Michigan teen sent to juvenile detention for failing to do her homework

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18 July 2020

On July 14, ProPublica published an exposé detailing the case of a 15-year-old who was sent to the Children's Village juvenile detention center in Pontiac, Michigan for failure to complete online coursework after her school switched to distance learning.

The girl, referred to as "Grace," was incarcerated May 14 for violating her probation under a "zero tolerance" rule. At a court hearing before Judge Mary Ellen Brennan of Oakland County Family Court Division, Grace explained her struggles adjusting to online classes during the pandemic.

Katherine Tarpeh, Grace's special education teacher at Groves High School in Birmingham, Michigan, submitted a statement in her defense, indicating the school could have done a better job providing information. "Let me be clear that this is no one's fault because we did not see this unprecedented global pandemic coming," Tarpeh wrote to the court. She added, Grace "has a strong desire to do well." She "is trying to get to the other side of a steep learning curve mountain and we have a plan for her to get there."

Charisse, her mother, also testified that Grace was improving. Judge Brennan, nonetheless, ruled that Grace had violated her parole by not doing her homework. "I told her she was on thin ice and I told her that I was going to hold her to the letter, to the order, of the probation," the judge said.

Grace was taken out of the courtroom and led away in handcuffs.

Thousands have organized through the hashtag #FreeGrace and rallied over the past few days, with a 200+ car caravan beginning at Groves High School in Beverly Hills, Grace's school, and driving to the Oakland County Circuit Court on Thursday. As a result of what has become a national outcry, the Michigan Supreme Court has now said it will review the case. Meanwhile, Judge Brennan has scheduled a hearing for Monday morning to review Grace's "progress," but denied a request to release her before a July 24 hearing. "It is not in (Grace's) best interests to interrupt the mental health treatment before receiving a report regarding her progress," she ruled.

The original charges leading to probation arose from a fight Grace had with her mother on November 6. Later, she stole another student's cellphone from a school locker room, adding larceny to her offenses. While Grace, like many teens, had a volatile relationship with her mother, Charisse told a court caseworker that "nothing significant" occurred during the pandemic. Both had been participating in individual and family therapy, and tensions were easing.

When the pandemic hit, Grace, who suffers from ADHD, found the transition difficult. School went well at first, but without the physical structure and routine of school, problems such as oversleeping and focusing arose. ProPublica noted this was far from unique. "School districts have documented tens of thousands of students who failed to log in or complete their schoolwork: 15,000 high school students in Los Angeles, one-third of the students in Minneapolis Public and about a quarter of Chicago Public Schools students."

After Charisse confided in Grace's caseworker that her daughter was struggling, the mother was told that Grace needed time to adjust to the "new normal" and an opportunity to change. Grace's Individualized Education Plan dictated that teachers periodically check in to ensure she was on task, clarify the material, and give her extra time to complete assignments and tests. As schools made the rushed transition to online learning, however, most public schools were unable to provide these crucial supports. This was the situation for Grace.

Five days later, when the caseworker checked in and learned Grace had fallen back to sleep one morning, she filed a violation of probation against her for failing to do her schoolwork.

Despite going months without any incidents, and Grace's teacher explaining that she was just as behind in her work as many of her peers, Judge Brennan deemed Grace a "threat to the community" and sentenced her to juvenile detention.

The decision to send a teenager to a detention center for not doing homework would be a draconian measure under normal circumstances. Amid the COVID-19 pandemic, it was sociopathic.

Michigan ranks sixth in the US for the confinement of youth. A recent report, "Overdue for Justice" by the National Juvenile Defender Center, is scathing in its exposure of lack of due process for young people. The report notes Michigan "often" fails to protect the constitutional rights of its youngest, explaining, "Juvenile defense practice in Michigan is not subject to any state standards, receives no state funding, and has no consistent, effective monitoring or enforcement mechanism in place to ensure youth receive effective counsel at all critical stages." They noted that many young people like Grace are represented by public defenders, who are often so swamped with cases that they cannot adequately prepare a defense.

It also mentions that families are charged the costs assessed by juvenile courts. In fact, Judge Brennan's ruling demanded that Charisse be responsible for the "costs of placement," "professional

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testing" and "evaluations." Grace's mother is thereby cruelly forced to pay for her daughter's incarceration.

