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# We Hide the Ugliness of Incarcerating Low-risk Kids in Harsh Prisons

By **Judge Steven Teske** | September 16, 2015

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We are a hostile nation when it comes to our children.

Policies are the product of a state or nation's values, beliefs and norms. Generally speaking, our policies on crime and punishment don't place much value on our children.

We incarcerate more citizens – including our own children – than any other country in the world.

This hostility is not just measured by the number of arrests, but who we are arresting.

When I visit cities around the country to deliver assistance, their data is similar to what ours was when we began reforming our system. Take, for example, my county's school arrests in 2003: 92 percent were for low-risk youth and involved affray, disorderly conduct and disrupting public school.

Let me put this legal jargon into layperson's words.

Kids were handcuffed and taken to juvenile court for throwing a wad of paper, shouting an expletive, pushing another student or flipping off someone. This included elementary students from time to time.

When did we decide it's OK to use handcuffs on kids who make us mad, and what does it say about us as a nation?

My involvement in statewide reforms nationwide informs me that states are wrestling with the same problem we faced in Georgia – too many low-risk kids removed from the familiarity of family, friends and schools and sent to the unfamiliar, unfriendly and harsh prisons that are rationalized as good places by masking them with soft descriptors like “training schools,” “reformatories” and – my favorite – “youth development campuses.”

There is something schizophrenic about our culture of incarcerating youth: We're quick to pull the prison trigger but disguise its ugliness by using feel-good words to describe these facilities – or maybe our masking of this ugliness is an unwitting confession that our juvenile justice facilities are hurtful.

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The ugliness is hidden under a legal cloud of secrecy. Our gentler descriptors help to market the sentiment that only good things occur in them, which is a lie.

It's a lie not because youth prisons exist or we give them humane-sounding names, but because they house too many low-risk kids. They are a necessary evil, but only for the few who scare us. They turn kids who make us mad into the ones who scare us.

Despite our love affair with handcuffs and razor wire fences, voters overwhelmingly feel uncomfortable at the sight of kids shackled like animals. A [Pew Charitable Trusts \(http://www.pewtrusts.org/\)](http://www.pewtrusts.org/) poll taken of Georgia voters in 2012 during our initial reform efforts showed that 86 percent of Republicans, 83 percent of Independents and 91 percent of Democrats wanted to reduce juvenile correction facilities and reinvest in proven community-based programs.

When a society reaches the point of disguising harsh policies that exact pain and suffering on children, whether for political expediency, retributive beliefs or ignorance of what works, it is time to tell the king he is not wearing any clothes.

It is time that those of us in the grass and weeds doing the hands-on work to rehabilitate kids who somehow lost their way, or never knew they were lost in the first place, not wait for the policymakers at the state capitol to get their act together. There is nothing stopping us from picking up a hoe and removing the ugly weeds strewn throughout our local field of customs and practices that choke and kill the green grass and flowers of best practices.

When our reforms began with no funding, our detention rates immediately fell over 50 percent. We didn't have those invasive wrap-around and surveillance programs at first, but we did place parents under protective orders to watch their kids, or suffer the punishment of contempt. We are a bailable state and what better use of bail than to take a kid's prized PlayStation, Nintendo or Xbox on condition they follow the rules or lose it forever.

Our local reforms have resulted in significant reductions in school-based arrests (83 percent) and commitments to state custody (77 percent), a decrease in complaint filings (62 percent) and increase in graduation rates (24 percent).

These efforts should resonate with policymakers at the state level, and in Georgia it did. The purging of weeds choking the green grass of best practices is now a statewide effort.

Evidence-based programming is like gardening – the tools never change, but the flowers we plant will depend on the soil.

Risk and assessment tools in juvenile justice gardening are a constant, but it's these tools that help us decide which program to plant in our respective lands. My flowers include functional family and multisystemic therapy while other gardeners have planted thinking for a change or seven challenges.

It's all in the soil.

No matter how different our gardens may look, there is one constant thing – they're all beautiful.

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