

# Juvenile offenders in criminal court

Law



Juvenile Delinquency: Criminal Courts The Violent Crime Control and Law Enforcement Act of 1995 provided for prosecution of violent juvenile offenders as adults for crimes committed with firearms on federal property. This and various state enactments respond to increased juvenile offending with implications for juvenile justice system goals. The laws' actualize sentiments that juvenile offenders are responsible for criminal activity and attendant punishment; rehabilitation is ineffective and beyond reach for some delinquents; transfer is needed for deterrence purposes and putting away offenders. This bias towards punishment and not rehabilitation is expressed by McCollum (as quoted in Redding 92) in support of the Federal law.

The changes mean to satisfy concerns, increase juvenile justice efficiency and curb growth in juvenile offending. National transfer efforts make 2 percent of juvenile delinquency cases caused by judge's willingness to transfer, large numbers of offenders and less treatment options in the juvenile system. J. S. Attorney General Janet Reno (as quoted in Redding 93) asserts that behind this response is unexplained delinquency characterized by sharp increment in violent index crimes. The transfer consequences for juveniles stated in *Kent v. United States* 1966 are longer prison sentences, loss of juvenile protective and rehabilitative possibilities, potential abuse in adult prisons and loss of rights associated with felony convictions. Other sanctions include loss of voting and firearm rights; ineligibility for military service; felony record and declaration of felony status on employment; negative influence on future criminal processing, prosecutions and sentencing; and exposure to capital punishment.

As the US Department of Justice 1999 stated (Redding 121), effects of

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transferring juvenile offenders have not been clear with studies showing short term actual increase in recidivism and society reintegration problems. Transfer policies must be enacted to ensure a smooth transition and justice be served in a fair manner. Purposes of transfer such as deterrence and community protection have not been achieved as formal criminal processing, conviction and sentencing seem to have little merit and many adverse consequences. Transfers don't seem to promote community protection and decrease juvenile offender reformation (Redding 95). This means that a new approach in reference to the transfer of the juveniles must be evaluated to ensure protection of the community is enhanced by the judicial system. Penology policies to counter this trend include reduction of transfers to adult criminal system by empowerment of juvenile courts to give adult sentences as well as supervise rehabilitation; and transfer of select chronic and very violent juvenile offenders to the criminal system (Redding 122). Other juvenile offenders can be processed within the juvenile system, with graduated community based supervised rehabilitation. Leaders should ensure a fair judicial system for the juveniles for them to see life in a different way that encourages them to be good citizens after any trial. The penology policies must factor societal norms of the juveniles to ensure that they are not very punitive to the detriment of the success of the courts. Fairness is important in every sector in the world, and fairness must be seen to be exercised in the juvenile courts.

#### Work Cited

Redding, Richard. E. Juvenile Offenders Criminal Court and Adult Prison: Examining Legal Issues. Corrections Today, 1999. Print