

These ideals served as the foundation of early institutions of juvenile justice in the U.S. Walnut Street Jail the first jail in the U.S. that separated inmates and sought to reform their behavior rather than just punishing them.

Pre[edit] Juvenile delinquency punishments trace back to the Middle Ages when crimes were severely punished by the Church. Throughout the 17th and 18th centuries, few legal differences existed between children and adults. In court, children as young as seven were treated as adults and could receive the death penalty. Barry Krisberg and James F. Austin note that the first ever institution dedicated to juvenile delinquency was the New York House of Refuge in 1824. Prior to this ideological shift, the application of *parens patriae* was restricted to protecting the interests of children, deciding guardianship and commitment of the mentally ill. In the landmark case *Ex parte Crouse*, the court allowed use of *parens patriae* to detain young people for non-criminal acts in the name of rehabilitation. The 19th century saw a rise in attention to and speculation about juvenile delinquency, as well as concern about the court system as a social issue. This era was characterized by distinctly harsh punishments for youths. Criticism in this era focused on racial discrimination, gender disparities, and discrimination towards children with mental health problems or learning disabilities. Today in America no population poses a larger threat to public safety than juvenile offenders". Americans feared a "juvenile super-predator", and this fear was met by the government with harsher policies for juvenile crime. As Loyola law professor Sacha Coupet argues, "[o]ne way in which "get tough" advocates have supported a merger between the adult criminal and juvenile systems is by expanding the scope of transfer provisions or waivers that bring children under the jurisdiction of the adult criminal system". Still others require the courts to treat offending youth like adults, but within the juvenile system. In some states, adjudicated offenders face mandatory sentences. The War on Drugs and "tough-on-crime" policies like Three Strikes resulted in an explosion in the number of incarcerated individuals. Today this is frequently referred to as the School to prison pipeline. Demographics[edit] Demographic information for youth involved in the Juvenile Justice system is somewhat difficult to collect, as most data is collected at state, county, and city levels. Although the office of Juvenile Justice and Delinquency Prevention publishes national numbers that breakdown the racial make-up of youth involved in the juvenile justice system, this data provides an incomplete picture, as it excludes Hispanic youth in its demographic calculations. A demographic breakdown of youth in the United States. A demographic breakdown of youth involved in juvenile court in the United States. According to the Office of Juvenile Justice and Delinquency Prevention, in 2010 there were a total of 1.2 million cases handled by the juvenile courts. The most prominent age group represented in the courts is 13 to 15 years, which make up 30% of the total cases. After this point, the number of cases steadily declined until 18. However, disparities by race remain apparent: African-Americans are close to five times more likely to be confined than white youths, while Latino and Native Americans are two to three times more likely to be confined than white youths. Casey Foundation provides additional information about the demographics of the juvenile justice system. Juveniles in residential placement[edit] Residential placement refers to any facility in which an adolescent remains on-site 24 hours a day. These facilities include detention centers, group homes, shelters, correctional facilities, or reform schools. Casey Foundation, the number of youths in juvenile detention centers in the United States has declined in the past two decades. In contrast, there were fewer than 62, adolescents in residential placement in October 2010. Private facilities are smaller than public facilities. Half of all juvenile placement facilities in the US are privately operated, and these facilities hold nearly one-third of juvenile offenders. As of 2010, only 1 in 4 juveniles in confinement were incarcerated as a result of a violent crime homicide, robbery, sexual assault, aggravated assault. These include underage possession of alcohol, truancy, drug possession, low-level property offenses, and probation violations. The school to prison pipeline has been described as one mechanism that targets young people in schools and funnels them into the juvenile justice system. Zero tolerance policies in schools have increased the numbers of young people facing detention. Low-income youth, youth of color and youth with learning and cognitive disabilities are over-represented in the justice system and disproportionately targeted by zero tolerance policies. Currently the juvenile system has

failed to ensure that all youth in the system with learning disabilities or mental health issues, and from lower-class individuals and racial minorities are provided with the benefits for a productive life once out of the system. The report recommended juvenile detention facilities should be held to the same academic standards as other public schools. Finley argues for early intervention in juvenile delinquency, and advocates for the development of programs that are more centered on rehabilitation rather than punishment. They also argue that the most effective ways to reform the juvenile justice system would be to reduce the overrepresentation of minorities and eliminate the transfer of juveniles to the criminal justice system. They argue that educational reentry programs should be developed and given high importance alongside policies of dropout prevention. Reentry programs focus on providing care and support to juveniles after being released from detention facilities, and encouraging family support to help adolescents during this adjustment period. One recommendation from the Annie E. Casey Foundation is restricting the offenses that are punishable by incarceration, so that only youth who present a threat to public safety are confined. Other suggestions include investing in alternatives to incarceration, changing economic incentives that favor incarceration, and establishing smaller, more humane and treatment-oriented detention centers for the small number who are confined. The justice system offers specific services to youth facing significant mental health and substance use challenges, but the majority of youth do not qualify for these targeted programs and interventions. Philosophically however, the PYD framework resembles the progressive era ideals that informed the creation of the first juvenile court. As Butts, Mayer and Ruther describe, "The concepts underlying PYD resemble those that led to the founding of the American juvenile justice system more than a century ago. They believed an improved social environment would encourage youth to embrace pro-social norms. Taken together, these theories suggest that "youth are less attracted to criminal behavior when they are involved with others, learning useful skills, being rewarded for using those skills, enjoying strong relationships and forming attachments, and earning the respect of their communities". Youth court[edit] Youth courts are programs in which youth sentence their peers for minor delinquent and status offenses and other problem behaviors. The program philosophy is to hold youth responsible for problem behavior, educate youth about the legal and judicial systems, and empower youth to be active in solving problems in their community. Youth courts function to determine fair and restorative sentences or dispositions for the youth respondent. Youth court programs can be administered by juvenile courts, juvenile probation departments, law enforcement, private nonprofit organizations, and schools. Youth court programs operate under four primary models: Under the adult judge model, an adult volunteer serves as the judge while youth volunteers serve as prosecuting and defense attorneys, jurors, clerks, and bailiffs. Under the youth judge model, youth volunteers fill all roles, including judge. Under a peer jury model, youth jurors question the respondents and make sentencing determinations. Under a youth tribunal model, youth serve as prosecuting and defense attorneys, and present their cases to a panel of youth judges, who then make a sentencing determination. To date, there are no comprehensive national guidelines for youth courts, but rather, courts operate under and are tailored to their local jurisdictions. To date, there are more than youth courts in the United States. The East Palo Alto youth court is based on restorative justice principles. Eligible youth must admit the facts of the case, after which youth attorneys explain the facts of the case to a youth jury. It is based on a restorative justice framework. Victims and offenders both take an active role in the process, with the latter being encouraged to take responsibility for their actions. Programs that promote dialogue between victim and offender demonstrate the highest rates of victim satisfaction and offender accountability. New York and North Carolina remain the only states to prosecute all youth as adults when they turn 16 years of age.

