

Chapter 7

Prosecutorial Decision Making in Juvenile Justice

Juvenile Justice In The Making

Ashley Nellis



Juvenile Justice In The Making Juvenile Justice In The Making:

Juvenile Justice in the Making David Spinoza Tanenhaus, 2004 Faith in childhood and its corollary that separate courts are required for children because they are developmentally different from adults appears to be vanishing in the USA This book examines one of America's most influential legal inventions and its future *Juvenile Justice in the Making* David S. Tanenhaus, 2004-03-04 In his engaging narrative history of the rise and workings of America's first juvenile court David S. Tanenhaus explores the fundamental and enduring question of how the law should treat the young Sifting through almost 3 000 previously unexamined Chicago case files from the early twentieth century Tanenhaus reveals how children's advocates slowly built up a separate system for juveniles all the while fighting political and legal battles to legitimate this controversial institution Harkening back to a more hopeful and nuanced age *Juvenile Justice in the Making* provides a valuable historical framework for thinking about youth policy **The Contexts of Juvenile Justice Decision Making** Michael J. Leiber, 2012-02-01 An in depth examination of the contextual nature of decision making and the causes of disproportionate minority confinement in four relatively homogenous juvenile courts in Iowa this book explores the subjective social psychological processes of juvenile court officers and the factors that influence those processes Iowa although a state with a predominantly white population has one of the highest minority incarceration rates for juveniles Michael J Leiber focuses on the relationships between adherence to correctional orientations such as retribution and rehabilitation and decision makers views concerning race crime family and respect for authority with judgments and differential outcomes for youth Quantitative and qualitative methodologies are used to determine the extent to which correctional ideologies and decision makers stereotyping of minorities are fueled by a wide range of contingencies the impact of case processing and outcomes of whites African Americans and Native Americans and how it varies by jurisdiction *Juvenile Justice* James Burfeind, Dawn Jeglum Bartusch, Dusten R. Hollist, 2018-09-03 This book provides a comprehensive and thought provoking introduction to the juvenile justice system in the United States It begins by tracing the historical origins of the legal concept of juvenile delinquency and the institutional responses that developed and analyzes the problem of delinquency including its patterns correlates and causes With this essential foundation the greater part of the book examines the full range of efforts to respond to delinquency through both informal and formal mechanisms of juvenile justice Core coverage includes The history and transformation of juvenile justice The nature and causes of delinquency Policing juveniles Juvenile court processes Juvenile probation and community based corrections Residential placement and aftercare programs Delinquency prevention Linking systems of care This book is designed as a core text for courses on juvenile justice Each chapter begins with a compelling case study and learning objectives that draw attention to the topics discussed Each chapter ends with one or two readings that introduce readers to the literature on juvenile justice In addition critical thinking questions invite analysis of the material covered in the chapter A companion website offers an array of resources for students and instructors For students

this includes chapter overviews flashcards of key terms and useful website links The instructor site is password protected and offers a complete set of PowerPoint slides and an extensive test bank for each chapter all prepared by the authors

A Return to Justice Ashley Nellis, 2015-12-14 Juveniles who commit crimes often find themselves in court systems that do not account for their young age but it wasn't always this way The original aim of a separate juvenile justice system was to treat young offenders as the children they were considering their unique child status and amenability for reform Now after years punishing young offenders as if they were adults slowly the justice system is making changes that would allow the original vision for juvenile justice to finally materialize In its original design the founders focused on treating youth offenders separately from adults and with a different approach The hallmarks of this approach appreciated the fact that youth cannot fully understand the consequences of their actions and are therefore worthy of reduced culpability The original design for youth justice prioritized brief and confidential contact with the juvenile justice system so as to avoid the stigma that would otherwise mar a youth's chances for success upon release Rehabilitation was seen as the priority and efforts to redirect wayward youth were to be implemented when possible and appropriate The original tenets of the juvenile justice system were slowly dismantled and replaced with a system more like the adult criminal justice system one which takes no account of age In recent years the tide has turned again The number of incarcerated youth has been cut in half nationally In addition juvenile justice practices are increasingly guided by scholarship in adolescent development that confirms important differences between youth and adults And states and localities are choosing to invest in evidence based approaches to juvenile crime prevention and intervention rather than in facilities to lock up errant youth This book assesses the strategies and policies that have produced these important shifts in direction Important contributing factors include the declining incidence of youth committed crime advances in adolescent brain science nationwide budgetary concerns focused advocacy with policymakers and practitioners and successful public education campaigns that address extreme sanctions for youth such as solitary confinement and life sentences without the possibility of parole Yet more needs to be done The U S Supreme Court has recently voiced its unfaltering conclusion that children are different from adults in a series of landmark cases The question now is how to take advantage of the opportunity for juvenile justice reform of the kind that would reorient the juvenile justice system to its original intent both in policy and practice and would return to a system that treats children as children Using case examples throughout Nellis offers a compelling history and shows how we might continue on the road to reform

