

Criminal justice system

[Law](#), [Criminal Justice](#)



Criminal Justice System Kimberly Cruse Kaplan University October 14, 2012
CJ150: Juvenile Delinquency The current juvenile justice system (JJS) has evolved over the past century with numerous differences that distinguish it from the criminal justice system (CJS). Juvenile justice proponents argued that the youth possess diminished responsibility as well as legal understanding. The earliest court started in Chicago, in 1899. A century later, there has been considerable debate on the goals as well as the legal procedures for handling juvenile offenders.

The most intriguing question is whether to treat juvenile offenders differently than adult offenders. This debate draws numerous opinions from citizens, policy makers, and specialists (Edwards, 2008). Initially, the establishment of the JJS targeted individualized justice, and it focused on rehabilitation of youthful offenders. However, although there were other outstanding mitigations, the court superseded with its emphasis on care and rehabilitation of the juvenile offenders.

Consequently, the proponents upheld the youth responsible for their unlawful behavior. In addition, they asserted that society needed protection through an informal justice system (IJS). This would focus on the suitable treatment and children's interests. Moreover, this approach is still applicable and effective for numerous juvenile offenders whose crimes range from status offenses and property offenses to drug offenses. Sources have revealed that a number of states have adopted separate programs within the adult correctional centers.

Florida and South Carolina are the two states that have established different facilities for housing juvenile inmates. The age range is the key determinant

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of which youth ought to be housed in such facilities. In the above-mentioned states, the two age ranges are between 18 and 21, or 18 and 25. I also support the idea of housing them in different facilities thus avoiding cases of mistreatment (Elrod & Ryder, 2011). Current sources have revealed a rise in the fraction of cases processed in the juvenile court system.

For instance, the number of cases processed in such courts in 2005 was 1.6 million. The research has shown that the drug law violation, public order offense, and property offense cases are among those dealt with in a juvenile court. The graphs show an increase, along with a decline in the number of cases directed to juvenile courts for processing (Elrod & Ryder, 2011). It is notable that, in each state, government has ensured the existence of a court to handle crimes committed by juvenile offenders.

Judges who are responsible for handling this category of criminals must have specialized in juvenile, together with domestic relation issues. The state of Massachusetts has made some innovations through the formation of a statewide juvenile court, which lies under the trial court. It has its chief justice and many divisions across the state. I would also implement such an idea, as it would bring such services closer to the people (Elrod & Ryder, 2011). There are numerous reasons behind the transfer of juvenile offenders to adult courts.

The magnitude of offenses committed by some of the juveniles, for instance, fails to offer them the merit endowed to juveniles whose cases are conducted in juvenile courts. The transfer of such youths is beneficial to themselves as they are in a position to learn about the seriousness of their mistakes, therefore, trying to avoid them since they become aware of the

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repercussions. Moreover, such an action is beneficial to the society; as these youths do not have the freedom to walk about freely in their communities.

Finally, these transfers benefit the system, as it is intricate to handle some cases committed by juveniles, while in juvenile courts. In case of a transfer, youths become adults legally and face similar treatment to that for adults. After a careful examination of the reasons behind such transfers, I strongly support this practice. Currently, three main mechanisms are applicable for transfer of a juvenile to an adult court. As depicted in this source, the first mechanism is the judicial waiver, which has been in application since ancient epochs. A number of elements distinguish it from other mechanisms.

For instance, the examination of the likely reasons for the juvenile to have committed the crime is among the basic elements. Secondly, it becomes necessary to consider the threats of such a youth to the society (Elrod and Ryder, 2011). Moreover, it considers the system to which the juvenile court system can effectively handle such a case. In a scenario, whereby the case is so serious, a careful evaluation of how the adult court can handle such a case becomes a point of focus. The other mechanism known as the legislative waiver has been in use, in various states of America.

This mechanism forms its decision on the age, along with the offense criterion of the juvenile. The third and final mechanism is the prosecutorial waiver. This is different from the other two mechanisms as it permits a concurrent jurisdiction in the two dissimilar court systems. Similarly, both the age together with the offense criterion demand cautious considerations. A number of problems arise in case of transferring juveniles to an adult court

for trial. The decision to transfer these youths can bring adverse consequences to the youths.

Prosecution of these youths in open criminal courts exposes them to criminals known to have committed serious offenses than them. Eventually, they may resort into learning how to commit similar crimes. Additionally, erosion of their civil rights is a problem allied to such a transfer. In various scenarios, such a transfer fails to curb the increasing rate of recidivism, therefore, the deterioration of the security of community's security. It would be crucial to transfer only those cases that the juvenile court cannot address with efficacy.

If I was a judge, the state would have to prove to me that the juvenile court would find it intricate to handle such a case, together with the effectiveness of the needed superior court (Elrod and Ryder, 2011). References Edwards, J. (2008). Introduction to the juvenile justice system. Raleigh, NC: lulu. com publishers Elrod, P. & Ryder. (2011). Juvenile justice: a social, historical, and legal perspective. Sunbury, MA: Jones & Bartlett learning publishers. Siegel, L. J. (2011). Juvenile delinquency: The core (4th ed.). Mason: Cengage Learning/Wadsworth.