Amid growing social unrest and an escalating class struggle, the capitalist state increasingly exerts itself as a means of control. It does so both through police violence and a turn toward outright authoritarianism, currently spearheaded by the Trump administration, with the outright collusion of the Democratic Party.

Juvenile detention is another of these means of control. It is predicated on the criminalization of social problems created by poverty, the defunding of mental health care and public schools, and the increasing exploitation of society. Studies show that youth who are heavily disciplined are typically "less prepared for school entry and are disproportionately involved in delinquency and crime," problems created by poverty.

The United States has long led the industrialized world in the rate at which it locks up young people via juvenile detention, correctional, or residential facilities. Every year, an estimated 218,000 young people spend time in detention facilities nationwide, despite "the negative effects of detention on young people," according to the Annie E. Casey Foundation.

The injustice of Grace's case has rightly generated nationwide outrage: petitions demanding her release have amassed over 35,000 signatures at the time of writing.

The outrage, however, is being deliberately distorted through the lens of racialist politics. ProPublica is an investigative journalist nonprofit associated with the Democratic Party. Their report emphasizes that Grace is black and lives in a majority-white neighborhood, the Detroit suburb of Beverly Hills. It also describes the disproportionate rates at which black youth are placed into juvenile facilities compared to their white peers.

The disproportionate incarceration of black youth is a fact. A study funded by the Annie E. Casey Foundation states, "Among jurisdictions that provided information disaggregated by race and ethnicity, about one-fifth of detained young people are white, while more than half are African American and nearly one-fourth are Latino." However, they note that referrals to juvenile detention during the pandemic were not, in fact, racially disproportionate, nevertheless, the rate of release was.

More fundamentally, the statistics demonstrating a high rate of black incarceration, like those of police killings, point to the fact that blacks and Latinos are disproportionately part of the working class, including the working poor. In other words, the driver of the problem is primarily one of class, not race.

In line with the Democratic Party's endless promotion of identity politics, however, ProPublica's outrage is directed against the racial discrepancies, not the fact that young people of all ethnicities are being criminalized for poverty or mental health reasons.

The editors take pains to depict the mother and daughter separation on Juneteenth, quoting Charisse, "For us and our culture, that for me was the knife stuck in my stomach and turning." ProPublica adds, "As the country faced a reckoning over systemic racism, the day had taken on increased recognition and Charisse lamented she and Grace couldn't mark it together as they usually did, attending programs at church or at the Museum of African American History in Detroit."

The horrific crime perpetrated against Grace and Charisse is part of a far-reaching class war waged by the ruling class against the vast majority of Americans who are facing unprecedented levels of poverty and unemployment.

One in six children in the US live in poverty and comprise the poorest segment of society. As is well known, poor children are more likely to have low academic achievement, drop out of high school, become unemployed, experience economic hardship and find themselves in the criminal justice system.

In "Overdue for Justice," there is an extended quote from Tamar R. Birckhead, author of Delinquent by Reason, which lays blame. "Walk into almost any delinquency courtroom in the United States and you will find that the vast majority of children in the system are living at or below the poverty level. One or both of their parents are unemployed. If their family members have jobs, they earn minimum wage…. They are chronically absent or have developmental delays, learning disorders, or mental illnesses…

"If you spend enough time in these courtrooms, you begin to ask why. Why is it that poor children are arrested, charged, and prosecuted at higher rates than children of means? Why are fewer poor children diverted from the system than wealthy children? Why does the standard of proof seem to depend on the socioeconomic level of the child's family? Why do so many poor children violate the terms and conditions of their probation? Why are so few middle- and upper-class children sent to detention?"

ProPublica has rightly highlighted a terrible crime. But its racialist approach leads to a reactionary dead-end. Divide and conquer is the age-old policy of ruling elites aiming to distract the oppressed from the real enemy. Capitalism has no future for youth except war, poverty and exploitation.

The Democratic Party in particular wants to obscure that fact in the wake of the massive and unprecedented multi-racial and multi-ethnic demonstrations against the murder of George Floyd and so many others across the globe. This clear evidence of class solidarity against the capitalist state has provoked a near-hysterical campaign by the ruling elites and its corporate media to infuse toxic racialism into the description of every social problem.

A society based on genuine social equality, real democratic rights and international solidarity can and will be secured by the unified struggles of workers and youth of all races, ethnicities and nationalities joining together to end the predatory system of capitalism, the source of war, poverty, racism and state brutality.

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