

4-23-2019

Is It Acceptable for Juveniles to be Tried as Adults?

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Research Issues in Criminal Justice CRJU 4900

Is It Acceptable for Juveniles to Be Tried as Adults?

Rachael Graber

April 19, 2019

Introduction

The adult court system has increasingly become a court for violent juveniles over time. Is it acceptable for these juveniles to be tried as adults? There are many different opinions addressing juveniles in this situation including the differing statutes and laws from various states. This study requires an understanding of the background before making a final decision if it is legal for a criminal court to try juveniles as adults. There are three aspects to study when looking at juvenile offenders being tried as adults: the rules outlined in the constitution paired with the adolescent brain development of juveniles and the lack of juvenile rehabilitation within the criminal court and the adult prison system.

History

Juveniles tried in the adult court system has been an issue dating back many years. During *Thompson v. Oklahoma*, 487 U.S. 815 (1988), the Supreme Court struck down the death penalty for any individual under the age of 16. The Supreme Court decided that juveniles are incapable of acting with the degree of culpability that can justify the ultimate penalty. The U.S. Supreme Court case in 1989 *Stanford v. Kentucky* consolidated two juvenile murder cases. Each case concluded with a death sentence: one case involving a 16-year-old and the other a 17-year-old. Surprisingly, the U.S. Supreme Court upheld both sentences. It was decided that a 15-year-old is incapable of being sentenced with the death penalty, but *some* 16 and 17-year-old juveniles in rare cases can be sentenced to death. The Supreme Court later in the (2005) *Roper v. Simmons* case decided that no individual younger than the age of 18 is legally allowed to be sentenced to death. For years the public and the Court have struggled with the issue of treating juveniles, the same way treat adults are treated.

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Study Paper Method

This study paper will be using the SARA problem-solving model. This model consists of four specific sections: scanning, analysis, response, and assessment. The scanning portion of the paper will be describing the original problem and the three key issues including a few constitutional amendments, adolescent brain development, and juvenile rehabilitation. The concerns of the public and give a broad description of the goal to try fewer juveniles in the adult criminal court system will then be addressed. Following this will be the analysis. In the analysis, I will analyze the three key issues I have already established and focus on the strengths, weaknesses, and limitations of the above listed issues. The third section consists of the response plan including large-scale changes to the juvenile justice system. These changes consist of giving more power to the juvenile judges and forming a more specific juvenile rehabilitation system. The outcomes of this plan will include community involvement, fewer juveniles placed in the adult system, and a lower recidivism rate among juveniles. Lastly, the assessment section will describe the exit survey required from juveniles and their families to ensure positive change. This assessment will address how to determine that the goals stated above are met. There will be a required evaluation of the recidivism numbers among the juveniles and the number of juveniles tried in criminal court. Lastly, the assessment will explain how the community can offer recommendations to this plan with feedback forms and show the results that should be achieved if this plan is effective.

Scanning

Multiple issues occur when a juvenile is tried as an adult. Not only are there differing opinions of the constitutionality of this practice, but also there is no effort to rehabilitate the juvenile in the proper way. Twelve-year-old Christopher Pittman is one of the thousands of

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juveniles who have fallen victim to the adult criminal court system. Christopher had a difficult upbringing after his mother abandoned him after birth. His father went through multiple failed marriages and was rarely around due to multiple deployments. His father struggled to raise him and his sibling and was a strict disciplinarian. After Christopher's mother returned and abandoned him for a second time, his life entered a downward spiral. After threats of self-harm, the doctors prescribed antidepressants for the young child. Christopher finally went to live with his grandparents in South Carolina. He was struggling at his new school. One day, after disciplinary issues at school, the school sent Christopher home, only to meet his grandfather at the door with a belt. After being beaten and sent to bed early, Christopher loaded a .410-gauge shotgun given to him by his father. That night Christopher shot and killed his grandfather and grandmother in their bed. After multiple growth spurts and over 21 months incarcerated this juvenile faced trial in an adult court. The justice system chose to try Christopher as an adult for a crime committed at 12 years of age, charged with two counts of murder. Because the judge had no way around the law, he sentenced Christopher with thirty years to prison without the possibility of parole (Powers, 2009, pp. 242-244). Choosing to transfer the juvenile and impose the minimum sentence law has cost Christopher the better years of his adult life. No adult prison is properly equipped to accommodate the ever-changing and impressionable brain of a juvenile offender.

