



Crossing the Line

When Trying to Keep Kids Out of Trouble, How Much Is Too Much?

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— The parents of a 15-year-old girl say they were just trying to keep her out of trouble when they kept her confined to their Queens, N.Y., apartment for more than six months, but child welfare officials called it unlawful imprisonment.

Can parents ever lock up children for their own good? Some have tried, and paid the price. (AP Graphics)

New York City child welfare officials took the girl along with her two younger brothers from the parents, Jit Singh and Jaswant Kaur, who say the girl had a 25-year-old boyfriend who had convinced her to steal money from them.

The 15-year-old, Pradhjit Kaur, was put in foster care and criminal charges of unlawful imprisonment were brought against her parents.

Now the girl is missing, "fallen through the cracks of a city agency," the family's lawyer said. The boys are back with their parents, who never faced any physical abuse or neglect charges and will have their records cleared if there are no more problems for the next year.

But the case is one that shows just how hard it can be for parents pushed to their wits' end trying to deal with a troubled child, as well as the potential perils of well-intended government intervention.

"The parents did the best they could," their attorney, Alan Thau said. "The city took over, and now the girl's gone."

The parents kept their daughter out of school beginning in April, though they said that they enrolled her in a home-schooling program and that she received her graduate equivalency diploma.

"Whatever they did, they didn't expect all this," Thau added. "They didn't think they were doing anything wrong."

When Is Discipline Criminal?

The lawyer said there was no comparison between this case and others that have grabbed headlines, such as the 8-year-old girl in Texas whose stepfather is accused of locking her in a closet and starving her for months, an Iowa couple who are charged with chaining their two daughters in a closet, starving them and depriving them of health care, or an Iowa man accused of keeping his adopted sons locked in a dark basement without food.

In some other cases, though, even the courts have not been so clear on where the line is crossed from discipline to abuse, which may reflect a growing confusion about the issue.

"I think that until recent years there's been a trend towards being more protective of children," said Phyllis Miller, an Atlanta-area lawyer. "But also locally I've been seeing courts starting to allow parents a little more room, and I think that comes from a trend where we've gone from, 'Oh, no, don't touch little Johnny,' to 'Oh, no! Johnny's become a monster.'"

In June 2001, a court in Hillsdale, Mich., accepted a plea of no contest to a misdemeanor child abuse charge from a husband and wife who originally had been charged with felony abuse after they admitted to chaining up their 16-year-old son to keep him from running away.

Both the prosecutor and the parents said the reason for the plea deal was to leave open the possibility of the family being reunited.

In Boston, in 1994, a nurse was charged with chaining her 15-year-old daughter to a radiator because she was afraid the girl would run

away and become a prostitute, and the girl reportedly said that what her mother did the right thing.

The teenager told The Associated Press that if her mother hadn't chained her up "it would have been worse. ... She didn't want me to get hurt or run away."

Judge Orders Chains

In another case, it was a judge who ordered the chaining. A family court judge in Columbia, S.C., ordered a 15-year-old girl with a history of delinquency to be chained to her mother 24 hours a day for a month, and ordered that the mother could be punished if the teenager was found unshackled.

At the time, the judge said he investigated state and federal laws before imposing the sentence and found no statute barring such a punishment.

Like the Boston girl, the teenager in South Carolina reportedly said that being chained to her mother was good because it forced her to go to school and kept her out of trouble.

In a current case in Santa Fe, Texas, a father is facing criminal charges after he put shackles on his 12-year-old daughter's ankles to keep her from running away and to make sure she went to school. He told the *Houston Chronicle* he took the drastic measure only after threats that he and his wife could be sent to jail if their daughter did not start attending school.

He told the paper that his daughter was given the choice between having her ankles in shackles or having her wrist tied to her father's with a nylon rope and she chose the chain.

'They Wanted to Rein Her In'

In the recent case in New York, there was no evidence that the girl was bound in anyway, and the lawyer said the parents were trying to keep her from going astray.

"When you're 15, you shouldn't have a 25-year-old boyfriend," he said. "The daughter was hanging out with an older guy, and they wanted to rein her in a little."

If the parents went too far in trying to keep the girl from getting into trouble, the city's efforts to protect her from them don't seem to have helped the situation, with the girl now unaccounted for.

Some child psychologists and family rights advocates say this is too often the case when government agencies step in to protect children from parents whose idea of proper disciplinary methods do not conform to current standards.

In the case of Singh and Kaur, immigrants from India who speak virtually no English, the issue may be cultural. There was a similar case in the same area of New York City, also involving an immigrant family from the same region of India, earlier this year.

'Recipe for Disaster'

The question is not whether Singh and Kaur went too far, but whether government agencies go too far when they take children from parents who are trying to keep them out of trouble and teach them discipline, said Frank Furedi, a sociology professor and the author of *Paranoid Parenting*.

"There are many parents out there who are desperately trying to maintain control," he said. "They feel that no one is really backing them up, so they feel that the world is a threat to them and their children."

"Some parents look to government and government agencies, but their help is often kind of illusory," he added. "You end up in the situation where a child is taken to a foster home, where the situation is often far worse than anything would have been in the family home."

Furedi said that taking children out of their home and putting them in foster care is a step that is taken far too often by child welfare agencies, and should only be done in extreme cases.

"Taking a child away from the home is a high-risk strategy and really needs to be taken only when there is a real risk of physical harm or abuse," he said. "It's a recipe for disaster. Institutions like that [foster care] are not very effective for solving problems."

Out of Control

"We're reaping what we sow, in some sense," said Corinne Gregory, founder and director of PoliteChild, which addresses discipline problems by trying to teach manners to children. "We don't want to crush their self-esteem, so discipline is a bad word. We need to come back to the basics and say you need to discipline. You need to instill in a child a sense of moral responsibility."

She said that in cases where families resort to such extreme measures as locking up children, it is because the family has not been taking the steps they should have all along.

"They lost control of the child long ago," she said. "It didn't begin with this specific incident. These problems come when parents have failed to use good discipline with the child from early on."

The question of what is discipline and what is abuse has changed over the years, family lawyers say, just as the sense of what are proper grounds for taking a child out of the home has changed.

"The courts are being much more protective of children and much more limiting of what a parent can do," Florida family law attorney Mitch Karpf said. "Discipline is OK, abuse is not. Smacking a child in the face or something is not considered punishment, it's abuse. Spanking a kid on the rear end might be OK, but anything more than that is seen as wrong."

But Miller said that she is seeing what could be the beginning of things going the other way, with parents being allowed more right to discipline their children.

"I think it's part of our society struggling to understand what's going on with our children," she said. ■

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