Chapter 2 : Reforming Juvenile Justice

Youth under the age of 18 who are accused of committing a delinquent or criminal act are typically processed through a juvenile justice system www.nxgvision.com similar to that of the adult criminal justice system in many ways—processes include arrest, detainment, petitions, hearings, adjudications, dispositions, placement, probation, and reentry—the juvenile justice process operates according to.

Over the next 20 years, the concept of a separate court system for minors spread to most states. Several key assumptions lay behind the juvenile-court idea. Second, there was a need for specially trained legal and correctional professionals to work with minors. Third, placing children in adult prisons and jails made them more antisocial and criminal. In the intervening years, a wealth of research has validated each of these premises. Despite broad support within the academic, legal, and social-work professions, the ideal often failed to live up to its promise. Over time, the juvenile-justice system in many states reverted to the punitive approach it was designed to replace. There were repeated accounts of abusive practices. Juvenile hearings were usually secret, with no written transcripts and no right to appeal. Minors were not provided legal counsel, there were no safeguards against self-incrimination, and offenders were denied liberty without the due process of law guaranteed by the U. Gault signaled a new era of reforms. The most dramatic example came in in Massachusetts, where a respected reformer closed all of the state juvenile facilities and started over. He encountered an intransigent bureaucracy. Corrections officers opposed even such modest reforms as letting youngsters wear street clothing instead of prison uniforms, or not requiring that their heads be completely shaven. A range of nonresidential programs included day reporting centers and intensive home-based supervision. The DYS continued to operate about half of the most secure facilities. Research by Harvard Law School and my organization, the National Council on Crime and Delinquency, showed that the Miller reforms successfully reduced the frequency and severity of new offenses of youth in the new programs compared with the training-school graduates. As the Massachusetts model spread to many other states, Congress in created the federal Juvenile Justice and Delinquency Prevention Act, with bipartisan backing. In , the act was amended to require that participating states remove minors from jails. Miller went on to implement variations of his Massachusetts reforms in Pennsylvania and Illinois. Often, publicity about abusive conditions in state facilities and lawsuits in federal courts catalyzed these reforms. Some cited demographics, as the children of the baby boomers reached their teenage years. Others pointed to an epidemic of crack cocaine that fueled urban violence, as well as high unemployment and declining economic prospects for low-skilled workers, especially among minority groups. No one really knows for sure. Wilson and John DiIulio and a small band of mainstream criminologists such as Alfred Blumstein and James Fox forecast societal disaster. More than 40 states made it easier to transfer children to adult criminal courts. Many jurisdictions turned to metal detectors in public schools, random locker searches, drug tests for athletes, and mandatory school uniforms. The panic was bipartisan. Every crime bill debated by Congress during the Clinton administration included new federal laws against juvenile crime. Paradoxically, as Attorney General Janet Reno advocated for wider and stronger social safety nets for vulnerable families, President Bill Clinton joined congressional leaders demanding tougher treatment of juvenile felons, including more incarceration in both the adult and youth correctional systems. However, the much-advertised generation of super-predators never materialized. After , rates of serious juvenile crime began a decade-long decline to historically low levels. And this juvenile-crime drop happened before the tougher juvenile penalties were even implemented. As we approached the centennial of the American juvenile court, it looked like the juvenile-justice ideal was dying. This approach, now embraced by many jurisdictions, places a major value on involving victims in the rehabilitative process. By coming to terms with harm done to victims, the youthful offender is also offered a way to restore his or her role in the community. However, unlike the response to the supposed super-predators, this strategy does not call for an across-the-board crackdown on at-risk youth. A comprehensive body of research assembled by two senior Justice Department juvenile-justice officials, John J. Wilson and James C. Howell, showed that prevention was the most cost-effective response to youth crime, and that strengthening the family and other core

institutions was the most important goal for a youth-crime-control strategy. The proposed comprehensive strategy was adopted by Reno as the official policy position of the Justice Department in all matters relating to juvenile crime, and the program was successfully implemented in more than 50 communities nationwide. Most important, the effort showed community participants how to effectively respond to juvenile lawbreaking without resorting to mass-incarceration policies. A third major national reform movement was launched by the Annie E. Casey Foundation in 1997. The Casey Foundation approach required a multiagency planning process and included the development of improved risk screening, expansion of options for most detained youths, and efforts to expedite the processing of cases. After initial demonstration projects, the foundation has expanded the program to scores of communities. It also offers technical assistance and convenes an annual meeting. At the last such convening, in San Francisco, more than 1,000 people from across the nation gathered to discuss ways to further reduce unnecessary juvenile detention. The original demonstration project has led to a vibrant national movement, which includes high-quality replication manuals and a documentary, plus academic and professional publications. These approaches all require collaborations among many sectors of the community. They all employ data and evidence-based practices to guide the reform agenda. Instead, they seek to create a comprehensive continuum of appropriate services. Preventive strategies and early interventions are viewed as far more cost-effective than punitive approaches. All these programs place a great emphasis on involving youth, plus their families and neighbors, in shaping solutions. The core values of the juvenile-justice ideal continue to live. Like the reform impulse of a century ago, the goal is to commit the juvenile-justice system to pursuing the best interests of the child, to strengthening family and community solutions to youth misconduct, and to emphasizing humane and fair treatment of the young. In spite of the promise embodied in approaches like these, unlawful and brutal practices continue to plague youth correctional facilities in many states. Some jurisdictions are being investigated by the federal government for statutory and constitutional violations of the rights of institutionalized minors. In other locales, advocates for young people are successfully litigating against youth detention and corrections facilities. At the same time, the political hysteria surrounding the super-predator myth appears to be in remission. While some of these dangerous programs continue to exist, many jurisdictions have shut them down. There is growing awareness about the prevalence of mental illness among institutionalized youngsters and the emergence of several initiatives to better meet their health-care needs. But this progress does not minimize the severe problems of the juvenile-justice system. Funding for services for troubled young people in the juvenile-justice and child-welfare systems remains woefully inadequate. Young people still do not have anything resembling adequate legal representation. Too many continue to be banished to the criminal-court system and languish in adult prisons. And racism, sexism, and class biases continue to tarnish the promise of equal justice for all. All suggest that reform coalitions, often with strange bedfellows, can acknowledge the superiority of the reform approach and change practices that dehumanize young people and fail to reduce juvenile crime. By now the evidence is clear: Small, community-based approaches that stress prevention, education, and restitution rather than prison-like punishment are simply better policy. At the same time, as Ellis Cose recounts, racial disparities remain immense. And as Sam Rosenfeld reports, far too many children who need mental-health services are being dumped into the juvenile-justice system. Given the overwhelming evidence that reform works, why is there continuing resistance? The answer to this question is complex. Democrats and Republicans have competed to position themselves as tough on crime. Being perceived as soft on juvenile offenders is considered a political liability. Second, the media continue to exaggerate the amount of violent crime committed by minors. Isolated stories about vicious crimes that are committed by very young adolescents are widely disseminated and become the grist for talk radio and other media commentary. The simplistic solution has been that tough responses to juvenile crime will deter youthful offenders. Resistance to proven juvenile-justice models often comes from public-employee unions that fear the loss of jobs as traditional youth correctional facilities are downsized and some funding goes to community-based organizations. Also, severe state and local budget problems have led to a retrenchment in needed services, even as more innovative juvenile-justice models could actually save money. In some locales, organizations purporting to represent families of crime victims have lobbied for tougher penalties for juvenile offenders. Progressive reforms are often undercut by