Public Opinion

The public has had many different views over the years, and there are fights for both sides of the argument. For a while, there was a catchy phrase going around, "old enough to do the crime, old enough to do the time." There was a large push later in the 70s to "get tough on crime" (Curley, 2018). Some of the public still believe that the adult system is acceptable for

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violent juvenile offenders. In research done by Moon to understand juvenile treatment in court, the public was surveyed to understand their opinion on how juveniles should be treated in the justice system. “Our main priority should be to build more prisons and youth facilities to lock-up as many juveniles offenders as possible” (Moon et al., 2008, p. 48). On the contrary, many public citizens believe that juvenile court should be in place to keep juvenile and adult systems separate. “The progressives argued that the punishment of juveniles in the adult criminal justice system was damaging and inappropriate” (Watkins, 2008).

This dilemma has been a problematic issue for many years now. The community still largely agrees that working with juveniles is important in order to help them become a successful part of society. When it comes to working with juvenile delinquents, the society tends to be at a loss. In her book addressing the correct treatment of juvenile delinquents, Watkins (2008) asks it this way: “Should the primary goal of juvenile justice be to protect the community from juvenile criminals, or should it be to help juvenile criminals become law-abiding individuals who will contribute to society?” (p. 7). The U.S. Department of Justice, Office of Justice Program’s most recent statistic from 2016 states that U.S. law enforcement agencies made more than 856,000 juvenile arrests in that year. This number continually has been increasing over the years.

Key Themes

The criminal justice system has not yet fully figured out how to correctly deal with and understand violent reoffending juveniles. The constitution has three amendments that pertain to treatment of juveniles including the fourteenth, fifth, and eighth amendments. The U.S. Constitution is the most important place to start. The second issue is the development of the adolescent brain. The juvenile brain is obviously less developed than an adult. It takes the brain until age 22 to fully develop the frontal lobe which includes the decision-making section of the

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brain (Layzell, 2005, p.96). Lastly, there is a huge issue with juvenile rehabilitation system. The rehabilitation process is different for juveniles and adults.

Ideally, a juvenile committing a violent crime should be considered under the scrutiny of a juvenile judge using a proper outlook and perspective. With a new system, there would ideally be a lower percentage of juveniles being tried as adults. Additionally, because rehabilitation is a large factor in having positive influences in juvenile's lives, there should be a more centralized focus on juvenile rehabilitation. Lastly, one of the goals is to have a lower number of juveniles committing violent crimes; and to lower recidivism rates of violent crimes among juveniles.

Analysis

Unconstitutional Practice

Understanding the constitutional amendment interpretation disagreements, juvenile competency, and positive focus on rehabilitation for juveniles are key to understand before trying to change the way the court handles violent crimes among juveniles. There are differing opinions with interpreting the U.S. Constitution. There are three amendments that are used to oppose trying juveniles as adults: the Fourteenth amendment, the Fifth Amendment, and the Eighth Amendment. They each can be interpreted to state that it is unconstitutional to try juveniles as adults and to sentence them to death. These amendments make the process of trying juveniles as adults more difficult.

Fifth Amendment and Fourteenth Amendment. The Fifth Amendment states that "No person shall... be deprived of life, liberty, or property, without due process of law." The Fourteenth Amendment states that "No state shall... deprive any person of life, liberty, or property without due process of law." "Legislation giving prosecutors the power to decide whether to try a

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juvenile as an adult is unconstitutional. It violates the equal protection clause in that prosecutors have no uniform standards to follow in making their decisions” (Layzell, 2005, p. 14).

In an article written to explain the progress of supreme court cases defining the constitutionality of charging juveniles to the death penalty, Melusky (2010) uses *Thompson v. Oklahoma*, 487 U.S. 815 (1988) to show that through the Fourteenth Amendment, the Eighth Amendment is violated when a 15-year-old is sentenced with the death penalty (p.90).

Eighth Amendment. Lastly, the Eighth Amendment says, “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.” When interpreting the Eighth Amendment, it shows that excessive bail and fines are unacceptable in addition to cruel and unusual punishment. Depending on how one interprets “cruel and unusual punishment” could change whether this amendment rules out only life sentences to juveniles or adult trials for juveniles in total. In the Supreme Court case *Roper v. Simons*, 543 U.S. 551 (2005), it was decided that the Fourteenth and the Eighth Amendments forbid the death penalty on juvenile offenders who were under the age of 18 when they committed their crime (Melusky, 2010, p. 94). “Courts have considered whether the punishment fits the crime, whether the punishment imposed was the one intended by the legislature, and whether the punishment can be applied to convicted criminals who are mentally retarded or who were juveniles when they committed their capital offenses. Sometimes death sentences have been upheld and sometimes, depending on the circumstances, they have been struck down” (Melusky, 2010, p.88). According to Melusky, even the Supreme Court continues to alternate in their interpretation depending on the trial and circumstances.

