that he tried to commit suicide.
- A drunk driver who almost causes a serious accident before he is pulled over and arrested.
- A taxi driver who is caught charging way too much money to foreign tourists.
- A mugger who stole a purse from an old woman.
- A teenager who harassed another teenager repeatedly on Facebook.

