

GACC CRIMINAL JUSTICE

Mr. Grennes

Chapter 13

Juvenile Justice

Chapter Objectives

1. Describe some of the early institutions used to respond to wayward and criminal youths.
2. Explain the effects of some landmark U. S. Supreme Court cases on the juvenile justice system.
3. Identify and describe factors that influence the ways that police process juvenile cases.
4. Summarize the rationale for the use of diversion in juvenile justice.
5. Describe the adjudication hearing in juvenile justice.
6. Describe the disposition hearing and the types of dispositions available to the juvenile court.
7. Identify the types and describe the effectiveness of community-based correctional programs for juveniles.
8. Summarize recent trends in juvenile incarceration.
9. Identify the types and describe the effectiveness of institutional programs for juveniles.

Lecture Outline

I. Historical Development of Juvenile Justice

A. Apprenticeship System: The method by which middle and upper-class children were taught skilled trades by a master.

B. Binding-out System: Practice in which children were “bound over” to masters for care. However, under the binding-out system, masters were not required to teach youths a trade.

C. Juvenile Delinquency: A special category of offense created for youths who, in most U.S. jurisdictions, are persons between the ages of 7 and 18.

II. The Development of Institutions for Youths

A. The House of Refuge: The first specialized correctional institutions for youths in the United States.

B. Placing Out: The practice of placing children on farms in the Midwest and West to remove them from the supposedly corrupting influences of their parents and the cities.

C. Probation: A sentence in which the offender, rather than being incarcerated, is retained in the community under the supervision of a probation agency and required to abide by certain rules and conditions to avoid incarceration.

D. Reform Schools, Industrial Schools, and Training Schools: Correctional facilities for youths, first developed in the late 1800s, that focused on custody. Today, those institutions are often called training schools and although they may place more emphasis on treatment, they still rely on custody and control.

E. College Reformatories: Correctional facilities for youths, first developed in the late 1800's, that were intended to closely parallel family life and remove children from the negative influences of the urban environment. Children in those facilities lived with surrogate parents, who were responsible for the youths' training and education.

III. The Development of the Juvenile Court

A. The Social Context of the Juvenile Court

B. The Legal Context of the Juvenile Court

1. *Parens Patriae*: The legal philosophy justifying state intervention in the lives of children when their parents are unable or unwilling to protect them.

C. The Operation of the Early Juvenile Court

D. The Legal Reform Years: The Juvenile Court after Gault

1. Adjudication: The juvenile court equivalent of a trial in criminal court, of the process of rendering a judicial decision regarding the truth of the facts alleged in a petition.

Lecture Tip: There is no more important case concerning juveniles than the case of *In re Gault*. This case should be examined in detail with the students being required to list the specific rights granted to juveniles by the Supreme Court in the Gault case.

IV. The Processing of Juvenile Offenders

- A. The Informal Juvenile Justice Process
- B. The Formal Juvenile Justice Process

Lecture Tip: If possible have a Juvenile Defense Lawyer come to your class to discuss what occurs in juvenile court. The juvenile court is restricted and outsiders are not allowed to come in and observe the proceedings. Therefore, the only way to really know how your juvenile court system works in your town is to invite one of the main participants into your classroom.

V. Correctional Programs for Juveniles

- A. Community-Based Correctional Programs for Juveniles
- B. Institutional Programs for Juveniles

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Which do you think is more beneficial to society: community corrections or prison? Why?

Answer: Answers will vary depending on the offender and the offense. For serious and chronic criminals, prison is the preferred choice. For offenders whose offenses are less serious and who can be rehabilitated, community corrections may be the best alternative.