

# The ethics of juvenile delinquency criminology essay



It is ethical to allow courts dealing with juvenile delinquency to punish any juvenile responsible for taking part in illegal activities. A critical part of working towards a morally responsible society is holding juveniles responsible for their actions. There have been many changes in juvenile laws attempting to balance the proper level of punishment. Early rehabilitation of an irresponsible child or young adult is a key part of solving criminal issues. How to rehabilitate a juvenile is always going to be a highly controversial issue.

In the past century, laws governing juveniles' actions have changed drastically. In the early nineteenth century, juveniles typically received the same punishments as adults for crimes or wrongdoings. According to the (United States Federal government, 1997), " In 1938, the Federal Juvenile Delinquency Act was passed with the essential purpose of keeping juveniles apart from adult criminals." Juvenile delinquents began to receive preferential treatment after the Juvenile Delinquency Act became law.

In the seventies juvenile law began to receive more attention and one of the most influential laws were formed. According to the (United States Federal government, 1997), " In 1974, Congress adopted the Juvenile Justice and Delinquency Prevention Act." The Juvenile Justice and Delinquency Prevention Act in principle is focused on allowing juveniles to receive treatment in lieu of harsher jail or prison time.

Through many reforms in law, juveniles have many different paths of rehabilitation instead of just prison or jail time. In 1995 the (United States Federal government, 1997) reported " Two out of three cases where a

juvenile was arrested the case was referred to a lesser juvenile court". It is becoming apparent that even though juveniles are capable of committing a crime; a juvenile is not capable of considering the consequences for their action.

Ever since the establishment of juvenile courts, there has been controversy on the subject on how they should be run and what rules should apply. With all the controversy on how the juvenile courts system should apply the existing law to minors. A few states have decided to change the law regarding at what age a person is a juvenile. An article written by (Jeffrey A. Butts, 1998) states, " in 37 States and the District of Columbia, juvenile courts are initially responsible for all law violations committed by youth under 18." This just goes to show that even though for the past century juvenile delinquency laws have been getting looser the laws are still highly debated.

Ever since about 1995, there has been a substantial amount of cases being transferred from juvenile court to adult court. An analysis performed by (Jeffrey A. Butts, 1998) indicates, " In about half of all transfers, the offenders receive sentences comparable to what they might have received from the juvenile court." Many people believe that by allowing the juvenile case to be transferred to an adult court will make the juvenile realize they are not above any law. As well with more juveniles being tried as adults it weeds out the worst cases; therefore, making the juvenile courts appear more effective.

The latest change in juvenile law is that states have attempted to expunge the juvenile courts system. Many states went as far as passing laws to

abolish such courts; however, few states did anything to act on the laws.

According to an article written by (Jeffrey A. Butts, 1998) “ In states such as Idaho, Michigan, and Virginia, the criminal courts may sentence a juvenile to an adult correctional facility.” Sentencing a juvenile to an adult correctional facility in states that allow it is reserved only for the worst of cases.

Since the seventies, there has been a dramatic increase in violent crimes especially amongst juveniles. Part of the surge in violent crimes is due partly to the rise in home and cellular phones making it easier to report crimes. Another factor in the increased crime rate is the decreased penalties that took effect in the same period. Not surprisingly according to

(Justice, 2010), “ juveniles accounted for almost half the arrests for serious crimes in the United States in 1974.” Juvenile courts were severely understaffed for the caseloads during that period; as a result many juvenile delinquents were not adequately punished for their crimes.

During the seventies alcohol and drug abuse was a horrific problem amongst juveniles. According to (Justice, 2010), “ increasing numbers of young people are becoming addicted to or abuse alcohol and or other drugs”. In response to the drug abuse and violence problems, programs and other resources were suggested to be offered schools. Juvenile justice courts also were provided with extended sentencing authority, in addition to rehabilitation resources.

Many juveniles engage in unsafe activities and it is important that the behaviors are corrected. According to (Justice, 2010), “ the small number of youth who commit the most serious and violent offenses are becoming more

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violent". Most juvenile crimes are seriously violent crimes. Crimes committed by juveniles that are non-violent in nature must not receive the same punishments as violent crimes.

In conclusion, juveniles must be responsible for their actions; however, it is not always appropriate to treat a juvenile the same as an adult. Juvenile delinquency dramatically decreased after the enactment of education and rehabilitation programs for juveniles. Laws regarding juvenile delinquency modified many times to assist courts in the rehabilitation of juveniles. It is ethical to allow courts to rehabilitate juveniles from unsafe lifestyles.