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# Florida to Punish Kids for Crimes They Haven't Committed Yet

by [Matt Kelley](#) April 21, 2010 09:22 AM (PT) Topics: [Juvenile Justice](#), [Sentencing](#)

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I knew it was easy to get locked up in Florida. Apparently, you can get punished in the state before committing a crime, too.

An extremely troubling [new partnership](#) between the Florida Department of Corrections and IBM wants to use software to predict which juveniles will commit crimes in the future, so "the best course of treatment" can be chosen. Hey, why wait for juveniles to commit crimes, if we can start their "rehabilitation" now?

The Florida DOC says that by using predictive analytics software, it can "analyze key predictors such as past offense history, home life environment, gang affiliation and peer associations to better understand and predict which youths have a higher likelihood to reoffend."

What about talking to the kids to determine the best course of action? People are unpredictable and complex; they aren't data points. Juveniles should be taught that the world is open to them, and that they are the agents of their own destiny — not that they fit into the bottom half of a spreadsheet, and therefore need extra mandatory counseling or placement in a group home.

My biggest problem with this announcement is that it takes a good principle and completely warps it. Evidence-based programming is good. Using data to determine what works and what doesn't is smart. But we've crossed the line when IBM's vice president for analytics says the software will help authorities "take the appropriate action in real time to combat crime and protect citizens." What are they thinking?

I first heard about this partnership from Jesus Diaz at [Gizmodo](#), who had the same reaction: "I don't know about how reliable your system is, IBM, but have you ever heard of the 5th, the 6th, and the 14th Amendments to the United States Constitution? What about article 11 of the Universal

Declaration of Human Rights? No? Let's make this easy then: Didn't you watch that scientology nutcase in [Minority Report](#)?"

Florida's Department of Corrections should use any data collected to guide programming decisions on a macro level, rather than using an individual's past mistakes to condemn them to a less-promising future. As it stands, Florida's latest move is badly misguided. But with just a few tweaks, this new partnership could get back on track.

*Photo Credit: [jsmjr](#)*



[Matt Kelley](#) is the Online Communications Manager at the Innocence Project and a graduate of the Medill School of Journalism at Northwestern University.

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Ha, my first thought was also of "Minority Report." Never thought that Philip K. Dick story would actually come true, though!

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alot of things they've been doing "for the kids" turns out to be a new way to punish kids who would have otherwise turned out normal.

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absolutely correct. The jails are private they are making money and trust me thats all they care about in florida. They have no education nor services for kids with ADD or learning disabilities. The lack of help for domestic violence is a joke. They know nothing about troubled kids here where I live

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The best predictor of future behavior is past behavior. As long as the information is used to change anti-social behavior and thinking, not just to justify incarceration and punishment, this could be a good thing. And as I read the article, it appears they are talking about how to treat those who have already offended, not those who have not yet committed a crime.

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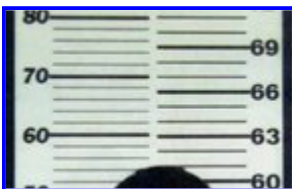
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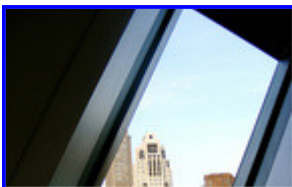
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