Juvenile Justice Richard Lawrence, Craig Hemmens, 2008-03-13 Juvenile Justice combines a text with carefully selected accompanying readings The readings will have a policy orientation giving them a real world applied character The book contains extensive coverage of the juvenile justice system focusing on law enforcement court and correctional responses to juvenile offending with an overview of the causes of delinquency This unique approach of combining a text and a reader will provide students with an understanding of the juvenile justice system and an introduction to some of the best

original research articles by experts in the field **Decision Making and Juvenile Justice** Paul E. Tracy, 2002-03-30 Based on a comprehensive study of three counties in Texas this work examines the idea of differential handling of minority youth offenders Traditional wisdom indicates that minorities are over represented in the juvenile justice system due to racism and discrimination within the system itself The author refutes this logic by challenging current studies and examining the results of the Texas study The findings suggest that minorities are represented in the juvenile justice system in greater numbers than their majority offender counterparts due to their greater involvement in criminal activity not to any differential treatment they may receive at crucial decision points within the system Allegations of racial bias against the juvenile justice system are often supported by the federal government which suggests that minorities continue to be targeted more frequently for arrest prosecution conviction and imprisonment merely because they are persons of color Drawing on new research the author addresses racial disparity in the juvenile justice system and contends that previous research suffers methodological and statistical analysis problems resulting in the mischaracterization of the issue of racial bias The present study argues that most minority juveniles receive different case outcomes because of the severity of their current offense and both the length and severity of their prior delinquency careers Tracy s research ultimately indicates that rather than being discriminatory the juvenile system is instead reacting to a particular type of delinquent using legally permissible guidelines

The Oxford Handbook of Juvenile Crime and Juvenile Justice Barry C. Feld, Donna M. Bishop, 2012-01-12 State of the art critical reviews of recent scholarship on the causes of juvenile delinquency juvenile justice system responses and public policies to prevent and reduce youth crime are brought together in a single volume authored by leading scholars and researchers in neuropsychology developmental and social psychology sociology history criminology criminal justice and law

Juvenile Justice Preston Elrod, Scott Ryder, 2011-01-28 The juvenile justice system is a multifaceted entity that continually changes under the influence of decisions policies and laws The all new Third Edition of Juvenile Justice A Social Historical and Legal Perspective offers readers a clear and comprehensive look at exactly what it is and how it works Reader friendly and up to date this text unravels the complexities of the juvenile justice system by exploring the history theory and components of the juvenile justice process and how they relate **A Return to Justice** Ashley Nellis, 2015-12-14 Juveniles who commit crimes often find themselves in court systems that do not account for their young age but it wasn t always this way The original aim of a separate juvenile justice system was to treat young offenders as the children they were considering their unique child status and amenability for reform Now after years punishing young offenders as if they were adults slowly the justice system is making changes that would allow the original vision for juvenile justice to finally materialize In its original design the founders focused on treating youth offenders separately from adults and with a different approach The hallmarks of this approach appreciated the fact that youth cannot fully understand the consequences of their actions and are therefore worthy of reduced culpability The original design for youth justice prioritized brief and confidential contact with

the juvenile justice system so as to avoid the stigma that would otherwise mar a youth's chances for success upon release. Rehabilitation was seen as the priority and efforts to redirect wayward youth were to be implemented when possible and appropriate. The original tenets of the juvenile justice system were slowly dismantled and replaced with a system more like the adult criminal justice system, one which takes no account of age. In recent years the tide has turned again. The number of incarcerated youth has been cut in half nationally. In addition, juvenile justice practices are increasingly guided by scholarship in adolescent development that confirms important differences between youth and adults. And states and localities are choosing to invest in evidence-based approaches to juvenile crime prevention and intervention rather than in facilities to lock up errant youth. This book assesses the strategies and policies that have produced these important shifts in direction. Important contributing factors include the declining incidence of youth committed crime, advances in adolescent brain science, nationwide budgetary concerns, focused advocacy with policymakers and practitioners, and successful public education campaigns that address extreme sanctions for youth such as solitary confinement and life sentences without the possibility of parole. Yet more needs to be done. The U.S. Supreme Court has recently voiced its unfaltering conclusion that children are different from adults in a series of landmark cases. The question now is how to take advantage of the opportunity for juvenile justice reform of the kind that would reorient the juvenile justice system to its original intent, both in policy and practice, and would return to a system that treats children as children. Using case examples throughout, Nellis offers a compelling history and shows how we might continue on the road to reform.

