

# Good example of juvenile delinquency research paper

[Sociology](#), [Social Issues](#)



## **Abstract**

Juvenile delinquency refers to a crime perpetrated by a minor who has not yet reached maturity. Since it has been seen in many scientific studies that a person doesn't attain full maturity until he reaches 18 years of age, juvenile offenders are treated differently than adults by the court of justice. In US there is a separate justice system for juveniles to deal with juvenile offenders. Based on the principle of " *parens patriae*", juvenile courts function like a guardian or parent by taking decisions in favor of the wellbeing of the children. However, despite separate justice system for juveniles, USA prosecutes juvenile offenders, guilty of heinous felony, like an adult subjecting them to harsher sentencing like life imprisonment without parole. This paper will further probe into the facts related to juvenile delinquency highlighting how juvenile offense can be curbed through proper intervention and community-based programs.

b) The juvenile justice system in USA is inspired by the principles of William Blackstone.

3) Is It Appropriate to Treats Adult and Juvenile Offenders Differently?

4) Recommended Differences between Adult and Young Offenders

5) How Juvenile Delinquency Can Be Prevented?

a) Community based programs

b) Early intervention programs

6) Conclusion

## **Introduction**

Juvenile delinquency refers to a crime committed by a minor who is yet to reach the statutory age of maturity. The average rate of juvenile crime has dropped significantly in USA in recent years. Despite the downward rate of juvenile arrests, there is no change in the fact that juvenile crime is mostly a crime committed by boys. As per the report of the U. S. Department of Health and Human Services, juvenile boys constitute 70% or more juvenile arrests (Aines, 2012). In fact, most of the violent offenses are committed by boys whereas girls mainly commit status offenses. Since juveniles are people who are yet to attain their adulthood and fully realize their potential and maturity, juvenile offenders are seen and treated differently than adults. This is a proven scientific truth that not before the age of 18 a person attains full maturity in terms of brain development and social understanding. As people below the age of 18 are not fully mature so they can be influenced by others easily. They can be influenced by family, environment, friends or some other people more easily than a regular mature adult. This premise has led to the US judiciary system to treat juveniles differently than adults. Juvenile justice system is separate from the mainstream judiciary so that juveniles can be treated properly for their crimes committed and provided treatment, rehabilitation and punishments if required. This paper will discuss upon the differential treatment of juvenile offenders from adults and whether or not the differential treatment is appropriate, what changes can be brought to the treatment and the measures to be taken to prevent juvenile delinquency.

## **Juvenile Offenders Treated Differently than Adults by Law**

Most legal systems around the world follow a set of procedures, different from that of an adult, while dealing with juvenile offenders. USA too is not an exception. Over the years the juvenile system in USA has undergone sweeping changes especially on the ground that juveniles are not fully mature to consider the full implication of their actions and hence they should be treated separately than adults. However, the condition of juvenile justice system was not always like this. There was a time when juvenile offenders were tried alongside adult criminals, put into jails for long a period of time and sometimes sentenced to death. It was in the early 19th century when the idea of reforming young offenders rather than punishing them emerged in USA. The House of Refuge in New York founded in 1824 was the first juvenile house of reform that tried to house juvenile offenders in a separate facility with other states like Maryland soon following suit (DJS, 2013).

The first juvenile court was established in 1899 in the State of Illinois by Cook County and within the next three decades almost all the states within USA had founded juvenile courts. The juvenile courts are based on the principle of " *parens patriae*" meaning that the court is allowed to take decisions in favor of the wellbeing of the child in question like a parent or guardian (DJS, 2013). Juvenile courts mainly deal with two types of offenders; the delinquent offender and the status offender. A delinquent offender is he who has committed an act that would be considered a crime for adults under the federal, state or local law. Status offenders, on the other hand, are children who are beyond control and unruly. They might be engaged in typical behavior like drinking alcohol or using drugs, running away from

homes, refusing to obey parents and skipping school (Roberts, 2013).