entrenched biases about the predominantly poor and minority families caught up in the juvenile-justice system.

Chapter 3 : HISTROY OF JUVENILE JUSTICE SYSTEM IN INDIA - JURISEDGE

Ideas and beliefs that serve as a foundation for theories, programs, and policies. In juvenile justice, these assumptions consist of what people believe about the cases of juvenile delinquency, what we should do about juvenile delinquency, and how the juvenile justice system should function.

The juveniles are participating actively in the crimes which lead eminent persons to think for amending the laws regarding the Juvenile Justice Act. The current problem India is facing that, the law is insufficient for giving punishment to the Juvenile, according to the crime committed. But the development of this act is not new in our society. The Juvenile Justice System was the direct consequence of the reforms and the developments in the Western Ideas. In America, *Haley vs Ohio* [1] and *Gallegos vs Colorado* [2] the admissibility of a child was questioned and *Kent vs United States* [3] considered the requirements for a valid waiver of the exclusive jurisdiction of the juvenile courts. Though these cases related to certain restricted aspects, they mistakably indicated that constitutional safeguards were not for the adults. The age criteria for being a juvenile vary from country to country, state to state. In ancient India, a parent was supposed not to punish a child who is under five years of age for any offence. As per the law then prevailing a children of such tender age should be nursed and educated with love and affection only. After the age of five, punishment may be given in some suitable form such as physical chastisement or rebuke by the parents, towards the later half of the childhood, punishment should be gradually withdrawn and replaced by advice. From the age of sixteen upwards sons and daughters should be treated as friends by the parents. The Roman Laws stated that a child under seven years was incapable of crime. Boys from seven to fourteen and girls from seven to twelve pre-puberty age were considered partially responsible and the punishment left to the discretion of the Praetor. The Probation of Offenders Act, , imposes a restriction on the imprisonment of a person below 21 years. Thus, ordinarily a boy or a girl below 21 is not to be imprisoned. Juvenile Justice Act, treated a boy under 16 years of age to be a juvenile. But in case of a girl this age limit was 18 years. For the first time the shift was noticed in United Nations. In this UN Declaration of the rights of child started for securing the rights of the child, regarding the special treatment and care to the child. With this on the other hand UN Standard Minimum Rules for the Administration of Juvenile Justice, The Beijing Rules started to work on accountability of exercise of discretion relating to children [6] The first legislation on juvenile justice in India came in with the Apprentice Act which required that children between the ages of convicted in courts to be provided vocational training as part of their rehabilitation process. This act was transplanted by the Reformatory Schools Act, subsequently provided that children up to age of 15 may be sent to reformatory cell, and later the Juvenile Justice Act provided a uniform mechanism of Juvenile Justice. With the adoption of the United Nations Standard Minimum Rules for the administration of the Juvenile Justice, India was the first country to evolve its system in the light of the principles enunciated therein. Of course, the other objectives were to lay down a uniform legal framework for Juvenile Justice, to provide towards a specialised approach towards the prevention and control of juvenile delinquency, to set up the machinery and infrastructure for Juvenile Justice operations, to establish norms and standards for the administration of Juvenile Justice, to develop appropriate linkages and coordination between the formal system and voluntary agencies and to constitute special offences in relation to juveniles and to prescribe punishment thereof [8]. In order to realise this goal, the Act imbibes the essential elements of all the due processes, *parens patriae* and participatory models Singh, H. The new law undoubtedly places an onerous duty on the state to appropriately harness the resources from various sectors of socio-economic development in ensuring the well-being and welfare of juveniles and a chance to recover if they happen to falter [9]. However, due to the absence of a national consensus on the time frame for such a restructuring, the steps taken by most of the State Governments were still heavily short of the proclaimed goals. In order to rationalise and standardise the approach towards juvenile justice in keeping with the relevant provisions of the Constitution of India and International obligations in this regard, the Government of India re enacted the Juvenile Justice Care and Protection of the Children Act, For this a Working Group was set up failures in the implementation of the Juvenile Justice System are summarized in

the literature review, seep. The Act with all additional inputs has been enforced since April 1, 2015, to deal with the children within its purview [10]. Juvenile Justice Care and Protection of Children Act, 2015, so that juvenile criminals in the age group of 16-18 can be tried as adults for serious crimes. Juvenile Justice Care and Protection of Children Act, 2015, will allow a Juvenile Justice Board, which would include psychologists and sociologists, to decide whether a juvenile criminal in the age group of 16-18 should be tried as an adult or not. The bill introduced concepts from the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption, which were missing in the previous act. The bill also seeks to make the adoption process of orphaned, abandoned and surrendered children more streamlined. The crimes are sometimes of heinous nature like murder, rape, robbery. Age must not be a sole criterion to award a lenient punishment to the offender. New laws are being made every new day amendments are made to existing laws after the Delhi gang rape in Government made some amendments and inserted Section A and Section E of the Indian Penal Code which provides imposition of death penalty on those who are convicted of rape. In contrast to this, Juvenile Justice Care and Protection of Children Act, 2015, only imposes only a maximum sentence of 3 years without the reference to the nature of the crime committed. It is not justified to let the convicted persons to get off with such leniency. We cannot afford the misuse of present legislations at the hands of offenders. It is not only unsafe for the victims but also creates an unsafe surrounding. It is important to differentiate minor delinquents from the habitual or hard core delinquents. Many serious steps have to be taken by the government to grade the nature of offences should be re-deemed under this Act for the benefit of the society. It seems rather unreasonable to impose the same punishment to the juveniles in the conflict with law, irrespective of the nature and seriousness of the crime committed by them. A petty theft cannot be compared with the offence of murdering someone. Heinous crimes of rare nature are a class of their own and hence should not be considered akin to petty crimes. As tempted as I am to say that offenders committing offences of such gravity, irrespective of whether they are juvenile or adult should be harshly punished, it seems this is not the ideal solution to the problem. One shocking incident should not result in adaptation of measures which might later emerge counter-productive. For instance, in the James Bulger case of 1991 in UK where two year old charged with murdering a toddler had been tried in an adult court and sentenced to minimum of 8 years of imprisonment which was later increased to 10 years. Indian Legislators should not make a similar mistake due to public pressure and need to make a well thought out decision. However, the past incidents and increasing reports of youth crime do indicate the need for a change. The youth crime rate in India may not be as large as in other countries however; the same is also not going down.