Mandatory Sentencing. Alongside this constitutional issue is the mandatory sentencing struggle when sentencing juveniles in an adult court fashion. Each state has its own laws on mandatory

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sentencing for specific crimes, and trying juveniles as adults, this mandatory sentence must be followed no matter the juvenile's circumstances. This gives less power to the judge and causes the judge to give many juveniles beyond what they believe is acceptable. In Powers research working towards understanding trying juvenile in criminal court he quotes,

Powers (2009):

In practice, 'mandatory sentencing schemes eliminate statutory provisions allowing a judge to exercise discretion because of a child offender's age, background, the legal interpretations of facts established at trial, or any other factor provided for by statute that might make another sentence more appropriate.' Such inflexible mandates in juvenile sentencing hold inevitable potential for Eighth Amendment violation as excessive or cruel and unusual punishment. (p.244)

Mandatory sentencing and the constitutional amendments both point to incorrect sentencing and treatment of juveniles. The amendments give the same rights to juveniles that they give to adults, and these juveniles deserve respect according to their livelihood (Constitutional Protections Afforded Juveniles, 2018).

Adolescent Brain Development

Additionally, an individual's brain has not fully developed until approximately the age of 21; this causes a huge dilemma when the court chooses to try to charge juveniles as adults. A juvenile's brain does not have the same capacity as an adult to make decisions. Problem-solving and controlling impulsivity are some of the last sections of the brain to develop. There have been multiple studies done on the development of the brain, which proves that the frontal lobe is not fully developed until the early years of the 20s. The frontal lobe is the section of the brain responsible for controlling impulses, planning, thinking in abstract, and anticipating consequences. This is the last part of the brain to develop and it undergoes the most changes during adolescence. Layzell (2005) says that because of all the research there is now biological

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proof that the court system should not hold adolescents to the same standards as adults because they do not have the same ability to make sound decisions and prevent impulsive behavior (p.96). There is a vast difference in how juveniles and adults assess situations and how they make decisions. Although the juvenile may be committing an “adult” crime in nature and the severity of the crime does not change, the maturity and mental level of the juvenile should change the consequences of that crime (McCrea, 2008, p.14). Choosing to hold juveniles to the same standards as adults in their thinking and actions is unscientific and improbable. Since juvenile’s brains are undeveloped, “...adolescents are generally forced to rely on the emotional centers of the brain rather than the underdeveloped frontal regions, thereby functioning more so on impulse than on strategic decision-making” (Powers, 2009, p. 257). Because standards are different for juveniles and adults, juveniles should be considered less culpable as well. Trying to defend the immorality of trying juveniles as adults, Powers (2009) states it this way, “The distinction between youth and adults is not simply one of age, but one of motivation, impulse control, judgment, culpability and physiological maturation” (p. 256). Science again shows reliable information that juveniles should not be held to the same standard as adults in the vast amounts of research done to support that juveniles are less culpable.

Juveniles, especially first-time offenders, do not fully understand the due process of law or even the rights they have as an American citizen. Not only should they not be held to adult standards, but also, they cannot be expected to understand the criminal court process. If a juvenile cannot be trusted to drink, smoke, or rent a car; then they should not be expected of them to understand their rights in a criminal case either. Grisso’s study to identify if juveniles are competent to stand trial, he expresses that juveniles do not have the “ability to make decisions to

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waive important rights in the context of their potentially immature perspectives regarding the implications of their choices” (p.3).