The juvenile justice system in USA is somewhat inspired by the principles of one of the notable English lawyers called William Blackstone who drew a fine line between the adults and infants on the ground that infants below the age of 7 were unaware of the likely implications of their actions whereas adults were fully aware of the consequences of their actions. According to Blackstone, children over the age of 14 were culpable of committing crimes and therefore, they should be charged like adults. But Blackstone was influenced by the concept of 'malice by the age' which means that a child below the age of 14 might be aware of the full implications of his actions if he is able to distinguish between right and wrong (ABA Division for Public Education). Therefore, if a child is found guilty of a heinous crime then he may be tried and sentenced like an adult. In a similar way, in USA children found guilty of serious crimes like murder may receive a harsher sentencing like an adult up to life imprisonment without parole, even at the age of 12. Since the US Supreme Court has eliminated capital punishment for children below the age of 16 years, life imprisonment without parole is the maximum harsh sentencing a juvenile can get. Especially, the number of cases of juveniles being tried like adults increased during 1980s and 1990s when the number of juvenile crimes skyrocketed significantly, forcing the law enforcement officers to take stern action of treating juveniles like adults to curb the crime rate.

## **Is It Appropriate to Treats Adult and Juvenile Offenders Differently?**

The separate justice system for adults and juveniles seems appropriate considering the fact that it takes time for the brain to develop completely and since children are emotionally vulnerable and physically not mature, they cannot be held guilty for a crime like adults. Furthermore, there are many studies which prove that the prefrontal lobe of the brain, which plays a significant role in controlling an inappropriate behavior, may not reach full maturity till age 20 (Reaves, 2001). Besides, the social factors like dysfunctional parenting, child abuse, truancy, parent criminality, poverty and early exposure to violence that play a crucial role in egging a juvenile on committing a criminal action should be taken into account. Lack of family support and supervision and peer pressure also contribute to the problem. The US Supreme Court while discussing the difference between adult and young offenders in the case of *Graham v. Florida* observed that the actions of juvenile offenders are less likely to be the outcome of an "irretrievably depraved character" and that juvenile criminal acts cannot be considered as "morally reprehensible as that of an adult" (Ginatta, 2012). Therefore, young offenders should be given a chance to turn their lives around through rehabilitation so that they can integrate into the mainstream society as reformed individuals. A juvenile offender who has spent term in juvenile prison is less likely to commit crimes than someone getting released from an adult prison facility. Internationally, the Convention on the Rights of the Child which is an international treaty ratified by almost every country in the world except USA and Somalia, too propagates the principle of treating a juvenile

offender " in a manner consistent with the promotion of the child's sense of dignity and worth" so that he can play a constructive role in the society (Ginatta, 2012).

## **Recommended Differences between Adult and Young Offenders**

In USA, all the states except five states try juveniles guilty of murder like adults. Annually every year about 250, 000 juveniles face prosecution like adults (JLC, 2013). It might be an assumption that giving juveniles harsher sentencing functions like a deterrent to prevent youngsters from engaging in heinous crimes. But many research studies show that the prosecution of children like adults does not deter crime or reduce the rate of recidivism among juvenile offenders. In fact, children who serve their sentencing in adult prison system are more likely to commit crimes again and pose greater danger to public safety. Therefore, instead of putting children behind bars with hardened adult criminals, they should be put into correctional facilities so that they could get a chance to improve their lives. Their background and the factors contributing to their criminal actions should be taken into account as most of the young offenders are victims of child abuse, poverty, breakdown of the family and parental alcoholism. Due to the lack of parental supervision, many are influenced by their peers to commit crimes. Since juveniles are emotionally immature and can be easily influenced by circumstances and people into illegal actions, they instead of being tried like adults should be given a second chance at life through rehabilitation and reintegration into the mainstream society.