Chapter 4 : History of the Juvenile Justice System - Impact Law

The legal concept of juvenile status, like the concept of childhood itself, is relatively new. The juvenile court system was established in the United States a little more than a century ago, with the first court appearing in Illinois in

This system was to differ from adult or criminal court in a number of ways. It was to focus on the child or adolescent as a person in need of assistance, not on the act that brought him or her before the court. The proceedings were informal, with much discretion left to the juvenile court judge. The very language used in juvenile court underscored these differences. Juveniles are not charged with crimes, but rather with delinquencies; they are not found guilty, but rather are adjudicated delinquent; they are not sent to prison, but to training school or reformatory. In practice, there was always a tension between social welfare and social control—that is, focusing on the best interests of the individual child versus focusing on punishment, incapacitation, and protecting society from certain offenses. This tension has shifted over time and has varied significantly from jurisdiction to jurisdiction, and it remains today. Page Share Cite Suggested Citation: Juvenile Crime, Juvenile Justice. The National Academies Press. This change in emphasis from a focus on rehabilitating the individual to punishing the act is exemplified by the 17 states that redefined the purpose clause of their juvenile courts to emphasize public safety, certainty of sanctions, and offender accountability Torbet and Szymanski, Inherent in this change in focus is the belief that the juvenile justice system is too soft on delinquents, who are thought to be potentially as much a threat to public safety as their adult criminal counterparts. It is important to remember that the United States has at least 51 different juvenile justice systems, not one. Each state and the District of Columbia has its own laws that govern its juvenile justice system. How juvenile courts operate may vary from county to county and municipality to municipality within a state. The federal government has jurisdiction over a small number of juveniles, such as those who commit crimes on Indian reservations or in national parks, and it has its own laws to govern juveniles within its system. States that receive money under the federal Juvenile Justice and Delinquency Prevention Act must meet certain requirements, such as not housing juveniles with adults in detention or incarceration facilities, but it is state law that governs the structure of juvenile courts and juvenile corrections facilities. When this report refers to the juvenile justice system, it is referring to a generic framework that is more or less representative of what happens in any given state. Legal reforms and policy changes that have taken place under the get-tough rubric include more aggressive policing of juveniles, making it easier or in some cases mandatory to treat a juvenile who has committed certain offenses as an adult, moving decision making about where to try a juvenile from the judge to the prosecutor or the state legislature, changing sentencing options, and opening juvenile proceedings and records. Changes in laws do not necessarily translate into changes in practice. In addition to the belief that at least some juvenile offenders are amenable to treatment and rehabilitation, other factors limit overreliance on get-tough measures: Practice may also move in ways not envisioned when laws are passed. Whereas the traditional juvenile justice model focuses attention on offender rehabilitation and the current get-tough changes focus on offense punishment, the restorative model focuses on balancing the needs of victims, offenders, and communities Bazemore and Umbreit, Tracking changes in practice is difficult, not only because of the differences in structure of the juvenile justice system among the states, but also because the information collected about case processing and about incarcerated juveniles differs from state to state, and because there are few national data. Some states collect and publish a large amount of data on various aspects of the juvenile justice system, but for most states the data are not readily available. Although data are collected nationally on juvenile court case processing, 1 the courts are not required to submit data, so that national juvenile court statistics are derived from courts that cover only about two-thirds of the entire juvenile population Stahl et al. Furthermore, there are no published national data on the number of juveniles convicted by offense, the number incarcerated by offense, sentence length, time served in confinement, or time served on parole Langan and Farrington, The center of the juvenile justice system is the juvenile or family court Moore and Wakeling, In fact, the term juvenile justice is often used synonymously with the juvenile court, but it also may refer to other affiliated institutions in addition to the court, including the police, prosecuting and defense

