

# The Atlanta Journal-Constitution

## @ISSUE

## Kids don't belong in adult court system

Safety, rehabilitation must be core missions

By SARA TOTONCHI

It's nice to know that according to the 2008 Kids Count Essay, "A Roadmap to Juvenile Justice Reform," Georgia is making progress in measures that impact the well-being of children. However, Georgia needs to change policies that allow the practice of prosecuting and incarcerating large numbers of kids in the adult criminal justice system. Children are simply not safe in the adult corrections system. Youth incarcerated with adults are five times more likely to be sexually assaulted and eight times more likely to commit suicide than youth held in juvenile justice facilities.



**Sara Totonchi** is the public policy director at the Southern Center for Human Rights in Atlanta.

There are reasons why children can't vote, drink or engage in contracts — they think and act differently, like children. While the adult system tends to emphasize punishment over rehabilitation, rehabilitation is at the core of the mission of the juvenile justice system. And research shows that children can change.

While the misuse of any form of incarceration for youth is troubling, placing youth in the adult criminal justice system specifically denies them protection from adult prisoners and age-appropriate educational, medical, nutritional and mental health services that would enhance their transition to adulthood and ensure their best chance for rehabilitation.

These laws also ignore their racially disproportionate impact and have allowed unequal justice to persist in the Georgia courts. African-American and Latino youth are 45 percent of Georgia's youth population but make up 77.2 percent of the youth arrested under laws that allow them to be treated as adults.

Let's enact policies that demand that the criminal justice system start treating children like children. The people of Georgia clearly believe that the state's criminal justice system should treat youth offenders differently from adult offenders. Polls have shown that 81 percent of Georgians support allowing judges greater flexibility when sentencing youth rather than applying mandatory sentences used for adult offenders.

The Kids Count Essay says our nation's current approach to juvenile justice is costly, discriminatory, dangerous and ineffective.

We know there are less costly and more effective ways to promote public safety and provide youth a chance at rehabilitation. Once a kid enters the adult criminal justice system, he loses all chances of being rehabilitated. Policymakers must return original jurisdiction to juvenile court to decide when a child should be tried and sentenced as an adult, with a juvenile court judge deciding after a full hearing whether a child should be transferred to the adult criminal justice system. And when we must incarcerate our children, whether tried as juveniles or adults, it must be done in a juvenile facility.

Georgia has a chance to view the 2008 Kids Count Essay blueprints for building an effective justice system for youth that requires more than reducing transfers to adult courts or raising the age of majority. It also requires recognizing that children are children and are incapable of understanding complicated legal processes that leave most adults vulnerable and incompetent.

And we must insist that our children be given the chance to become contributing, law-abiding adults.