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Former DJJ Commissioner: Stop “Wholesale Incarceration of Kids”

Written by [Chandra R. Thomas](#) on Aug 17, 2010

Georgia’s former Juvenile Justice Commissioner has a lot to say about the state of the system. **Orlando Martinez** was once credited with helping to address what a federal report called “egregious” conditions in the state’s juvenile detention system, but he resigned abruptly from his post in 2003 amid fallout over his decision to close a troubled Augusta youth prison. Although he no longer serves in an official capacity in Georgia, Martinez still calls the state home and he keeps a close eye on the system. In part one of a two-part series, he spoke to **JJIE.org’s Chandra R. Thomas** about all things juvenile justice in Georgia, including concerns about rampant racial disparities and the need for better mental health treatment.



It’s a broad question, but how do you think Georgia is doing in general in the area of juvenile justice?

When you look at Georgia now, we may not be doing all of the things we ought to be doing, you know best practice stuff, evidence based stuff. We need to become more efficient and effective. Loving children and being a good guy who loves children just won’t cut it. When you look at it, most states, states like California, New York, Ohio, Pennsylvania are moving away from costly incarceration and using community based options. They have gotten rid of the wholesale incarceration of kids model. One reason is that due to the recession most states now have less money to work with. Systematic changes are often guided by lawsuits or lack of money. The cost to incarcerate a child in Georgia is about \$200

a day. About \$280 million goes in to YDC’s (Youth Development Centers) and RYDC’s (Regional Youth Detention Center’s). The construction of a facility costs roughly \$180 per square foot. That’s a lot of money. Georgia incarcerates about 1,400 kids.

Why are so many youths locked up in Georgia?

There’s been a substantial decrease in crime nationally, so when you look at Georgia it’s our policies. For example, kids determined to be designated felons must receive no less than one and no more than five years in detention. Judges don’t have much discretion there. At the rate we’re going, by 2015 there will be 2,000 kids in a [detention center] bed on a daily basis, if we don’t make some policy changes. Of that number, 50 percent of them will likely be of low to moderate risk. Only 25 percent are high risk. The question is do we have to lock up the low to moderate risk kids? There’s also the regular commitment to kids, they’re not designated felons but they’re in there due to delinquencies. Because YDC beds are being occupied by designated felons, these kids tend to back up in the RYDCs. A lot of our RYDCs are being occupied by low-level kids who could be placed in alternatives to detention programs to ensure that the community is safe and that they reappear for further court processing. They don’t need to be locked up; they need treatment and services so they won’t reoffend.

What are some of the other problems you see in this area?

One of the other issues is the superior court kids, kids convicted as adult offenders but yet they have to remain in a juvenile facility until the age of 17. Then they get transferred to adult prison. That number seems to be increasing in Georgia and that goes back to our policies. These are kids who have no hope. What do you with them?

You say low to moderate kids should not be locked up, what should be done with them instead?

Research shows community programs work. Of the kids currently in the system, probably only 25 percent should be locked up. If we reduce these rates, along with a benefit to the community there is a financial benefit. Research tells us that the use of community benefits would be \$13 for every \$1 currently spent to keep a child locked up. The way to improve public safety is to assess the kids who are high risk and place them in a secure facility and treat them. It is not cost efficient nor is it effective to lock up low risk youth. It’s like killing a mosquito with a shotgun. There are some dangerous kids out there, but kids in general should be able to grow up normally. We have to remove the causes, the things that lead them to commit crimes, the criminogenic factors.

What are criminogenic factors?

These are factors that research has shown are linked to delinquent behaviors. Some of these factors are impulsivity, criminal associates, substance abuse; family members involved in crime, lack of educational goals, dangerous home, a dangerous community environment. The problem is that we put kids in a cookie-cutter environment [in the juvenile system] and everybody gets the same thing.

What do you think works to stave off these factors?

Early intervention and prevention programs are very different from programs that deal with juvenile delinquents who have already committed a crime. We also have to talk about the impact of poverty on learning. We have to talk about providing safe foster care for kids. They need collaborative care – a mixture of mental health, child welfare agency support, education and community systems.

JJIE.org staff writer Chandra R. Thomas is an award-winning multimedia journalist who has worked for Atlanta Magazine and Fox 5 News in Atlanta. The former Rosalynn Carter Mental Health Journalism Fellow and Kiplinger Public Affairs Journalism Fellow may be reached at cthom141@kennesaw.edu.



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great article, Chandra.
