

Corruption within the government assignment

Law



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Traditional perspectives on causation have usually focused on some image of offenders that portrayed them as pushed or driven toward lawbreaking by a pattern of attitudes or motivation acquired through their particular life experiences. Citizens concerns lie basically on the reasoning behind deviant behavior and the process by which the Juvenile Is handled within the system. As with all proceeding, flaws do occur and this can contribute to continuous behavioral problems.

As this research unfolds, It will Illustrate the five main concerns and problems In the Juvenile justice system. This paper will help to explain the initial causations of crime, the problems rounding the Judicial detaining of Juveniles, the methods of rehabilitation and treatment, the system's inadequate placement of youths that are mentally ill and lastly, the styles of punishment that the system imposes on the juvenile delinquent. Explaining crime and delinquency Is a complex task.

A multitude of factors exist that contributes to the understanding of what leads someone to commit delinquent behavior. While biological and physiological factors hold their own merit when explaining crime and delinquency, perhaps social factors can best explain Juvenile delinquency. There are many things that can contribute to the causes of deviant acts committed by juveniles. However, little is known about what really causes one to become delinquent, while another in apparently the same circumstances does not become delinquent.

Another difficultly Is the Inadequate classification of delinquency. “
Compounding the complexity of the problem facing juvenile delinquency in

terms of causes, classification and definition is the obscurity that the problem generates in distinguishing between crime and yr. “ Social sciences theories, including those related to Juvenile delinquency, commonly fall far short of a perfect alignment between suggested casual factors and an Invariant outcome.

The social sciences commonly suggest a multiplicity of causes, in part because ethical and practical reasons dictate the use of nongovernmental methods to obtain information. ” What we call a cause typically is, and is recognized as being; only a partial cause, the stated cause, Is what makes the difference. We may define a cause to be an object to be followed by objects similar to the second or in other words, where, If the first object had not been, the second had never existed. (Binder. Gels. Suggested that instead of cause we ought to employ the term condition.

In a famous statement Mill noted: “ nothing can better show the absence of any scientific ground for the distinction between the cause of a phenomenon and its condition than the capricious manner in which we select among the conditions that [condition] which Nee will denominate the cause” (Sorrels, 1997). In other words, Mills is saying that “ hen there are many different circumstances involved in the production of a delinquent act, interpreters often choose the causes from their own personal and political biases and beliefs. An example that researchers Binder, Gees and Bruce suggest involves a police officer and a Juvenile.

Suppose a police officer shoots and kills a Juvenile who threatens him with a rifle, we may say that the youngster’s death Nas “ caused” by the officers’

bullet. However, we also could maintain that the “ real” causes was the officers failure to keep his cool and deal with the offender in a less lethal manner or that it was the carelessness of the boys parents in allowing the punster to have a rifle when it was obvious that he might use it in a dangerous manner. As Mill indicated, you often have your pick of “ causes” and the one that is Chosen reflects the point that the chooser wants to make.

This example leads one to live that A caused B if the occurrence of A led to the occurrence of B, and if A had not occurred, B would not of happened. However, the precise meaning of cause remains complicated. Theorists and criminologists suggest a number of theories related to the cause of deviant behavior. “ Some theorist view delinquency as a function of the individual Nile others view delinquency as a macro level function of society’nonsense, Howard 1999). The result of this is that we now have a collection of diverse theories, along Ninth a large supply of research findings that have come from specific studies carried n by sociologists. One method of distinguishing theoretical perspectives is to focus on two distinct but closely related problems or questions that must be confronted in our efforts to develop explanatory accounts of delinquency. Two questions are asked about delinquency : (1) What elements of social organization or social structure are responsible for the rates and patterns that are observed; and (2) what more specific processes existing within these social-structure settings result in delinquency on the part of some youngster and non-delinquency on the part of others” (Gibbons, Akron 1991).