Juvenile Rehabilitation Specifics

Lastly, when a juvenile is tried through the adult system, there are multiple juvenile rehabilitation issues. Because adult sentencing is harsher than juveniles for violent crimes and murder cases; the life sentence and longer prison sentences are inappropriate for juveniles. When placed in an adult prison for multiple years, there is no ability or structure for juveniles to learn and develop in order to be capable of reintegrating into society. "[Juveniles] are more amendable to treatment in comparison to adults and therefore more likely to profit from efforts related to rehabilitation" (Bryan-Hancock, 2011, p.69). Juveniles do not respond to the same punishments as adults, and prisons are unproductive for younger offenders. In McCrea's book, his research focuses on the rehabilitation needs of juveniles and how they respond to alternate scenarios. The rehabilitation needs are different depending on the age of the offender, and the younger the offender the more impressionable they are. Being impressionable gives way for correction and a safe reinstatement into society. "Moreover, minors sent to adult prisons are significantly more likely to re-offend, and twice as likely to be arrested for a more serious crime, than minors in the juvenile justice system" (McCrea, 2008, p. 15). Because juveniles are more susceptible and impressionable than adults, adult prisons are unproductive and harmful to juveniles placed there. Juvenile rehabilitation programs still need a lot of work and a lot of focus. It is hard work developing juveniles and taking the initiative and time to invest in them. A new philosophy on juvenile rehabilitation includes the following: group therapy, self-discipline, and life-preparation programs (Wood, 2008, p. 55). Spending this intensive time and dedication on each juvenile is expensive and time-consuming; but it has proven beneficial for the recidivism rates of juveniles.

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Although juveniles are, by law, to be separated from adults while incarcerated, juveniles who have been tried in criminal court are not required to be separated. This not only makes them vulnerable to adult criminals; but also gives them the opportunity to learn criminal instincts from the violent adult criminals. Additionally, the correction facility does not generally train the corrections officers in adult prisons to accommodate and handle juveniles. “A shortage of adequately trained correctional officer has made it very difficult for the nation’s jails to properly and safely house youthful offenders” (Hansen, 2005, p. 47). If a state is going to sentence juvenile offenders to adult prison, then correctional officers should at minimum be required training on handling juvenile offenders.

Community Response

The community has vastly differing opinions as to the treatment of violent juvenile offenders. There have been multiple studies done on how jurors react to different violent crimes depending on the offender’s age. It is more difficult for jurors to maintain fairness and stay within the law the younger the offender is no matter how violent the crime. Jurors consistently were taking the age of the juvenile into consideration even though the juvenile was “labeled” as an adult in criminal court and the sentencing chosen was not as severe as an adult would have received (Espinoza, 2010, p.34). The community is divided on their reaction and support of trying juveniles as adults. There are many individuals that believe their streets would be safer if law enforcement and the court system would take violent juveniles off the street and lock them up for years. On the other hand, there are many community supporters of allowing for correct rehabilitation of juveniles in order to reintegrate them into society. This rehabilitation view would support keeping juveniles out of adult courts.

Legal Response

When it comes to the legal system, the view is also divided. Each state has their own laws stating what age it is acceptable to try violent juvenile crimes in criminal adult court. The biggest issue with this is mandatory sentencing. If the state has a mandatory sentence in place for a specific violent crime in criminal court, the judge has no liberty, no matter the circumstance, to reduce this mandatory sentence on the offending juvenile in the adult court system. There should be an allowance for the judges to take their own judgment and mitigating circumstances (age, background, reoffending) into account when sentencing a juvenile for a violent crime in a criminal court. Miner-Romanoff (2014) states that the overall thought and initial goal of binding over juveniles into adult courts and giving harsh punishments comparative to adults would have a positive effect on deterring a juvenile from committing violent crimes (p. 4). The statistics show that this process has not proven effective (Redding, 2004, p.36).

Current Issues

Currently, the juvenile bindover system is skewed. According to the Law Office of Daniel M. Margolis, bindover cases are defined as, “The transfer of jurisdiction to adult court, which is called a ‘bindover case.’ This means that the juvenile matter will now be handled as an adult criminal matter and the juvenile is subject to adult criminal penalties” (2019). Little consistency among states regarding the lowest age a juvenile can be boundover causes problems with uniformity. Not only are the numbers of re-offenders not where they were projected to be, but these harsher sentences are not deterring new offender as predicted (Redding, 2004, p. 36). As stated earlier, the current situation limits the judges, and they are unable to use their own judgment when trying a juvenile as an adult. The courts not understanding juveniles, their

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thought process, and their need for guidance, leads to inappropriate handling of violent juvenile offenders in a criminal court.

