

Juvenile justice

Law



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The United s Juvenile Justice System About a century ago, the United s Juvenile Justice System was created with the objective of redirecting young delinquents from the harsh sentences of criminal courts and promoting rehabilitation/ treatment according to the needs of the juvenile. The system was to concentrate on the best interests of the child rather than on the felony committed. Differently treated from adult offenders, juveniles are not accused of crimes but with misbehaviors; they are considered innocent and adjudicated offenders; they do not go to prison but to a reformatory or rehabilitation center. Juvenile court proceedings were not open to the public and were left to the discretion of the juvenile court judge. Records were confidential to protect the juvenile's privacy and promote his/her chances for rehabilitation, reuniting with family and rejoining into society. Because of some tensions, such as concentration on the juvenile's welfare against concentration on his/her incapacities, deserved punishment, and the protection of society from the juvenile's misdemeanors; different juvenile justice systems were established in every state and jurisdiction (McCord, Widom & Crowell 154). All systems of the states of California, North Dakota and South Carolina have the same goal: the treatment and rehabilitation of young delinquents. Shown in this paper are similar or different ways of addressing juvenile crimes in these states.

In California, juveniles age 17-24 years old are detained for infringements of court orders; evasion from obligation; if the juvenile has a possibility to escape; for the protection of the juvenile or society; and if the juvenile is incriminated in certain felonies. As a disposition or as a sanction for breach of trial, aside from holding young offenders in protected detention before juvenile court judgment, sentencing, disposition and consignment, a court <https://assignbuster.com/juvenile-justice-essay-samples-3/>

may take a delinquent to a juvenile hall, foster care or group care; or released to parents for home confinement. In North Dakota, 17-20 year-old offenders are held in detention for his or society's protection; if there is a possibility of escape or from being removed from court rule; in cases when the offender has no parent or guardian; or in cases when the juvenile court has issued a detention order. The state's detention is given in 7 regional juvenile detention centers managed by the county or associations of various counties, or by the North Dakota Division of Juvenile Services provided at the Youth Correctional Center. Detention of juveniles in South Carolina is controlled by individually managed county detention centers or by the South Carolina Juvenile Detention Center. Delinquents accused of severe crimes or possession of deadly weapons and awaiting court judgment and disposition may be taken to a secure detention hall. However, a young offender cannot be held in detention while still awaiting assignment in a facility; cannot be sentenced to secure detention, and authorization for probation infringements. Detention through electronic monitoring, house arrest, and shelter placement are possible options for offenders in South Carolina (National Center for Juvenile Justice).

Depending on the age of the offender; the severity of the crime committed; the offender's previous history; and the consistency and weights of evidence, probation intake officials and county district attorneys of all three states may redirect a case to diversion programs particularly for first-time, non-violent youth offenders. Such programs are law-related education, drug and alcohol programs, lectures on shoplifting cases, individual and family therapy, behavior-reform programs, healing forums and adolescent courts. In California, the duration of a youth's maximum involvement in a diversion

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program is six months. In cases of non-participation in a required program within 60 days, a court petition may be filed. In North Dakota, the offender should confess to the accusation and both the juvenile and parents should permit and concur to the conduct and management decisions by the juvenile court officials. Juveniles may be diverted to Informal Adjustment probation up to nine months with an extension not exceeding 5 months on the provision of reasonable grounds. In the state of South Carolina, judicial courts grant juvenile arbitration, through solicitors offices using qualified volunteers as negotiators, allowing a non-court resolution of cases specifically for first-time, non-violent delinquents (National Center for Juvenile Justice).

Both the states of California and South Carolina commit their young delinquents to the Department of Juvenile Justice (DJJ), which sets the youth in an appropriate corrective setting decided by DJJs organization staff implementing a risk and needs evaluation. Juveniles in North Dakota are committed to the Division of Juvenile Services (DJS) which decides the level of care by weighing the mildest preventive standards, most suitable placement guaranteeing public safety. Placement options comprise parental home; relative or foster cares; foster care, group home or residential treatments; hospitalization, and the States only correctional facility, the Youth Correctional Center. Unlike in North Dakota, juveniles in California are not committed to the DJS. The South Carolina juvenile court, aside from its commitment to the DJJ, has authority over the probation disposition and juvenile placement in a local or private facility (National Center for Juvenile Justice).

Juvenile probation services in North Dakota are funded by the Supreme Court
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Administrator's Office. Adjudicated juveniles can get formal probation up to a maximum of two years with orders and personal contacts with a court official. Probation services in California are mandated by the California's Welfare and Institutions Code. The Chief Probation Officer duly assigned by the Board of Supervisors or the Presiding Judge for the Superior Court in California directs the probation department. Under oath, the staff probation officers exercise arrest powers and search and seizure commands. California probation officers should at least be high school graduates, whereas North Dakota officers should have at least a bachelors degree in criminal justice, social work or psychology/sociology. Probation court officers should attend the yearly training programs and should have a minimum of 40 hours of ongoing training every three years by the Supreme Court. Probation services in South Carolina are administered by the Department of Juvenile Justices (DJJ) Community Services Division. Probation officers not necessarily certified professionals by any South Carolina agency but with a minimum 62 hours of basic training and supplementary 68 hours of in-service training, should have a college degree in social science or related fields (National Center for Juvenile Justice).

Released offenders in all states of California, North Dakota, South Carolina and the rest of the United States should abide by standard parole rules, such as paying compensation; submission to searches and seizures; communication with parole agent; and not leaving the state without permission. The Division of Juvenile Justice or the Division of Juvenile Services has the authority to change release or parole dates, depending upon the juvenile's completion of treatment goals/plans; behavior inside the detention facility; completion of rehabilitation service; and the safety of the

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community if released. Aftercare services are included in the California parole administration. The Department of Corrections and Rehabilitation handles juvenile aftercare in North Dakota. In South Carolina, the Intensive Supervision Initiative (ISI) which is derived from the Intensive Aftercare Program (IAP) Model provides aftercare services and probation supervision (National Center for Juvenile Justice).

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