The first of these explanatory problems is best described by statistical studies that indicate where these lawbreaking patterns take place; in inner-city environments where crime is common among gangs and poverty stricken neighborhoods. The focus that Gibbons and Akron place is that there is something about communities' social structure and social class that result in these observed patterns of juvenile misconduct. The second question takes the form: " Why do they do it? " The focus of interest in this case is on the process by which youths acquire delinquent attitudes and behavior patterns.

Gibbons, Akron, 1991) The concepts of theories was constructed on defining the causation of crimes, the subgroups that were identified were those that suggested sociological insight, psychological approach and anthropological studies. These theories propose that through observation of criminal behavior (social learning theory) influence of environments, family structures and personality traits they are in some form The primary goal of the Juvenile Justice system, as specified in the Standard liven Court Act, is to protect the public from youths who clearly endanger the lives and property of others.

By the same token, " it has been widely recognized that labeling a child has a delinquent may serve to reinforce his patterns of antisocial behavior" (Oldness, Harbinger 1976). Thus, the criminal Justice professionals who must deal with a Juvenile during the early stages of his encounter with the law-policies, Judges, and probation officers are faced with the difficult responsibility of determining Just how great a danger each youth represents and coordinate each case accordingly.

It is common knowledge that, almost without exception, the police officer, is the first to approach a child in trouble. It is also common knowledge that any youngsters are handled on an unofficial basis, instead of being referred to the liven court. “ In essence the police officer, in effect, often sits as a Judge or serves as a social worker. And where Juvenile offenders are taken into custody, the officer may determine the disposition of about half the cases. In coping with this high number of reported crime, the police duties are to apprehend and develop evidence needed for successfully processing them through the Judicial system. However, when the offender is a child, police exercise considerably more discretion as classifying a dilation of the law as a crime. Oldness, Harbinger 1976) Classifications of crimes distinguish whether the act committed was in violation of a law a social norm or non- illegal crime.

Such crimes like that are defined as status offenses, which are best described as those violations that are unlawful only because of the youth’s status as Juvenile. For example, a minor can be arrested for such offenses as under age drinking, curfew violation, truancy- but as soon as the Juvenile turns the appropriate age these violations do not apply to him. The second category includes Juveniles who commit more serious offences, crimes that would also be illegal if committed by an dull and therefore should be processed through the system. Many Supreme Court decisions in the past two decades have had great impact upon Juvenile court procedures, clearly turning the Juvenile court in the direction of the adversary criminal court of American Justice. The Supreme Court set in motion a virtual overhaul of the procedural methods of American Juvenile court. ” Many (if not most) of liven

court procedures following the arrest of a Juvenile were changed, requiring that the Juvenile court assume full responsibility to: 1. Notify the defendant of the specific charges in writing 2.

Notify the defendant of his rights to counsel(and the right to have court-appointed counsel) 3. Notify the defendant of is right not to testify(5th Amendment) 4. Notify the defendant of his right to cross-examine his accusers. The court case Gaul v. U. S helped establish these guidelines to which all Juvenile proceeding would follow. : Coffey, 1975) It has been found over years of research that between 85 and 90 percent of the offenses of youths that required police attention were relatively minor in nature, The offense were in other words, misdemeanors or less serious.

Rather than arresting a venial, the Juvenile system refers it as taken into temporary custody. The discretion of a police officer ranges from when to take a Juvenile into custody to the release of a liven either to the state department (detention center or detaining facility) or in juvenile into custody will be influenced by such factors as the seriousness of the offense, characteristic of the offender, type of offense and prior deviant behavior.

Bittier, Gets, Bruce 1997) " Juveniles who become involved in the Justice process may spend time in one or more of the three types of residential facilities available to the court: government- operated detention homes (used for temporary custody pending court disposition or transfer to another court of facility); government-operated correctional facilities : assignments to these range from training schools to camps and diagnostic centers, IS considered the courts most severe disposition): and foster homes or private

institutions (usually sponsored by religious or philanthropic organizations)” (Oldness, Hearting, 1976).