attorneys, probation, juvenile detention centers, and juvenile correctional facilities Rosenheim, In this chapter, juvenile justice is used in the latter, larger sense. After providing a brief historical background of the juvenile court and a description of stages in the juvenile justice system, we examine the various legal and policy changes that have taken place in recent years, the impact those changes have had on practice, and the result of the laws, policy, and practice on juveniles caught up in the juvenile justice system. Throughout the chapter, differences by race and by gender in involvement in the juvenile justice system are noted. Chapter 6 examines in more detail the overrepresentation of minorities in the juvenile justice system. Department of Justice, has collected and analyzed juvenile court statistics since Data on the latter three categories are not now collected nationally. Children under the age of 7 were presumed to be unable to form criminal intent and were therefore exempt from punishment. The establishment of special courts and incarceration facilities for juveniles was part of Progressive Era reforms, along with kindergarten, child labor laws, mandatory education, school lunches, and vocational education, that were aimed at enhancing optimal child development in the industrial city Schlossman, Reformers believed that treating children and adolescents as adult criminals was unnecessarily harsh and resulted in their corruption. They were not to be accused of specific crimes. The act gave the court jurisdiction over neglected, dependent, and delinquent children under age The focus of the court was rehabilitation rather than punishment. Records of the court were to be confidential to minimize stigma. The act required separation of juveniles from adults when incarcerated and barred the detention of children under age 12 in jails. The act also provided for informality in procedures within the court. The idea of the juvenile court spread rapidly. By , a functioning juvenile court existed in every state except Maine and Wyoming Schlossman, They succeeded in diverting most children and adolescents from the criminal system, but they may Page Share Cite Suggested Citation: First, the clientele was overwhelmingly from the lower class and of immigrant parents. Second, boys and girls appeared in court for different reasons, and the courts disposed of their cases differently. Third, referral to court by agents other than the police, especially parents, relatives, and neighbors, was a far more common practice than it is today. This placed added burdens on already large case loads and widened the net of the court to embrace every conceivable form of nonconventional behavior. A case study of the Milwaukee juvenile court in the early 20th century Schlossman, found that probation officers had over cases, far too many for the individualized services envisioned by the Progressive Era reformers. The detention center lacked any serious diagnostic function and was sometimes used punitively. Furthermore, the court treated children who had committed no crime the same as those who had committed a criminal act. Unlike adults, juveniles could be detained and incarcerated without a trial, a lawyer, or even being made aware of the charges against them. Another set of critics charged the court with being too lenient on young offenders. These same criticisms continue today Dawson, ; Feld, Three Supreme Court decisions in the second half of the 20th century resulted in more procedural formality in the juvenile court, but other decisions maintained differences between juvenile and criminal courts. In , in Kent v. Justice Abe Fortas also called into question the fundamental fairness of the juvenile court: While there can be no doubt of the original laudable purpose of juvenile courts, studies and critiques in recent years raise serious questions as to whether actual performance measures well enough against theoretical purpose to make tolerable the immunity of the process from the reach of constitutional guaranties applicable to adults. There is evidence, in fact, that there may be grounds for concern that the child receives the worst of both worlds: United States, U. A year later, the decision of in re Gault U. Fifteen-year-old Gerald Gault was sentenced to a state reformatory for an indeterminate period that could last until his 21st birthday for making an obscene phone call. The case embodied nearly every procedural irregularity distinctive of juvenile courts: Gault was detained by the police and held overnight without his parents being notified; he was required to appear at a juvenile court hearing the following day; a probation officer filed a pro forma petition alleging Gault was a delinquent minor in need of care and custody of the court; no witnesses were called; there was no sworn testimony or written record of the court proceedings; and Gault was not advised of his right to remain silent or to have an attorney. In , the Supreme Court raised the standard of proof necessary in juvenile court to that required in adult criminal court. In in re Winship U. In so doing, the Court recognized juvenile court proceedings as criminal proceedings, not social welfare ones Feld, Nevertheless, the Court did not grant full criminal procedural entitlements to juveniles.

Some critics of the juvenile court argue that, given the punitive changes in juvenile justice legislation since the decision, the only remaining procedural differences between juvenile and adult criminal courts are access to juries and access to counsel. The lack of access to juries may have consequences for the outcome of a trial because judges and juries may decide cases differently. There is some evidence that juvenile court judges may be more likely than juries to convict. For example, a study by Greenwood et al. Furthermore, judges try hundreds of cases every year and consequently may evaluate facts more casually and less meticulously than jurors who focus on only one case. Judges may have preconceptions of the credibility of police and probation officers and of the juvenile in question. In contrast, jurors hear only a few cases and undergo careful procedures to test bias for each case. Also, judges are not required to discuss the law and evidence pertinent to a case with a group before making a decision, and they are often exposed to evidence that would be considered inadmissible in a jury trial. From their inception, juvenile courts had authority not only over children and adolescents who committed illegal acts, but also over those who defied parental authority or social conventions by such acts as running away from home, skipping school, drinking alcohol in public, or engaging in sexual behavior. These children and adolescents were deemed to be out of control and in need of guidance. Criticism of treating these status offenders whose acts were considered problematic only because of their status as children the same as children and adolescents who had committed criminal acts grew during the 1970s. The juvenile courts also had jurisdiction over abused and neglected children who had committed no offense. The Act provided federal leadership in the reform of the treatment of status offenses and nonoffenders. It required states that received federal formula grants to remove noncriminal status offenders and nonoffenders. The provisions for the deinstitutionalization of status offenders led to a decrease in the numbers of status offenders held in detention facilities and institutions by the early 1980s. Krisberg and Schwartz, National Research Council, Schneider, a. Schneider b, however, found that some children and adolescents who, prior to the move to deinstitutionalize status offenders, would have been charged with a status offense, were subsequently being charged with minor delinquent offenses. Therefore, Schneider asserted, they were still coming to the court at the same rate, but as delinquents rather than status cases. Amendments to the act in 1984 weakened the deinstitutionalization mandate somewhat by allowing detention and incarceration of noncriminal juveniles for violating a valid court order. Status offenders who did not comply with treatment ordered by the court could become criminal delinquents by virtue of being charged with criminal contempt of court. Young people who might formerly have been processed through the juvenile justice system for status offenses may now be institutionalized in other facilities, such as private mental health and drug and alcohol treatment facilities. Very little is known about the number of youngsters confined to such institutions, the length of their institutionalization, or the conditions of their confinement. Concern over housing juveniles with adult criminals led to other requirements under the Juvenile Justice and Delinquency Prevention Act. Sight and sound separation of juveniles and adults in detention and correctional facilities and removal of juveniles from adult jails and lockups were mandated. In 1988, the act was amended to require states to address disproportionate confinement of minority juveniles. At the same time the federal agenda and the voices of reformers were calling for deinstitutionalization procedures and more prevention, the states seemed to be moving in the opposite direction. Schwartz, Between 1984 and 1990, lawmakers in nearly half the states enacted some form of tougher legislation with regard to handling serious and chronic juvenile offenders. In a handful of states, provisions included making it easier to prosecute juveniles in adult court by lowering the age of judicial waiver three states; excluding certain offenses from juvenile court jurisdiction. Page Share Cite Suggested Citation: The impact of these reforms was an increase in the detention rate on any given day by more than 50 percent between 1984 and 1990.

Chapter 5 : Development and Philosophy of the Juvenile Court

If you are a young person under the age of 18 and get into trouble with the law, you will probably have your case heard in the juvenile justice system.