Due to the lack of consistency within juvenile justice, there is a real fear of violent adolescent offenders among the community. Juvenile crime causes fear among the public and believe that it is best to get these offenders locked up and off the streets (Moon et al., 2000, p. 40). This overarching fear among society is one of the pushing factors that helps encourage the process of juvenile offenders being tried in adult criminal courts and being sentenced as harshly as adults as well. Working side by side with community fear is the large gap in knowledge about undeveloped adolescent brains. This is largely misunderstood and immensely under-considered in criminal court when a juvenile is standing trial. If it were more widely known that juveniles do not have the capacity to make thought-provoking or impulse decisions well, then juveniles would be more susceptible to better treatment in the court system.

Not only does the court system need to treat juveniles better, but also needs to create better guidance and rehabilitation programs. Sadly, our current juvenile system is currently struggling to effectively rehabilitate violent juvenile offenders. “The ability of the juvenile justice system to identify the subpopulation of chronically violent juvenile offenders early in their criminal careers would facilitate appropriate management and intervention approaches” (Kruh, 2005, p 70). In a survey done by Moon et al. (2000) in 1997, it was found that 52% of the public believed that juvenile crime should be punished just as an adult crime; on the contrary, a small 31% supported a better rehabilitation program to help the juveniles (p. 41). The more detailed and developed these juvenile rehabilitation programs are, the more these juvenile violent offenders will have the capacity to grow, develop, and reintegrate into society.

Opposing Viewpoint

Currently, criminal courts are trying approximately 200,000 juveniles a year (Lahey, 2016, para. 2). Semple (2011), claims that many individuals among the community believe these juvenile offenders do deserve to be treated as adult and belong in adult prisons. Because the juvenile justice system as it stands is incapable of handling such a large number of violent juvenile offenders and the public has largely been on board with getting tough on young criminals, the number of juveniles in adult court continues to spike (p. 301). These numbers continue to spike because some states have no age limit to transfer juveniles, while each other state has set a required age limit (Espinoza, 2010, p. 30). The public has a fear of violent juveniles on the streets and therefore have been supporting punitive sentencing rather than a rehabilitative approach. "Among liberals, the juvenile justice system was looked on as a coercive instrument of social control and was attacked on the basis that the rehabilitative ideal, with its emphasis on individualized treatment, had resulted in the abuse of discretion and in the arbitrary, differential treatment of delinquent youths" (Moon et al., 2000, p. 30-39). Although there have been acts and laws set in place to help better the juvenile justice system, there is still a public view that particular juveniles committing violent criminal offenses need to be treated as adults.

Response

There is no arguing that this issue of whether juveniles should be tried in adult courts needs addressed; and a new process needs to be put in place to better care for the juveniles thrown into the criminal justice system. The juveniles that have committed egregious crimes still deserve treatment consistent with their age. The first step to changing this issue is to remodel and renovate the current juvenile justice and rehabilitation systems. This plan to improve the system includes giving more power to the juvenile judges, putting less juveniles in detention centers, and

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including more community involvement among the juveniles. Once this occurs, there should no longer be room for juveniles in the adult court system.

More Juvenile Judge Power

Giving the judge more power to use discretion interpreting the law and giving punishments is crucial to a juvenile offender's well-being. In Grisso's article, he illuminates juvenile's competence to stand trial, and he expresses the need for judges to have the ability to protect young incompetent juveniles in court (2003, p. 3). A judge is the individual standing between an adolescent and the punishment that could change the child's life forever. The isolation and detention centers should not be such a common punishment for juveniles. The juvenile justice system should shift the detention centers purpose to house violent juveniles that would have been transferred to criminal court. These specific facilities will continue to use their isolation sections, to allow for harsh punishments yet still specific treatment geared towards juveniles. If the judge discerns that the offense was not worthy of isolation in detention, then the judge will choose from the variety of other rehabilitation options available.

This step in the response plan would ideally result with lower number of juveniles sentenced to juvenile detention. The juveniles kept in a detention center were studied to find that 92.5% of them have already experienced trauma and 11.2% of them reached the criteria for PTSD (Abram, 2004, pp. 405-406). Keeping them in juvenile detention centers continues to create more trauma in their lives. The numbers of juveniles sentenced to detention should continue to decrease to as the system improves.