Because the primary purpose of a detention home is to hold minors awaiting a hearing or a transfer, both staff and building are oriented toward security, meaning that a distinguishing characteristic of detention center is some degree of physical restraint. These detention centers are not just harboring our youth but they are provoking our kids to commit more crimes. Ere correctional facility that out Juvenile Justice systems offers varies from training schools to camps and rehabilitation facilities.

Most training schools are relatively smaller than adult prisons, housing a few hundred boys or less, and the girls’ schools handle even fewer. These schools usually involve an open architecture they are unwilled institutions made up of a number of dormitory buildings, such as a school, trade training shops, barns, and other farm buildings. Treatment within these facilities range from basic essential skills needed to operate in society to clinical evaluations from psychiatrists and psychologists.

The main goal of these facilities is to reform the Juvenile delinquent where they can be released form these institutions and function in the community without hopefully falling back into the system. Imminence, 1978) The dual emphasis on treating and punishing delinquent youth is an important part of the modern Juvenile Justice system, partly because a major concern is put on not incarcerating a Juvenile but placing him within a facility to where he can chive treatment and the proper care to rehabilitate the offender.

It is important to remember that although the court decides whether or not a minor will be held in a detention facility and determines when he can be released; the administration of these facilities is not necessarily the court's responsibility. And even though standards for the physical attributes of detention center, the nature and extent of programs for minors, and the qualifications of detention personnel have been analyzed and set forth in some detail, many Jurisdictions do not possess facilities that even begin to meet these objectives.

One of the main reasons for this gap between planning and reality, which also applies to many other areas of the criminal Justice system today, is the absence of cooperative action at the administrative level. Oldness, Harbinger, 1976) These facilities are administered by a variety of different agencies, including probation departments, juvenile courts, state and local welfare departments and state and regional juvenile correctional agencies.

A growing awareness of the dangers of incarcerating young delinquents in jails, for whatever reason, has promoted several public officials to recommend methods of improving venial detention facilities Every morning, hundreds of mentally ill and across the United States to spend another day locked up and isolated from the help they need. The youth in our Juvenile Justice system, especially those with mental illness are one of our nation's most vulnerable populations. Some suffer delusions, hearing voices that tell them to hurt themselves or others.

Other dwell in the depths of depression, their young lives shut down emotionally because of abuse or a psychiatric disorder. An article was

published illustrating the number of youths that had a mental illness and that were being detained in correctional facilities. A report conducted by the Coalition for Juvenile Justice concluded that 50 to 75 percent of [Outs in the Juvenile Justice system have a "diagnosable mental illness" and as many as 20 percent may be severely mentally disturbed.

Despite widespread mental illness among Juvenile offenders, researchers found that state Juvenile Justice systems are unprepared to treat or even to identify mental health problems. In too many states, mentally ill youth are warehoused in expensive lockup facilities where they are cities of violence and abuse. They are released more ill and more dangerous than they arrived. (2000) Some of these children are locked up because they are accused of serious criminal acts, such as robbery or assault, and are there for charges of minor offenses.

In either case, though, the offences can be traced to their mental problems. Experts say that most of these children need mental health services- counseling, group therapy, perhaps medication- in secure facilities where they are not mixed in with other young criminals. If they get that, they say, many of them would not commit new crimes. Tweed, 2001) "Children involved with the Juvenile Justice system frequently have more than one co-occurring mental and or substance use disorder, making their diagnosis and treatment needs more complex.

In fact the number of youth with serious emotional and behavior problems in the Juvenile system is so significant that many people believe the Juvenile Justice system has become the default system to provide mental health

services” (2000). Because of the failed attempts from the community to provide services that address these venires emotional and behavioral needs, they initially will be handed over to the justice system in hopes that their services can provide assistance, here the unmet needs have essentially caused the Juvenile more harm to himself and those around him.

