

vbv

by Insta Profesor

Submission date: 09-Dec-2018 05:47 PM (UTC+0500)

Submission ID: 1053586078

File name: Juvenile.edited.docx (15.87K)

Word count: 432

Character count: 2741

JUVENILE JUSTICE SYSTEM

Name:

Institution:

Course:

Date:

Evidently, the surge in laws that allow juveniles of a certain age to be tried as adults rather than juveniles was intended to function as a constraining measure for escalating youth violent crimes. Despite this being an effective move for deterring future crimes, the move is subjected to various ethical issues. One of the prime ethical concern is that it increases high chances for recidivism (Scialabba, 2016). It is opined that prosecuting juvenile offenders as adults mean that they will be detained in adult facilities. These facilities do not serve as rehabilitation centers, but instead, they lay the framework for a “training ground” of future criminals, which will ultimately increase the number of offenders and victims. Consequently, trying juveniles as adults eludes them of personal accountability. It is identified that instead of prosecuting them as juveniles and rehabilitating juvenile facilities to allow them to become prosperous and functioning members of society their inclusion on adult facilities only alienates them hope of reforming, ‘social stigmatization’ and hence they harden by learning from adult criminals become who become their teachers.

A juvenile can be rehabilitated after he or she has been convicted as an adult. This follows the condition that the factors that might instigate a court to factors to consider deciding whether to transfer a juvenile to adult court hold less merit (Kathleen Michon, 2018). Contrary, rehabilitation can occur if the juvenile has a short juvenile record, if the minor is young or if the juvenile has never undergone rehabilitation efforts before. Hence, it can be held that rehabilitation can cause less social stigma than an adult incarceration does.

The Supreme Court’s decision to ban mandatory life sentences without parole for juvenile offenders of convicted murder is a feasible feat (Rovner, 2018). Based on my perspective, a mandatory with parole is unconstitutional. To address the dilemma involving this Supreme Court procedure, I would recommend that individual sentence should be determined after considering of unique circumstances of each child defendant. In case, state courts want to ensure life sentences with parole are granted, they should prove beyond a reasonable doubt, that the juvenile offender is incapable of rehabilitation, hence technically ineligible for parole.

References

- ³ Kathleen Michon, A. (2018). *When Juveniles Are Tried in Adult Criminal Court*. Retrieved Dec 09, 2018, from NOLO: <https://www.nolo.com/legal-encyclopedia/juveniles-youth-adult-criminal-court-32226.html>
- Rovner, J. (2018, October 22). *The Sentencing Project*. Retrieved Dec 09, 2018, from ⁴ [Juvenile Life Without Parole: An Overview:](https://www.sentencingproject.org/publications/juvenile-life-without-parole/)
- ² Scialabba, N. (2016, Oct 03). *Should Juveniles Be Charged as Adults in the Criminal Justice System?* Retrieved Dec 09, 2018, from American Bar Association: <https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2016/should-juveniles-be-charged-as-adults/>

ORIGINALITY REPORT

28%

SIMILARITY INDEX

22%

INTERNET SOURCES

0%

PUBLICATIONS

18%

STUDENT PAPERS

PRIMARY SOURCES

1**www.assignmenttehelp.com**

Internet Source

9%**2****Submitted to Daytona Beach Community College**

Student Paper

7%**3****Submitted to Argosy University**

Student Paper

5%**4****Submitted to Southern New Hampshire University - Continuing Education**

Student Paper

3%**5****www.studymode.com**

Internet Source

2%**6****aemqa.americanbar.org**

Internet Source

2%

Exclude quotes Off

Exclude bibliography Off

Exclude matches Off