The most commonly available method of sending juveniles to criminal court is. Juvenile court judges can decide to waive their jurisdiction over a particular case and transfer it instead to the adult court. This is also referred to as a discretionary waiver. The most frequently used method of transfer is. State legislators pass a law requiring all youth charged with certain offenses to be prosecuted in criminal court even if they are below the age of criminal court jurisdiction. The second most frequently used method of sending youth to adult court. State law gives prosecutors the authority to decide whether to send certain youthful offenders to juvenile court or to criminal court. In such a state, a youth charged with robbery after the cutoff age immediately loses the protection of his or her juvenile status. Law violations by young people may be handled by probate courts, juvenile divisions of a circuit court, or even comprehensive family courts. In every community, some form of court is charged with responding to cases in which a person under the age of adulthood a juvenile is suspected of breaking the law. Because these courts have jurisdiction over juveniles and they follow the same general principles of juvenile law, it is conventional to refer to them simply as juvenile courts. Page 54 Share Cite Suggested Citation: The National Academies Press. Many juvenile courts handle other types of cases. They often handle dependency cases or matters involving abused and neglected children and youth charged with noncriminal acts. Other juvenile courts especially family courts handle domestic violence and child custody matters. As the juvenile court concept spread across the United States in the early 20th century, lawmakers invented a variety of structures for the new courts in order to incorporate juvenile court ideals into existing procedures and policies. Frequently, the court responsible for handling young people accused of law violations is a division of the trial court with general jurisdiction. However, some states and localities have created a separate juvenile court that is also a court of general jurisdiction. Other states operate juvenile courts within a single, statewide structure of limited jurisdiction courts. Certain processing steps, of course, are common to most juvenile justice systems, regardless of terminology, the configuration of the court, or the allocation of service delivery responsibilities. These include intake screening, filing a formal petition, adjudication, and disposition. Several kinds of hearings occur during these stages. They include the detention hearing, the waiver or fitness hearing, the adjudicatory hearing, the dispositional hearing, and the postdisposition review. Juvenile Court Administration Intake Screening and Petition Before any court processes come into play, a juvenile must be referred to the court. Referral can be made by the police, parents, schools, social service agencies, probation officer, or victims. Generally police are the primary referring agents, but, in approximately 20 percent of the arrests, referral will come from a source other than the police. Police affidavits explaining the alleged facts and circumstances are filed with the juvenile court, and at this stage the juvenile court process is said to begin. The affidavit is then forwarded to the prosecutor or handled by juvenile court intake, most commonly the probation department. The legal sufficiency of the case is determined during this first stage as well as whether the case is better resolved informally through diversion to a program or a specified set of conditions without formal adjudication. A decision is also made whether to continue detention for those youth brought into custody. Virtually all cases that are handled by the juvenile courts have contact with a probation officer. Probation departments are generally responsible for screening cases, making detention decisions on some of them, preparing investigative reports on most of them, providing supervision to more than a third of all cases processed by the juvenile court, and delivering aftercare services to many youth released from out-of-home placement. Youth may be assigned to the probation department at the front end as a pretrial alternative to formal adjudication or as an alternative to detention. Usually, the pretrial alternative is offered only to first-time low-risk offenders. As described below, not all probation departments execute all of the intake functions. The detention decision is reviewed by a judge in a detention hearing. This hearing is also referred to as an arraignment, initial hearing, pretrial hearing, probable cause hearing, or plea

hearing. Numerous issues may be handled: Unlike adults, youth in juvenile court do not have a constitutional right to a jury trial, although 20 states do provide them as either an absolute right or a right under limited special circumstances Szymanski, Options available to the court at this first stage include dismissal, unofficial handling by the court that may include informal or voluntary probation without filing a petition, or initiating the formal process by filing a petition Binder et al. Some youth will voluntarily agree to probation known as voluntary probation with the understanding that if they successfully complete their probationary period usually months, their case will be terminated without any formal processing. Whereas prosecutors focus on the legal sufficiency, the role of an intake officer is usually broader to determine whether the youth is a risk to himself or herself, to determine whether he or she should be detained, and to make recommendations whether the case should be handled formally filing a petition or informally. In other jurisdictions, the prosecutor will review all police referrals and take complete responsibility for court intake screening. Regardless of the roles of court intake or the prosecutor, front-end juvenile processing decisions, because of the discretion they involve, have an enormous impact on court operations and how youth are handled. However, no national inventory exists of these arrangements or intake practices Mears, Prior to making a determination to proceed to adjudication, the court may also schedule a waiver or fitness hearing prior to proceeding to or in lieu of an adjudicatory hearing if the prosecutor has filed a motion asking the court to waive juvenile court jurisdiction and transfer the youth to the criminal court. Whether transfer is mandatory or discretionary under the terms of state law, the court must determine whether there is probable cause to believe the youth has committed the alleged offense. If the court finds probable cause, a second decision involves whether the court will retain jurisdiction or transfer the case. Typically, the state bears the burden of proving that the criteria are met, but a youth can contest the waiver motion by challenging or producing evidence. If the waiver is presumptive under the statute upon proof of probable cause and previous delinquency, the burden of proof may shift to the youth to prove that he or she is amenable to treatment in the juvenile justice system National Council of Juvenile and Family Court Judges, Adjudication and Disposition The adjudicatory hearing is similar to a trial in criminal court. All youth have a constitutional right to counsel at the adjudicatory stage In re Gault, Gault also established the rights to a speedy trial, timely notice, cross-examination of witnesses, and to remain silent at adjudicatory hearings when there is a possibility of incarceration Binder et al. The guidelines also propose that statements of a juvenile made during court intake or during the detention hearing should not be admissible at trial. The state is required to prove every element of the allegation beyond a reasonable doubt. Page 57 Share Cite Suggested Citation: The latter may occur if the judge orders the youth to undertake some kind of action prior to the final decision being made National Research Council, a. The dispositional hearing is similar to the sentencing hearing in the criminal court. Some states allow a dispositional hearing immediately after the adjudicatory hearing if the youth admits to the offense, but usually time is required to complete a social history or receive evidence. In several states, there are time limits to the period between the adjudication and disposition phases Binder et al. A judge can decide on probation, placement in a foster home, institutionalization, or some other alternative for the youth, such as referral to a treatment program, imposition of a fine, community service, victim-offender mediation, or restitution. Probation is the most common disposition for youth who receive a juvenile court sanction Snyder and Sickmund, However, for many youth, counsel are not often involved in the postdisposition stage and as a result are not available to advise on many important postdisposition matters see Chapter 7. Youth who commit technical violations of the court-approved plan not new alleged delinquent acts will be handled in the same manner as a new delinquency petition alleging a misdemeanor or felony National Council of Juvenile and Family Court Judges, The Impact of Due Process Requirements A full and accurate description of juvenile court administration is incomplete without addressing the impact of the due process requirements mandated by various decisions of the Supreme Court in the s and s. These decisions 2 are discussed in Chapter 2. United States, U. Page 58 Share Cite Suggested Citation: Other due process requirements, such as right to bail and the right to trial by jury found in criminal courts, were not mandated for the juvenile court. Although the states incorporated due process requirements into their state codes, it is difficult to generalize about the extent of their implementation given the diverse practices of juvenile courts. Little research exists on the contemporary juvenile court more generally or on the