Incarceration holds special risks for young people, especially those with mental and emotional problems. Detention subjects many youth to potential physical and emotional harm from facility staff and other youth. " Each year over 2 million youth between the ages of 10 and 18 are arrested with 1 million of them formally handled by the Juvenile Justice system, and an increasing number of these young individuals are detained in some type of correctional facility' (2000). Historically the role of the juvenile court was to intervene in the lives of children whose biological parents were not providing appropriate care.

The " delinquent child” needed the courts benevolent protection and the emphasis was on turning youth into productive citizens through rehabilitation and habitation. Public policy toward Juvenile offenders has changed over the last decade, with systems becoming increasingly less rehabilitative and more punitive. For example; many states have added punitive phases to the purpose clauses of their Juvenile Justice codes, stressing accountability for criminal offenses, n rehabilitation or treating Juveniles caught in the system.

Nonsense, Howard 1999) Today’s punitive consist of correctional facilities for the housing of violent Juvenile delinquents who have committed serious

offenses, probation alternatives which can detail certain guidelines that must be kept and intensely followed, and also parole opportunities which include aftercare services that were designed to help delinquents released from institutions to make a smooth transition back into the community.

These forms of alternatives to incarceration are highly optional and only depending on the decision of the court can they be imposed. Considering probation as probably the most widely used punishment, many considerations must be pursued, responsibility of the probation officer to continue supervision of the Offender, counseling, community service casework and case history recording.

In regards to the overall goal of the Juvenile Justice system and its willingness to in turn release these Juveniles back into society, strong emphasis must be placed not solely on the punishment side of the offense but more on the rehabilitative aspect of the delinquent Juvenile. Prison is a good place for murders, thieves and drug pushers. Unfortunately, it is also a good place to become a murderer, a thief or a drug pusher.

Every year thousands of young men and women are arrested and sent to prison for petty larceny , smoking pot or Joy-riding in a stolen car and every year thousands of kids Ninth a little problem on their minds come out of Jail with a big chip on their shoulder. Kids who once might have been helped by us are now beyond the help of anyone. Ere answer is not prison reform because the answer is not prison. These kids do not need punishment they need treatment, by a social worker, psychiatrist or a trained counselor or a community center for Job development and training.

Keeping problem Children from becoming problem adults is not Just a matter of incarcerating these putts, but instead helping them, reaching out to their needs and concerns. As an advocate of rehabilitation and treatment I believe that more funding should not be in the construction of better detention centers and facilities but in educating our juveniles and implementing new and improved programs that will in turn be available to those that want help and want to better themselves.

These youths are poisoned with all this corruption in society and instead of consoling them we are cocking them up and throwing away the key. They say that today's Juvenile delinquents are tomorrow's criminals, so why not approach this problem and attack it instead of running from it. The problems in facilities today are that they are overcrowded, untrained correctional personnel, non medical staff and poor turnout numbers.

This should be a wake up call to America saying that these conditions that out kids are dealing with is too much for them to handle and their reasoning to commit more deviant acts seems Justified to them due to the failure of the system in obliterating them. As explained earlier, when discussing the enormous number of mentally ill Juveniles not properly institutionalized, my concerns lie completely on their ability to receive adequate care and services needed to overcome or treat their illnesses however, how can they acquire this care when they are in Jail or prison?

Our juvenile Justice system needs to accurately evaluate these Juvenile and place them according to their rational behavior. " In order to be more effective in reintegrating Olin, 1978) Working on a youth as the sole object of

treatment Norse to a large extent the youths; actual life situation- that is, the situation to Inch most youths return.

As I pursue my career in the Juvenile Justice field, my intentions are to design and create new and improved preventive programs which Nil become the enlightenment of a new era for Juvenile offenders. What our system needs are programs that relate to the individuals and not what society imposes, we are more worried about the war on drugs and gun control more than we are about talking to our youth and starting with the little problems that are rattling within these pun offenders.