## **How Juvenile Delinquency Can Be Prevented?**

Since juvenile crime is a matter affecting the lives of parents, teachers, families and neighbors, concerns related to its prevention have escalated over the years. There are many community based programs being conducted in different states to curb the rate of juvenile offense. For example, in Texas, TJPC or the Texas Juvenile Probation Commission has funded an array of pilot programs in eight of its counties including Cameron, Bexar, Denton, Harris, El Paso, Tarrant, Dallas and Travis counties (TJPC, 2009). All these programs designed differently from each other target the common purpose of improving the social behavior of juvenile deviants. These programs provide counselling to families, education to parents, anger management training and even give vocational training to juvenile offenders. Juvenile probation officer visits the homes and schools of the juvenile offenders and counsel parents and teachers to help the juvenile deviants come back into normal life. Early intervention programs like prenatal and early childhood nurse visitation programs and Head Start are also helpful in deterring juvenile crimes as these programs contribute to the development of children in a positive way focusing on different aspects of a child's life rather than on the crime itself (Saminsky, 2010). Any program which takes place right before the birth of a child until his adolescence is called an early intervention program and research has shown that the result of early intervention program has been tremendously successful. Preschool programs, parent educational services, counseling to both parents and children help a lot in preventing delinquency. Early intervention programs help parents learn their role in the development of their children and also



teach children about the role they need to play in contributing to the growth of a society.

## **Conclusion**

Juvenile delinquency refers to a crime committed by a minor who is below 18 years of age and yet to become mature physically and emotionally. In US there is a separate justice system for juveniles to deal with juvenile offenders. The juvenile courts in USA are based on the principle of " *parens patriae*" meaning that the court is allowed to take decisions for the wellbeing of the child in question like a parent or guardian. Since juvenile offenders are often victims of their circumstances and cannot discern right and wrong, it is appropriate to treat them differently from adult offenders. However, somewhat inspired by the principles of William Blackstone, US justice system treats juvenile offenders, culpable of heinous crime like murder, forced robbery and rape, like adults but research has shown that giving harsher sentencing to juvenile offenders does not reduce the rate of juvenile offense. On the contrary, juveniles serving their prison terms in adult prisons are more likely to commit crimes again. Therefore, instead of putting them behind bars with adult criminals, they should be given a second chance at life through rehabilitation and reintegration into the society. Furthermore, community-based educational programs and early interventions programs should be conducted to prevent juvenile delinquency from taking place.

## **References**

Aines, Don (2012). Juvenile Crime in U. S. Down Since Early 1990s. Herald Mail. Retrieved on 3rd December 2013 from

<https://assignbuster.com/good-example-of-juvenile-delinquency-research-paper/>

Ginatta, Antonio (2012). Give Child Offenders Chance at Rehabilitation.

Human Rights Watch. Retrieved on 3rd December 2013 from

History of Juvenile Justice in the United States (2013). The Department of

Juvenile Services (DJS). Retrieved on 3rd December 2013 from

Intensive Community Based Programs for Juvenile Offenders: A Report on the Implementation of Pilot Programs Established Under SB 103, FY 2008 (2009).

Texas Juvenile Probation Commission (TJPC). Retrieved on 3rd December 2013 from

Reaves, Jessica (2001). Should the Law Treat Kids and Adults Differently?.

Time Magazine. Retrieved on 3rd December 2013 from

Roberts, Cynthia H (2013). Juvenile Delinquency: Cause and Effect. Yale-New Haven Teachers Institute. Retrieved on 3rd December 2013 from

Saminsky, Alina (2010). Preventing Juvenile Delinquency: Early Intervention and Comprehensiveness as Critical Factors. Student Pulse. Retrieved on 3rd December 2013 from

The History of the Juvenile Justice System. ABA Division for Public Education. Retrieved on 3rd December 2013 from

Youth in the Adult System (2013). Juvenile Law Center (JLC). Retrieved on 3rd December 2013 from