philosophies and practices of those who administer and work in it Bishop, ; Tanenhaus, Scholars who have studied juvenile courts typically describe the gap between the intent of due process requirements the ideal and actual practice Feld, , ; Binder, ; Mears, Mears, in particular, concludes that genuine due process probably constitutes the exception rather than the norm , p. Feld takes a somewhat different tack, arguing that the current due process rights are inadequate to begin with and additional procedural safeguards are needed to protect youth from their immaturity and vulnerability This gap is reflected in findings relating to access to counsel e. Almost three decades after Gault, a national survey of the defense bar Puritz et al. They also reported enormous caseloads of more than cases a year and large turnovers of staff, with 55 percent of public defenders staying less than 24 months. More recently, state-by-state assessments conducted during and reflect large numbers of youth waiving counsel, failing to have counsel appointed, or not availing themselves of counsel early in the process. Other state findings reflect inadequate legal representation, with states reporting limited contact with juvenile clients, failure to perform necessary background investigations, and a lack of training Mlyniec, These findings have implications for whether fairness is being achieved but also whether the process is being perceived as fair by youth and their families. See Chapter 7 for more detail on the status of defense representation. Despite the change from the traditional rehabilitation model to a more adversarial one with its due process requirements, the juvenile court retains broad powers over those who come under its jurisdiction Tanenhaus, Having defense counsel can serve as a check against decisions that are unfounded or not in the best interest of the youth National Council of Juvenile and Family Court Judges, , and all 50 states provide some statutory right to counsel for youth accused of delinquency in the juvenile justice system. Nonetheless, access to counsel and the quality of legal representation for youth appear to be uneven and haphazard Puritz et al. Finally, most juvenile courts allow young offenders to waive those rights; others have been noted for their aggressiveness in encouraging waivers Binder et al. Juvenile Crimes Not Handled by the Justice System Analyzing the operations of juvenile justice systems is not the same as analyzing juvenile crime itself. The workloads of law enforcement agencies and courts are partly the result of the scale and intensity of illegal activity by youth, and partly a function of how likely it is that citizens report crimes and how likely it is that police and courts decide to intervene. The combined effect of these factors can be profound. The odds of a particular crime being reported vary, and the odds of that report resulting in an arrest and that arrest resulting in a referral to the justice system also vary. In the end, the youth processed by the juvenile justice system are merely a sample of all young people involved in illegal behavior. Self-reported delinquency data obtained from youth directly suggest that half of all year-old youth may have done something in the previous year that could have resulted in their arrest. According to the annual Monitoring the Future surveys administered by the Institute for Social Research at the University of Michigan, 27 percent of all tenth graders or year-olds report having used an illegal drug in the previous 12 months Johnston et al. According to the U. Census Bureau, in , the resident population of year-olds in the United States was approximately 4. If 27 percent of these youth used illegal drugs, this would suggest that the pool of violators among year-olds could be as high as 1. Juvenile courts nationwide report that they handled just 36, delinquency cases in involving year-old juveniles charged with drug offenses Puzancheraet, Adams, and Sickmund, A similar heuristic exercise can be undertaken for other offenses. For example, the National Survey on Drug Use and Health 3 Substance Abuse and Mental Health Services Administration, estimates that 4 percent of all year-olds carried a handgun at least once in the past year.

Chapter 6 : American juvenile justice system - Wikipedia

A separate juvenile justice system was established in the United States about years ago with the goal of diverting youthful offenders from the destructive punishments of criminal courts and encouraging rehabilitation based on the individual juvenile's needs.

Trial as an adult All states have laws that allow, and at times require, young offenders to be prosecuted or sentenced as adults for more serious offenses, Without regard to their age. United States , the United States Supreme Court held that a juvenile must be afforded due process rights, specifically that a waiver of jurisdiction from a juvenile court to a district court must be voluntary and knowing. Supreme Court held, in the case of *In re Gault* , [10] [11] that children accused in a juvenile delinquency proceeding have the rights to due process, counsel, and against self-incrimination, essentially the Miranda rights. Writing for the majority, Associate Justice Abe Fortas wrote, "Under our Constitution, the condition of being a boy does not justify a kangaroo court. Pennsylvania decided that minors do not have the same rights in this regard as adults. Other cases[edit] In some jurisdictions, in addition to delinquent cases, juvenile court hears cases involving child custody , child support , and visitation as well as cases where children are alleged to be abused or neglected. Court procedure[edit] Procedures in juvenile court, for juveniles charged with delinquent acts acts that would be crimes if committed by adults or status offenses offenses that can only be committed by minors, such as running away from home, curfew violations and truancy are typically less formal than proceedings in adult courts. A serious crime is more likely to result in the filing of a petition than a less severe crime. Petitions are more likely to be filed in cases involving older children. Formal charges are more likely when a minor has been previously involved with juvenile court. The strength of the evidence that the minor committed a crime. Obviously, stronger evidence leads to a greater likelihood of formal charges. Formal charges are more likely to be filed against boys than against girls. Petitions are more likely to be filed when children have a history of problems at home or school. The greater the lack of parental control, the more likely the intake officer is to file a petition. Along with these seven, four "unofficial" factors can sway an official: Formal proceedings are less likely to occur when a child shows remorse for committing a crime. If the young person is polite, dressed well, and neatly groomed, then the intake personnel are more likely to handle the case informally. Whether the minor has family or community support. The more support the young person has, the more likely the intake officer is to deal with the case informally. Whether the minor has an attorney. Disposing of a case informally may be less likely when a child has a lawyer. In Connecticut, a referral can be made to a non-court associated committee referred to as a Juvenile Review Board. These committees can present a resolution that does not result in a juvenile criminal record. However, there are qualifying circumstances for a case to be accepted for review, such as the type of offense often must be minor in nature and prior court involvement many JRBs only accept first-time offenses. Sentencing[edit] Juvenile court sentences may range from: Mandatory minimum sentencing[edit] Mandatory minimum sentences found their way into the juvenile justice system in the late s out of concern that some juveniles were committing very serious criminal offenses. Mandatory minimum sentences might be imposed in juvenile court for some very serious crimes, such as homicide, and apply to juveniles in the same manner as adults if the juvenile is waived to adult court. Supreme Court has ruled that the use of mandatory life sentences for juvenile offenders is unconstitutional. He stated that the system sends too many children with good chances of rehabilitation to adult court while pushing aside and acquitting children early on the road to crime instead of giving counseling, support, and accountability. In the United States specifically, there are arguments made against having a separate court for youths and juvenile delinquents. From this perspective, the construction of youth and being young is morphing and as such people believe the legal system should reflect these changes. Childhood currently, looks very different and is socially constructed in a much different pattern than in past historical context. Some argue that within our current social climate, a juvenile court system and having a separate deferment for people under the age of majority is no longer necessary as there are such blurred lines between the stages of childhood, youth, and young adulthood. Movements towards less punitive measures or agencies have been a trend in this regard. For