Rehabilitation Program Changes

Juvenile sentencing should not be restricted to weeks or months in an adult-like prison facility. This reform should begin with minimizing the number of juveniles sentenced to detention as stated above. The judge should consider a variety of programs and options when sentencing juveniles for such a range of offenses. Education-based programs are a good alternative for less violent offenders. According to the *Juvenile Law Journal* (n.d.), the Free Advice staff stated a list of punishments acceptable from within a juvenile court: returning the minor home, imposing formal or informal probation, placement with foster care, enrollment in a special school for juvenile offenders, or even commitment to the state's juvenile detention center (para. 6). Education and probation-based rehabilitation programs will help juveniles remain in the community and learn how to behave as a member of society. This type of program keeps juveniles out of a detention facility yet keeps a close eye on their daily actions. It is difficult to find the middle ground between being hard on juvenile offenders and rehabilitating them as a juvenile. "The challenge for policymakers and juvenile justice personnel would be how to deliver this "wake-up call" without also inflicting on juveniles the "permanently disfiguring" and counter-rehabilitative effects of the criminal justice system" (Redding, 2004, p. 40). In order to properly rehabilitate each juvenile according to their specific need, there must be programs available for all types of offenses. Not only should this change lower the number of juveniles in detention, but also should help deter other juveniles from committing crimes and getting into the system.

Community Involvement

Rehabilitation is key in a juvenile offender's life. McCrea's study on juvenile rehabilitation found that, "Rehabilitation, rather than punishment, should be the objective when

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dealing with juveniles” (2008, p. 15). The system is creating hardened criminals at a younger age by confining them to prison-like facilities. In Krisberg’s juvenile research, he found that community-based rehabilitation approaches have proven more successful than the adult prison system (2008, p.106). The fear of violent juveniles is what drives the community to support jails and isolated detention for all juvenile offenders. Proper punishment and rehabilitation tailored for each juvenile will create more community involvement in the rehabilitation programs and create less fear. Allowing the public to be involved in juvenile offenders’ rehabilitation is both good for the juvenile and the community.

This new plan should result in a lower recidivism rate. "It has also been shown that upon release, juveniles incarcerated in adult prison re-offend sooner and at a higher rate than offenders who stay in the juvenile system" (Bishop, 2005 p. 49). Because of the new treatment of juvenile offenders with the new rehabilitation plan and juvenile justice system remodel, there should be a lower number of reoffending juveniles. Adult prison sentencing has not effectively deterred juveniles from committing violent crimes. Renovating the juvenile system and keeping juveniles out of adult courts, should ultimately result in a lower number of juvenile offenders and reoffenders. This new community involvement ought to help lower recidivism rates and keep juveniles from reoffending.

Assessment

Monthly Reports

Once this plan is instated into the juvenile justice system, there will be an evaluation plan set in place. This evaluation plan will consist of a monthly report evaluation, reporting numbers of violent juvenile offenders transferred to criminal court, number of juveniles held in each

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detention facility, and how many juveniles re-offend. It is important to see the number of juveniles that are transferred to adult court to ensure that the implementation plan is effective. At the end of every year, each criminal court will send the number of juveniles that have gone through their court during that year to the assigned reporting agency. All these numbers will then be added and posted on a yearly basis. The second evaluation will be collecting numbers of adolescent offenders in juvenile detention. Each juvenile detention facility will send the numbers monthly. These number will again be collected by the selected reporting agency and combined with all juvenile detention reports. The last report will be the collection of the amount of re-offending juveniles. Each juvenile court will report bi-annual numbers of reoffending juveniles classified according to the court they were tried in. The numbers must be separated by how the juvenile was tried and sentenced in order to best asses the effectiveness of the juvenile justice system and the adult criminal court system. The numbers will be combined between all courts and juvenile re-offenders will be reported by their classification. Each of these reports will be public so the community can see what progress of the juvenile justice system has made.

Juvenile and Community Feedback

This evaluation plan will also consist of a community response method. The evaluations will not only come from the surrounding community but also come from the juveniles involved and the families of the offenders. Once a juvenile offender has completed their time in the justice system, the individual and their families will fill out a feedback form with specific questions on the program, which will inquire about the overall experience the juvenile has had. Each rehabilitation program will have a specific feedback form with questions personalized to the juvenile's specific program. An individual within the juvenile justice system will read, compile, and analyze the data collected.

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Once the juvenile has been out of the system for two months, another survey will go out to the families to assess how the juvenile has behaved since the completion of their time within the juvenile justice system. This survey will help with long term goals to help improve specific disciplinary actions within the system to ensure long term results. This survey will include a recommendation section to suggest juvenile justice system improvements from their experience. There will also be a community survey to express concerns or appreciation for the rehabilitation programs within their community. If the community is not on board with the rehabilitation programs set in place, then they will not be successful. The community's acceptance and involvement are crucial.

