

Abolish the juvenile courts



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| Abolish the Juvenile Court: Youthfulness, Criminal Responsibility, and Sentencing Policy| Barry C. Field| | | | CJ523-01N: Critical Issues in Juvenile Justice Page 1 The article Abolish the Juvenile Court: Youthfulness, Criminal Responsibility and Sentencing Policy by Barry Fields is power packed with his research, his opinions on the Juvenile Justice System. There is no question why he has reached the conclusions that he has because his research backs him. One of the points that he makes is that the criminal justice system for juveniles is more like a social welfare agency than a punitive system.

What Mr. Barry Fields feels is that there should be one court for juveniles and adults. He made some interesting points when he stated that because legislative amendments has changed the court's atmosphere and now instead of justice being served by the juveniles for the crimes that they commit the court employs a more scientific and psychological approach for these juveniles. Mr. Fields submits that to provide shorter sentencing for the juvenile offender does not need a different court system. What there should be is one court for the juvenile as well as the adult.

The judge should be well versed with the law of the state that they are presiding or sitting and should have the ability to reign over both. Again there should be no separate courts. It was in the nineteenth century that they had the formation to juvenile court reform. Then crime was not at an all-time high as it is now. They made the provisions to have a separate system so that they could address the needs of the individuals. This is when they became more social then punitive. It was here that the individual needs of the child Page 2 ould be taken into consideration. The courts would look at the child and make an assessment it was then the courts would provide the

services needed to rehabilitate the child. Mr. Fields feels the way the system is set up now the governments has the tendency to act as if they are parents of the juveniles; instead of the ones who have the responsibility to take control, and, to enforce the rules of the land. Mr. Field also feels that some of the legal changes have rendered the juvenile system of little of no affect.

He also feels that adult criminal defendants have greater opportunities than the juvenile defendant. There are safeguards that are available to the adult and not to the juvenile. The juvenile courts are hog tied so to speak to the rules that were placed over them and what can be done for and to the youth offender. Barry Fields make a great point with abolishing juvenile courts. I am in agreement with him because with just having one court it will hold the accountability on the youthful offender. Now because there is a separate court there are separate rules.

These rules allow chances that they would not receive if there was one court. Now if the offense in the State of New Jersey is not a serious one the offender will be allowed to go home with a parent. Youth offender crimes used to differ from the adult crimes. Years ago before the gangs overtook our neighborhoods crimes by the youth were simple. There may be an solated case where a youth committed a capital offense. And because of that there were Page 3 different ways to deal with the crimes. I agree with Mr.

Fields that when life was easier to live that was the time that the juvenile justice system was more like a social, psychological and more caring system or what he called it a social welfare system that looked after the needs of the whole need of the child. With the courts providing all the assistance that the

juvenile would need in order to help rehabilitate them so that they would not end up in the adult system. I raised three sons. The juvenile system knew my sons for a brief time. I am grateful that this particular phase only lasted a short while.

It took them to be away from me one weekend locked in a juvenile detention center to understand that they did not want to live the life of a criminal. I shared this to say that if they had not gotten involved in a group fight and got arrested their lives as criminals may have gone on to adult hood. In their family on their father's side all of the men end up being confined. Now life is not as simple as it was when I was raising my sons. There are so many serious crimes being committed by the juvenile offender. I believe as Mr. Fields that there should only be one court.

These crimes that the youth are committing are horrific and should be dealt with on an adult level. Murder is murder whether it is committed by a youth or an adult. It should be dealt with accordingly. If there were one court than one would not have to be waived up to be treated as an adult the court would automatically receive their complaints and punish them accordingly.

Page 4 According to My Fields that young offenders differ from adults with experience and should be afforded a sliding scale for their development. I agree somewhat.

I agree that youth don't grasp the fullness of some of the crimes that they commit. Some of the crimes are deadly and they don't count the cost. I would like for them to have some leeway because of the immaturity of the offender and also because some are forced to join in the gangs because they

are in need of protection from the gangs. These gangs make them commit crimes that they would not ordinarily attempt. Our youth are growing up too soon. They are being forced to. Our youth respond to peer pressure. Their deviant behavior is not always what it is cracked up to be.

I tell you the gangs have really ruined our communities and our youth. Their life expectancy is low in comparison to when my children grew up. I see in the papers everyday there are youth dying. My cousin owns a funeral home and at least twice a week he has a young person being funeralized. What this article contributes to the field of juvenile justice is a way out. Our juvenile justice system is not functioning as it was intended to. If Barry Fields recommendation is considered and acted upon I believe that our youth will have a fighting chance on becoming productive adults.

The youth will be staying out of the court system because the crimes that would be committed by them will be given greater thought. Do I want to spend the time for the crime? Page 5 My opinion would be that if there were one court system life as we know it would take on a new meaning. Our youth will be held accountable for their decisions. Bibliography 1. Fuller, John, Juvenile Delinquency, Mainstream and Crosscurrents, 2009 2. Field, Barry C. , The Journal of Criminal Law & Criminology, Abolish the Juvenile Court: Youthfulness, Criminal Responsibility, and Sentencing Policy.