Decision Making and Criminal Justice Practice

Name

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Special Issues with Juvenile Offenders

According to the developmental science of adolescence, juveniles differ from adults in ways which are important to both the criminal justice systems and juvenile justice. This knowledge helps in explaining reasons why adolescents are involved in criminal activities, hence enabling decision makers come up with interventions that are going to serve the interests of the general society and juvenile offenders. The often goal of the justice system is to hold the offenders believed to have committed crimes. My point of view is that the purpose of the criminal justice system is best served in cases where the legal response to juvenile offenders is determined by the scientific knowledge about the development of adolescents.

Unlike adults, juveniles commit crime for special reasons. This is the reason why they need to be treated in a special manner. First, there is need to understand the role that psychological factors play in juveniles’ crimes. the characteristics of a juveniles’ development stage are likely to have a significant impact on an adolescent’s criminal activities. For instances, factors such as peer pressure, tendency to simply focus on current consequences while discounting future ones, impulsivity and reward seeking are believed to immensely contribute to adolescents’ involvement in criminal activities. These factors are believed to be grounded in neurobehavioral tendencies usually associated with normal maturation. Here, the adolescent brain is not fully mature, hence functions in a manner that predisposes an adolescent to risky behaviors.

The criminal justice system also needs to understand that juvenile offending is usually heterogeneous, and ranges from those who offends only while under the influence of drugs or alcohol and offends infrequently to the few delinquencies whose offenses are serious and repeated (Baumrind, 1985). Individual differences, such as experiences, social environment and biological characteristics tend to affect the frequency and intensity of juvenile offending. Even when individual risk factors are put into consideration, psychological influences on the decision making process differentiates the choices made by juveniles from those of mature individuals. This is an indication that the main determinants of criminal involvement among the juveniles usually differ from those of adults. These etiological differences make the criminal choices of adults to be more culpable than those of adolescents. This discovery bears directly on the response of justice system to adolescent offending.

The other special aspect affecting juvenile justice is that the influences on teenage criminal activity are usually developmental in nature. Most adolescents are likely to abandon their tendency to be involved in crime as they mature unless the interventions of the criminal justice system compromise this growth. Here, we see that most adolescent criminal behavior is usually outgrown, and just a few of them are likely to become criminals in their adulthood. This aspect leads to the need to ensure that the measures put by the society to mitigate adolescent criminal behavior do not have unwanted effects. Here, the unwanted effects are the factors that impede successful maturation or increase the risk of reoffending. Based on these aspects of criminological theory and special issues with juvenile offenders, there are various ways the criminal justice system can reform itself in order to fully take care of the needs of the adolescents.

A good example in the society is where a group adolescents coming from a party in the early hours of the morning decide to break into a shop, and only steal. When police officers finally arrest these juveniles, they are supposed to treat them differently from the normal adult criminals. One of the reasons behind my stand is that these offenders were under the influence of alcohol, hence their judgment was impaired. This means that they are unlikely to commit this crime while sober. At the same time, the main motive for committing the crime was just to gain recognition from their peers. This is because they never needed the alcohol they stole as they were already drunk. In this situation, the officers should punish these offenders in a manner that will enhance their maturity and not impede it. Here, the officers should not make a mistake of giving them heavy punishments, for instance jail term without parole as it might expose them to opportunities of acquiring criminal behavior.

“In order take care of the special interests of juvenile offenders, there are various reforms needed in the criminal justice system” Schwartz (2001). One of these reforms is the use of well-designed community-based programs to deal with minor juvenile offenders. Community-based programs are likely to be more helpful in rehabilitating young offenders than the institutional confinements currently being used. Schwartz (2001) goes on to claim, there is need to come up with these programs as they will provide offenders with opportunities in a social context for health development together with tools with the negative influence they are likely to encounter. At the same time, juveniles and the society have a positive attitude towards community based programs, something that is not the case with institutional confinements such as prisons.

The other reform needed in the criminal justice to take care of the special interests of young offenders is to abandon the criminal conviction of minor offenders irrespective of the crime committed according to Schwalbe &Maschi (2009). This is because criminal convictions come with collateral consequences such as limited employment opportunities, disenfranchisement and registration in databases that are publicly accessible. With criminal records hanging over the heads of juvenile offenders, their maturity into productive adulthood is extremely compromised. Therefore, the policies that impede the progress of adolescents harm the general wellbeing of the society as well as that of the young offenders. Such policies need to be eliminated as from the system as they are likely to deny the young offenders both current and future growth opportunities. Based on these aspects, the criminal conviction of young offenders should be complexly struck out of the system. Instead, a new process to try the young offenders should be implemented. Schwalbe & Masch (2009) claim that a person should not be forced to carry the burden of a crime he or she committed many years ago when he or she never knew the difference between right or wrong.

References

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