These evaluation plans should help make specific changes to the juvenile justice system to better cater to the juvenile's need. Juveniles develop at their own rate and depending on the age, the juvenile has specific needs another may not. Tailoring these rehabilitation programs to the juvenile's needs will help lower recidivism rates and reintegrate juvenile offenders back into society.

Biblical Integration

As any situation, a Biblical worldview should be appointed to this issue. The scriptures teach that maturity comes with age and with growth. 1 Corinthians 13:11 states, "When I was a child, I talked like a child, I thought like a child, I reasoned like a child. When I became a man, I put the ways of childhood behind me" (NIV). This analogy is expressing that the partial will pass away to make way for the whole, in the same way, the partiality that a child is of a human being progresses to the fulness of a man.

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The necessity of maturity of one's faith is explained in Hebrews 5:11- 6:1. While this is speaking directly about faith, there is a direct correlation to the maturity of a human being. The passage moves from "milk" to "meat," showing the connection of the importance of human maturity. A new member in the faith (a child, as Paul alludes to it) cannot understand the fulness of God, so a child cannot understand the fulness of the law and morality. A "child" in the faith is given "milk" to start their faith journey until they can be fed "meat." In this same way, a child should not be given the "meat" of the law when they are only capable of processing "milk."

In Ephesians 4:14, the theme is presented that children are unable to discern and comprehend when they are being fed truth or lies. As they develop and mature, they gain this ability to know when they are being deceived by "human cunning" or "craftiness in deceitful schemes." When children are young, they simply do not and cannot know. So, to hold them accountable to a standard that they themselves cannot comprehend is an unreal expectation placed upon them. Children do not have the capacity to understand as a man does, and therefore cannot be expected to.

Conclusion

Trying juveniles as adults in criminal courts has had a lot of attention in recent years. Some of the more egregious cases have caught the social media spotlight and the community does not have a comprehensive understanding of the transfer law structure. Juveniles deserve to be treated justly in a system specifically tailored to them because they are not as developed as adults and should not be dealt with in the same manner. The community has a valid fear of violent juvenile offenders on the streets but with the correct juvenile justice system with effective rehabilitation, the community will have less to fear. The community could even get more involved in helping rehabilitate juveniles depending on the rehabilitation programs implemented.

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Trying juveniles in the criminal court is unconstitutional, immoral, and inappropriate. A juvenile does not have the same brain capacity as an adult with a fully developed brain. There has been scientific proof that a human brain does not fully develop until around age 21, and the last portion of the brain to form is the frontal lobe. The frontal lobe dictates decision-making, problem solving, and impulsivity. Therefore, it is unreasonable to expect them to act in the same capacity as an adult. Connected with their development is the fact that juveniles are very impressionable and vulnerable. Because of this, they must be rehabilitated in a juvenile-specific manner. Juvenile rehabilitation is crucial to juvenile offenders reintegrating into society. This has been an issue in America because of the fear for personal protection among society, inadequate knowledge of adolescent brain development, and the lack of discipline and rehabilitation of juveniles.

Juvenile offenders deserve a revamped juvenile justice system with a more specific rehabilitation program directed towards the issues juveniles are suffering from today. The more rehabilitation programs set in place the more they can meet a specific need among juvenile offenders. Getting the community more involved will help juveniles reintegrate into society again and will help the community be less fearful for their protection. Ideally, these changes will result in a lower number of juveniles committing violent crimes, fewer juveniles being tried as adults, and a lower recidivism rate due to more targeted rehabilitation. Once implemented, these changes deserve to be evaluated by the juveniles going through them, family members involved with them, and the community they are surrounded by.

There will be evaluation and feedback programs set in place for each new program. Including sending out surveys for the community, juveniles involved, and their specific families to assess what is working and what improvements need to be made. The community, the

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juveniles involved, and their families all have an essential role in juvenile rehabilitation, and it is crucial they are all on board with whatever programs are within their community. The implementation plan will be assessed with feedback surveys and monthly report to improve the programs. The monthly report will give valuable numbers to evaluate the program's effectiveness. An effective program should deter new violent juvenile offenders, see fewer transfer cases, and generate fewer juvenile re-offenders. With the current position of the U.S. Supreme Court's interpretation of the Constitution; the scientific approach to understanding adolescent brain development; and the lack of juvenile specific rehabilitation, juveniles should be kept out of the adult justice system for good.

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