

Juvenile offender's right to a jury trial



**ASSIGN
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This paper intends to answer the following questions:

1. Should juvenile offenders have a constitutional right to a jury trial?
2. Should each state make that determination? The legal decision (Amendment 6 and 14th) which addressed the issue will be briefly discussed as well as part of the answers to the aforementioned questions. Should juvenile offenders have a constitutional right to a jury trial?

Yes, juvenile offenders should be given a right to a jury trial. Doing otherwise will be considered unlawful since this is a violation of "the Sixth Amendment" which covers the "Rights of Accused in Criminal Prosecutions". The "Sixth Amendment" holds that an individual who undergoes criminal trial should be given a right to "an impartial jury of the State and district wherein the crime shall have been committed". In addition to that, juvenile offenders should be given a right to a jury trial because anybody who deprives them of this violates the "Fourteenth Amendment" which involves the "Rights Guaranteed Privileges and Immunities of Citizenship, Due Process and Equal Protection". Explaining further a jury trial is part of what is technically referred to as "due process". Also, "equal protection" is provided if a "jury trial" is given to the juvenile offender. Should each state make that determination? There is really no need for each state to make such a decision because this is already covered the "Fourteenth Amendment" which involves the "Rights Guaranteed Privileges and Immunities of Citizenship, Due Process and Equal Protection". Here, it is clearly stated that "No state shall make or enforce any law which shall abridge the privilege or immunities of citizens of the US". This means that

people are protected by the constitution and even their States cannot do anything to take this right away from them. The same is true with “ a right to a jury trial”, it is not necessary that each State determines what their law will be about this since whether States make a move or not, citizens are still protected by the constitution.

Reference

1. FindLaw. (2008). *Sixth Amendment*. Retrieved November 7, 2008, from <http://caselaw.lp.findlaw.com/data/constitution/amendment06/>
2. FindLaw. (2008). *Fourteenth Amendment*. Retrieved November 7, 2008, from <http://caselaw.lp.findlaw.com/data/constitution/amendment14/>