



# Crime & Punishment

James Alan Fox on criminal behavior and the justice system

BULLYING

## Florida dad wins Bernie Goetz award!

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The votes are in; they've been counted and certified. This year's winner of the Bernard H. Goetz award -- given to the man or woman who takes matters into their own hands in the face of injustice and is widely praised as a result -- goes to 42-year-old James Jones of Lake Mary, Florida.

Just like the unforgettable Bernie Goetz, who back in 1984 shot a group of aggressive, yet unarmed hoodlums on a New York subway train and became an instant folk hero even after his arrest for attempted murder, Jones was fed up and refused to accept the role of victim. Jones was furious that several youngsters were making his daughter's life a living hell. Apparently, the 11-year-old girl, who has cerebral palsy, was repeatedly teased, tormented and harassed on the school bus. According to allegations, some kids had put condoms on her head, smacked her and twisted her ear.

Justifiably irate and seeking to protect his child, Jones barged onto the school bus to confront the bullies. Screaming, swearing and seemingly out of control, the man threatened to kill the bullies (as well as the bus driver) if the mistreatment did not immediately cease and desist. This is my daughter," ranted Jones, "and I will kill the (expletive) who fought her. □

As with Goetz, Jones clearly went way too far in standing up for the victim, and was arrested on charges of disorderly conduct and disturbing a school function. His emotional response is understandable, yet his actions were wholly inappropriate. We may sympathize with his predicament, empathize with his frustration, and support his desire to be a protective parent. We must condemn his actions, nonetheless. Jones could have and should have threatened the ruffians with a call to the police, to the principal or to their parents. But by threatening violence, he took over the role of bully in confronting younger and weaker targets.

Actually, my purpose here is not to criticize Jones for his emotional over-response; after all, he has recognized his mistake and apologized (even though his contrition may be at least partially a result of his legal predicament). Rather, I question all those who praised him as a hero.

I happened to have listened last Saturday morning to a local talk show in which the host, Mel Robbins, and nearly every caller to her broadcast expressed full support for Jones's actions. He was indeed a hero

in their eyes. While I can excuse Jones for having acted irrationally and impulsively, the host and all those who called to praise the man were calm, deliberate and absolutely misguided.

I've said it before, and this illustrates my point yet again: In our competitive society, we admire the aggressors as winners and pity the pushovers as losers. And that makes eradicating bullying in school, workplaces and elsewhere exceedingly difficult.

**FYI:** October is National Bullying Prevention Month. On Friday, October 1, 2010, the New England Journal on Criminal and Civil Confinement at New England Law | Boston, will be hosting a conference, "[Playground to Penitentiary: Criminalizing School Bullying and the Massachusetts Anti-Bullying Law](#)," at which I will be speaking. If interested in attending the event, contact:[journalmbe@nesl.edu](mailto:journalmbe@nesl.edu).