example, in the United Nations general assembly, there was a proposal that "no child or young person should be subjected to harsh or degrading correction or punishment measures". The United Nations believes that youths should have less harsh punishment and be deferred to more community supportive programs like tribunals or courts geared towards young people. In Western Europe, there are many countries also criticized and looked at by the United Nations for the disproportionate representation of racial and ethnic minorities in the juvenile court system of the racial and ethnic minority being over-represented. The current regime allows for many systemic perpetuations of class divides, discrimination and gender inequalities. Another reform made by the United Nations is "informalism" in the mid 1970s where a push for diversion and less criminalizing happened. This was when many deferred programs and alternatives to formal criminal and adult jurisdictions changed, making it more child-friendly. In more recent years, the restorative justice model has been promoted as a better way to process and reintegrate youth who are involved in the court system back into the community. This model is multifaceted and requires a change in the cultural understanding of what it means to commit a crime as a person under the age of majority. The United Nations has offered aid to countries looking to move towards a restorative justice model as it is a positive change in from a human rights discourse. Additionally, the traditional values of adversarial justice have been rooted in the juvenile system for a very long time, which makes it difficult implement change on a global scale. There are also many arguments against the globalization of the reforms of juvenile court systems. Global juvenile justice lacks solutions to the flaws that come out of placing them in such a broad range of social contexts. For example, the case study of Moroccan youth as well as other ethnic minorities or migrant groups living in the Netherlands. There is a disconnect between the idea that crime is a local social problem, but there are movements to solve the problems more generically and on a much broader spectrum. In the Netherlands, the emphasis of juvenile court is rehabilitation despite the reality being a more punitive focused system when placed in practice. Juvenile courts cause further system bias and exclusion for these minority groups, and the disparity is a source of concern. One reason for this problem is the public discourse and police scrutiny—all of which stem from the failed cultural integration. Globalization of youth justice and the court then perpetuates this idea of an "international scapegoat" and causes issues that need more careful consideration for the putting global practices to work in local communities. As some scholars argue, globalization does not simplify the problem but rather complicates it as it challenges "traditional modes of analysis" and creates problems of identity.

Chapter 7 : CJJ | The Coalition for Juvenile Justice

The Juvenile Justice System Jodia M Murphy Kaplan University CJ Juvenile Delinquency Professor Thomas Woods July 31, Abstract This paper takes a brief look at the history and evolution of the juvenile justice system in the United States.

Menu History of the Juvenile Justice System A grasp of the current conflict surrounding the responsibility and direction of the juvenile justice system becomes more obtainable when one takes into consideration how the system has progressed since its inception. The juvenile justice system was created in the late s to reform U. The period, which formally spanned between and , was preceded by nearly a century of discontent. Prior to the Progressive Era, child offenders over the age of seven were imprisoned with adults. Such had been the model historically. Early reformers who were interested in rehabilitating rather than punishing children built the New York House of Refuge in The reformatory housed juveniles who earlier would have been placed in adult jails. Beginning in , individual states took note of the problem of youth incarceration and began establishing similar youth reform homes. Such early changes to the justice system were made under a newfound conviction that society had a responsibility to recover the lives of its young offenders before they became absorbed in the criminal activity they were taking part in. The juvenile justice system exercised its authority within a "parens patriae" state as parent or guardian role. The state assumed the responsibility of parenting the children until they began to exhibit positive changes, or became adults. Youth were no longer tried as adult offenders. Their cases were heard in a somewhat informal court designed for juveniles, often without the assistance of attorneys. Extenuating evidence, outside of the legal facts surrounding the crime or delinquent behavior, was taken into consideration by the judge. Early reform houses were, in many ways, similar to orphanages. Indeed, many of the youth housed in the reformatories were orphans and homeless children. The right to trial by jury and the freedom against self-incrimination were guaranteed to citizens in 5th Article of the Bill of Rights ratified This Article, the 5th Amendment to the Constitution, states that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Juryâ€nor shall [a person] be compelled in any criminal case to be a witness against himself. The Amendment states, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. A decision by the Supreme Court affirmed the necessity of requiring juvenile courts to respect the due process of law rights of juveniles during their proceedings. Gault age 15 had been placed in detention for making an obscene call to a neighbor while under probation. The Arizona juvenile court had decided to place him in the State Industrial School until he became an adult age 21 or was "discharged by due process of law. The act was designed to encourage states to develop plans and programs that would work on a community level to discourage juvenile delinquency. The programs, once drafted and approved, would receive federal funding. The Juvenile Justice and Delinquency Prevention Act - By the United States had developed a strong momentum toward preventing juvenile delinquency, deinstitutionalizing youth already in the system, and keeping juvenile offenders separate from adults offenders. Part of the rationale behind the separation of juvenile and adult offenders was evidence that delinquent youth learned worse criminal behavior from older inmates. Such logic was voiced in the Progressive Era by the writer Morrison Swift, who commented on the practice of jailing young offenders with adults, "young and impressionable offenders were being carried off to Rutland with more hardened men, there to receive an education in lawlessness from their experienced associates. The increase in crime hit a peak in and then began to gradually decline. In response to a fear that juvenile crime would continue to rise at the rate seen between roughly and , legislatures enacted measures designed to "get tough on crime. Minimum detention standards were also put into place in some states. The anti-crime sentiment of the period caused changes to be implemented to the juvenile justice system that made it increasingly similar to the adult criminal justice system. The shift Justice Stewart had predicted in , with the implementation of formal trials for youth, reflected an increasingly common view that juvenile offenders were not youth begging rehabilitation, but young criminals. Rehabilitation became a lesser priority to public safety in the aggressive campaign against

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crime of the s. In the late s Americans faced growing concern over highly publicized and violent juvenile crime. A series of school shootings and other horrendous offenses caused the public to fear a new breed of "juvenile superpredators," defined by the OJJDP as "juveniles for whom violence was a way of life - new delinquents unlike youth of past generations. Consult a Juvenile Defender in Your Area If you are interested in learning more about the history of the juvenile justice system, contact a criminal lawyer.

Chapter 8 : Juvenile Justice

Juvenile justice systems across the country are filled with youth that have mental and substance use disorders ("behavioral health disorders"). A report found that the use of juvenile detention facilities to house youth with mental health problems was "widespread and a serious national.

Chapter 9 : Juvenile court - Wikipedia

The juvenile justice system has been critiqued and criticized numerous times since its inception. Examining the works of Mack (), Platt (), Caldwell (), and Fox () reveals that, although development of the court has taken various shapes and has often been rooted in differing ideals and guiding principles, the overall philosophical view of the purpose of the juvenile court has.