

Juvenile Justice

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The Juvenile Justice System as it typically functions in America's thousands of jurisdictions is the subject that will be covered. The Juvenile Justice System is defined as that "sociolegal process having responsibility and authority for public reaction to current juvenile delinquency and deterrence of future juvenile delinquency, including within that process the public and private agents, agencies, laws, rules, and policies having to do with juvenile delinquency" (Weiner, 1987, p.12). This paper will deal with the history of the juvenile system, the need for the juvenile system, juvenile court functions, parents in court and programs that have worked, along with ones that haven't.

Because the first formal juvenile court was so labeled on July 1, 1899, which would make the Juvenile Justice System nearly a century old. However, the origins of the various components of the JJS go back much further than that. The notion of separate treatment for children under criminal law goes back to a very early English law. Children under seven years of age were legally incapable of committing a crime, and children between seven and fourteen were presumed incapable, this concept being based upon a child's inability to have a guilty mind, or mens rea. Thus, from almost the beginning children have been treated differently from adults who commit the same acts.

The origin of juvenile corrections in the United States goes, back at least to the opening of the New York House of Refuge in 1825. This house of refuge was established to meet the same kinds of needs the JJS of today tries to meet, including avoidance of harsh criminal penalties for unfortunate children, segregating "predelinquent" children from hardened delinquents, providing "proper" moral, ethical, political, and social values and role models for deprived children, and treating such children as victims rather than offenders. This is the main reason why we do need the Juvenile Justice System.

The function of the juvenile court system is to take a somewhat fatherly and protective attitude toward children, whether to offer humanitarian assistance or parental punishment. Juvenile court was primarily established however by a desire to avoid prisons for children by establishing special juvenile court which would not send children to prison. The juvenile court is also used to somewhat scare the young offender with its dark wooden atmosphere and flags to represent how alive the government is. The courts main function however is to find the best rehabilitation method for that individual. Should it be community service, a curfew or counseling, these are just a few options the court has in sentencing a young offender.

Parents play a big role in the Juvenile Court System. With the parents at the court hearing, the court can find out if the parent is providing a good home for the juvenile delinquent. The parents also help out in making the decision of rehabilitation, with there past experiences that they bring to the court about the juvenile. Parents can also help out in supervision of the juvenile while he or she is on orders from the court. Most of all, parents are there for moral support of there children and help them get through this difficult run in with the law.

The best treatment for many offenders, diversion supporters argue, is little or no treatment. This is the case when an offender is young and charged with nothing more than serious than a status or minor property offense. For these types of youthful offenders and perhaps others, diversion away from the juvenile justice system is thought to be the most effective method of controlling delinquency. This way the juvenile does not get a delinquent self-image and stigmatize them in the eyes of significant others.

Some of the programs that are currently being used are Probation, "Scared Straight", Community Treatment, and Institutionalization. Probation currently is the most frequently employed sentencing option. Each year approximately 70 percent of the juveniles adjudicated delinquent by the juvenile justice system courts are

sentenced to probation. "Scared-Straight" juveniles were taken to state prisons for intensive confrontation sessions with adult inmates serving long term or life sentences. Using their own experiences as examples, inmates told juveniles of the harsh realities of imprisonment. The purpose was to scare the juvenile straight. Community-based Treatment programs for probationers stand midway between the loose supervision of routine probation and the secure custody characteristic of most correctional facilities for juvenile offenders. Community based programs typically provide more extensive assistance and stricter enforcement of the conditions of probation. Institutionalizing juveniles in public or private correctional facilities has been to rehabilitate the young offender. Correctional facilities routinely offer academic and vocational instruction in hope that better-educated and vocationally skilled inmates will be less dependent upon release. Most institutions also supplement these routine efforts with special programs, such as alcohol and other drug counseling.

Although the Juvenile Justice System is far from perfect, it is doing a very good job with the resources that it has. Maybe over time and better understanding of the human mind, we will be able to treat juveniles more effectively.

Works Cited

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