

Six-Year-Old Boy Arrested, Forced to Go to Court for Picking a Flower at His Bus Stop

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by [Matt Agorist](#), [The Free Thought Project](#)

March 22, 2021

North Carolina – “Should a child that believes in Santa Claus, the Easter Bunny and the tooth fairy be making life-altering decisions?” asked New Hanover County Chief District Court Judge Jay Corpening. This is a question which has come up repeatedly in the state of North Carolina as dozens of children as young as six are being processed into the criminal justice system. The latest case involves a 6-year-old boy who was arrested and forced to go to court because he picked a flower while waiting for the bus.

Attorney Julie Boyer’s child client was on trial for injury to real property after he stopped to pick a flower from a yard near his bus stop, according to [The Herald-Sun](#). Illustrating the ridiculous nature of sending a child to court for picking a flower is the fact that he had no idea what was going on.

Boyer said she had to give the boy some crayons and a coloring book during the proceedings because he did not have the mental capacity to understand what was happening to him.

“I asked him to color a picture,” she said, “so he did.”

This is a serious problem and speaks to the archaic nature of the law in the state of North Carolina. Currently, the state's juvenile system has the lowest minimum age in the world to enter the court system – which is six.

Advocates for children have been trying unsuccessfully for years to change the law but to no avail. This is worrisome as statistics show the earlier a child is brought into the system, the chances that they remain in that system increase drastically.

“A 6-year-old ... we're talking about someone that's in kindergarten, first grade. They don't understand the process, they don't understand what's going on, they probably don't even know their address,” Lyana Hunter, a New Hanover County public defender's office employee told [WECTNews](#). “The earlier that you introduce a child to the criminal justice system, the higher the chances are that they will remain in the criminal justice system.”

Hunter explained that representing children under 9 is a common practice, illustrating how widespread the problem is. “I think the youngest I actually had in a trial... they were eight. Some were.. seven, eight, maybe a 9-year-old. Literally their feet... they're just swinging from the chairs because they couldn't reach the floor,” said Hunter.

Luckily for the flower-picking kindergartner, the judge dismissed the case after the boy's mother “couldn't make the intake meeting,” according to The Herald-Sun. Unfortunately, even though the case was thrown out, the process of being brought into the criminal justice system could change the boy's life forever. “He gets served with papers. His mom gets served with papers,” Boyer explained. “It was just appalling.” Sending a little boy to court for picking a flower is most certainly appalling but the fact that this is not an isolated incident should shock the conscience.

“A 6-year-old cannot comprehend what is taking place in court, but probably will never forget being labeled a delinquent,”

Satana Deberry, district attorney for Durham County wrote in an email.

Equally as egregious as arresting and trying a 6-year-old little boy for picking a flower is that this not only happens often but it happens mostly to children of color. According to a [report](#) from the Winston-Salem Journal:

From 2015 through 2018 nearly 7,300 complaints were filed against children age 6 to 11 years old, according to numbers from the state Juvenile Justice section.

Of those complaints, 47% were against Black children, 40% were against white children and 7% against Hispanic or Latino children.

In general, 22% of the state's population is Black, 70% is white and 10% is Hispanic.

Roughly 82% percent of the complaints were against boys.

“It is a suspected statistic,” said Yakob Lemma, 17, an Enloe High senior and co-founder of the Wake County Black Student Coalition. “This is just proof that we have been criminalized since we’re young, since we are little kids, and we have to grow up all our lives like that, with being criminalized and being actively targeted.”

Childhood mistakes should never be criminalized but in case after case, situations like this unfold in other states as well. Earlier this month, TFTP reported on the state of Wisconsin in which children are being fined hundreds of dollars for [missing online classes](#). If they cannot afford the fines, these children have to work them off in community service.

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