

Juvenile justice

[Law](#), [Crime](#)



Among those who work in the juvenile justice system there is much discussion on how to effectively determine the appropriate consequences and or treatment for their actions. There are those who believe in punishment that includes incarceration and boot camp and there are those who believe in treatment programs with the goal of rehabilitation. There are various treatment models in place that are designed to address the problems in a youth's life that may contribute to the causes that influenced them to commit crime.

An assessment of the resources that are in place for juvenile offenders will be addressed, especially those that are designed to assist youth offenders in rehabilitation and restoration. Also a study of those models that are designed with the goals that gives the juvenile offenders the tools that will afford them the opportunity for a productive reintegration into society. There are many aspects of the treatment model (Bartollas & Miller, 2014) describe this model, " as the belief that the basic mission of juvenile justice is to rehabilitate youthful offenders."

They go on to say that the " focus of this model is the mental, physical, and social needs of the child with many rehabilitation efforts implemented before a juvenile is processed into the system. "(p. 18) It is worth the effort and expense to have these programs to treat youth offenders while they are still teachable and the possibility of redirection is feasible. Youth come from many different backgrounds, some are worse than others, which adds to the diverse reasons that contribute to them becoming offenders.

This is why the assessment piece is necessary to determine which programs are suitable to treat the juvenile offender. An assessment of the family

structure is needed to see if there any guidance or supervision in the home or any type of abuse is occurring physically or sexually. Is there abuse of drugs or alcohol with the parents or the children? Are there mental health issues? The environment they are living in is a huge factor that leads to criminal behavior such as very poor economic conditions and influence from adult criminal behavior prevalent around them.

There are treatment programs available to treat juveniles in these areas, these are not for the violent offender, or someone who has committed murder or is constantly committing crimes. The safety of the community is first and foremost when dealing with this type of offender. In a book on Juvenile Delinquency by (Jack Bynum, 2010) talks about the Child Savers Movement that was a major influence in this direction of treatment that came about in the late 19th century, they were convinced that urban slum life exerted a corrupting influence on idle youths.

The Child Savers believed: Because of their tender age, delinquent youths could be reclaimed from a criminal life if proper steps were taken. They were instrumental in shifting focus away from the criminal nature of delinquency to what was considered to be more of a humanistic approach built around the medical model and the rehabilitative ideal. (p. 351) This group of social reformers influenced the treatment models we have today that are still with us.

There is truth in these beliefs not only is from a humanistic approach but is it based on biblical principles. First of all the concept of righteous justice is throughout the Bible, a verse that conveys this message is found in Deuteronomy 16: 19-20: You shall not pervert justice; you shall not show
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partiality, nor take a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous. You shall follow what is altogether just, that you may live and inherit the land which the Lord your God is giving you.

(NKJV) Some other verses found in Deuteronomy 22: 1-4, where God tells us about others possessions, He says if someone's ox or sheep goes astray, we must return it, also if a garment or anything that is lost it must be returned, we can not keep it. The Ten Commandants cover not stealing or not coveting the neighbor's goods and consequences for violating are also part of the Biblical worldview. In Exodus 22: 4: " If the theft is certainly found alive in his hand, whether it is an ox or donkey or sheep, he shall restore double."

(NKJV) Here is seen a premise for restorative Justice, which is a Biblical principle for the concept used today which has been very effective today in many cases juvenile cases. The apostle Paul tells us about the spirit of restoration. In Galatians 6: 1-2, is this admonition: " Brethren, if a man is overtaken in any trespass, you who are spiritual restore such a one in a spirit of gentleness, considering yourself lest you also be tempted. Bear one another's burdens, and so fulfill the law of Christ. " (NKJV) As part of the diversion program some youth that qualify are sent to The Restorative Justice Model that exemplifies this verse.

I have had the opportunity to participate in this process as part of the community, there is no judgment or condemnation the goal is restoration for the victim of the crime and for the offender. This model is a community-oriented approach to the control of the offenders rather than confinement. In this model different members of the community are brought together

including the victim. The offender takes responsibility for his or her actions and the group decides what sanctions will be placed to restore justice.

Also programs are considered for the offender based on their individual strengths and weaknesses to assist them in a positive direction for their own restoration. Charles Colson who was sentenced to federal prison for his part in the Watergate break-in knows what restoration is about. In his book, *Justice that Restores* he shows the biblical worldview meaning of this in saying: " we realize that crime and social pathologies will never be eliminated. But Christians believe that individuals and cultures can be redeemed, that individuals who break both the law and the community's peace can be restored. " (p. 113)

This model has had great results and it will continue to be used for those offenders it is best suited for. The Justice Model is believed by some to be the answer but it limits the discretion granted to juvenile justice practitioners in recommending treatment programs. (Bartollas, 2014) quote David Fogel: " who believes the offenders are volitional and responsible human beings and deserve to be punished if they violate the law. The punishment must be proportionate to the crime. " (p. 18) This model would be better used for the repeat offender of serious crimes and for violent crimes especially those that involved a homicide.

It also decriminalizes status offenses that hinder a juvenile from getting treatment before they commit a criminal offense. There would not be a chance for the court to act on the advice of the juvenile practitioners that could have sent them to treatment. The justice model (Bartollas, 2014) " does require restitution and community service sanctions and has the <https://assignbuster.com/juvenile-justice/>

potential for fairness because it gives the offenders opportunities to atone or make amends for the damage or harm they have inflicted on others." (p. 19)

Punishment rather than the rehabilitation of the juvenile offender is the focus here. The Crime Control Model (Bartollas, 2014) " holds that the first priority of justice should be to protect the life and property of the innocent. Proponents of this model support the police and are quick to isolate juvenile offenders. " (p. 19) This seems to go somewhat along with the justice model but is more focused on incarceration to keep the public safe.

The priority of justice should be to protect society and this still can be accomplished but each case needs to be assessed to determine if any treatment program could benefit the juvenile from repeating crimes. Incarceration for some may be necessary depending on the type of crime and if it a repeat offender that shows no interest in changing. Incarceration for those that could have benefited from treatment or restorative justice model, it could cause them to go in a direction of becoming a more serious offender leading into adulthood.

What does the future hold for the juvenile system in a book Juvenile Delinquency edited by (Heilbrun, Sevin & Redding, 2005): They say that the future is uncertain as it performs a rather complex balancing act with multiple goals that often seem in conflict. For example, the court must protect the public from dangerous youth while acting in the best interest of children, it must case make youth accountable for their behavior while keeping in mind the unique circumstances of each child, and it must individualize dispositions while being fair and uniform across dispositions. (p. 140)

This is a very complex goal but it is necessary to follow this dictate to individualize every case to be able for the juvenile justice system to give those youth a chance for rehabilitation. As we have looked at the various models in the juvenile system it is imperative that an assessment is done on each juvenile offender to equip them with the the tools that will afford them the opportunity for a productive reintegration into society. There is enough evidence to support the continuation of these programs in our city to give many juveniles that can be helped, the best program that will benefit them.