

Can a 6 year old form criminal intent



**ASSIGN
BUSTER**

| Can a 6 year old child form Criminal Intent| | | Erica Turner| Liberty University Online| | This case study goes back to reiterate the points I made in the previous assignment that the Safety and welfare of a child is very important. It is the obligation of the parent or caregiver to ensure that the child is raised in a safe and loving environment, free from any form of physical, mental, or emotional abuse.

According to the Assistant Prosecutor for the 8 North Juvenile Court in Hempstead County, Hope, Arkansas, “ There are two things that are required to hold someone accountable for a crime. First, the person has to have a “ vicious will” (the intent to commit a crime). Secondly, the person had to commit an unlawful act. If either the will or the act is lacking, no crime was committed. ” Mrs. Taylor stated that, “ children under the age of seven could not be guilty of a felony (a felony is a serious crime such as burglary, kidnapping, or murder).

Children under the age of seven have been considered below the age of reason, and therefore unable to formulate the criminal intent necessary to be held accountable for criminal offenses. Multiple factors are at play in development that prevents a six year old child from being held accountable for his actions. Young children are unable to regulate emotion, control emotional impulses, or view circumstances from another’s perspective.

Children six years of age are unable to develop intent based on biosocial, cognitive, and psychosocial aspects of the developing brain and mental process, and cannot be held legally accountable for crimes they commit. The biosocial factors include the inability of a child this age to control emotional

impulses and injury control; cognitively, children are unable to view the world outside their own perspectives; and psychosocial factors include emotional regulation. The brain of a six year old has not yet developed.

Lateralization is still in the early processes of connecting the right and left sides of the brain hemispheres (Berger, 2011). The right hemisphere right hemisphere is responsible for reasoning, analyzing, and thinking logically and the left hemisphere is responsible for emotions that are not yet in clear, constant, and complete communication (Berger, 2011). Thus the six year old child is unable to control emotional impulsiveness and is unable to protect himself from injury.

Cognitively, the child is unable to comprehend the difference between reality and what the child believes. Piaget described six year olds as being egocentric or self-centered. (Berger 2011). Vygotsky stated that children are “ apprentices in thinking”, meaning that they are unable to think critically for themselves and will mimic the thoughts, actions, and speech of adults (Berger, 2011). Psychosocially, six year olds are still in the process of learning to regulate emotions.

Exposure to violence reduces the child’s ability to feel empathy, and thus it is the parents’ responsibility to regulate this emotion by positive responsiveness. In conclusion, I find that it was appropriate to charge the uncle with involuntary manslaughter, but the mother should have had some type of repercussions for her negligence. The mother did not provide a safe environment for her child by allowing the child to be exposed to the criminal activities within the home.