The Handbook of Juvenile Delinquency and Juvenile Justice Marvin D. Krohn, Jodi Lane, 2015-04-27. This handbook is an up-to-date examination of advances in the fields of juvenile delinquency and juvenile justice that includes interdisciplinary perspectives from leading scholars and practitioners. Examines advances in the fields of juvenile delinquency and juvenile justice with interdisciplinary perspectives from leading scholars and practitioners. Provides a current state of both fields while also assessing where they have been and defining where they should go in years to come. Addresses developments in theory, research, and policy, as well as cultural changes and legal shifts. Contains summaries of juvenile justice trends from around the world, including the US, the Netherlands, Brazil, Russia, India, South Africa, and China. Covers central issues in the scholarly literature such as social learning theories, opportunity theories, criminal processing, labeling, and deterrence, gangs, and crime, community-based sanctions, and reentry, victimization, and fear of crime.

Contextual Characteristics in Juvenile Sentencing Rimonda Maroun, 2019-02-25. While there is extensive research published concerning juvenile justice and sentencing, most of the research focuses on individual and extra-legal factors such as age, race, and gender, with scant attention paid to the impact of macro-level factors. This book assesses how a specific contextual factor, concentrated disadvantage, impacts juvenile court outcomes and considers the relevant implications for the current state of juvenile justice processing. Using case-level data from a Southern state with a large, diverse population and contextual-level data from the 2010 US Census and American

Community Survey Maroun assesses whether youth living in neighborhoods of concentrated disadvantage experience harsher outcomes than their counterparts from other types of neighborhoods. Additionally, she examines whether concentrated disadvantage interacts with individual race/ethnicity to influence juvenile court outcomes. Results suggested a direct impact of concentrated disadvantage on diversion/adjudication and probation type. Further, race significantly interacted with concentrated disadvantage in impacting adjudication and probation outcomes, while ethnicity significantly interacted with concentrated disadvantage in impacting disposition and commitment type. This research expands the knowledge of macrolevel influences on juvenile court outcomes, providing support for the notion that community context impacts juvenile justice processing. Results also highlight the fact that judges use discretion as well as other legal and extralegal factors in exerting social control and do so differently at each stage of processing. This monograph is essential reading for those engaged in youth and juvenile justice efforts and scholars interested in issues surrounding race, class, social policy, and justice.

Juvenile Justice Francine Sherman, Francine Jacobs, 2011-09-15. The lessons in this book remind us that we can and that we must do better for the sake of our children, their futures, and the sake of our nation. This volume is a call to action, and I encourage everyone who reads it to take steps to ensure that all America's children are given an equal chance to succeed. We must all work together to replace the cradle-to-prison pipeline with a pipeline to responsible, productive adulthood. From the Foreword by Marian Wright Edelman, JD President and founder, Children's Defense Fund, Washington, DC. *Juvenile Justice: Advancing Research, Policy, and Practice* appears at a critical time when promising juvenile justice reforms are underway in so many jurisdictions across the United States. Sherman and Jacobs and their impressive array of expert authors fill a significant gap in the literature, making the current body of juvenile justice research and experience accessible to policy makers, researchers, and funders, and doing so through a practical and positive lens. Patrick McCarthy, President and Chief Executive Officer, Annie E. Casey Foundation, Baltimore, MD. Most people have narrow views of what it means to be a delinquent youth. In *Juvenile Justice: Advancing Research, Policy, and Practice*, Sherman and Jacobs have diligently collected essays from the top experts in the juvenile justice field who tell an empirically based and powerful narrative of who is really in the delinquency system. As this book makes clear, until we ask and answer the right questions, we will remain unable to help the youth most in need. Alexander Busansky, President, The National Council on Crime and Delinquency, Oakland, CA. A comprehensive reference presenting a rehabilitative, youth- and community-centered vision of juvenile justice. *Juvenile Justice: Advancing Research, Policy, and Practice* brings together experts in juvenile justice, child development, and public health to explore the intersections between juvenile justice and needed development of programs and policies that look out for the health and well-being of the youth who enter this system. This timely book provides a usable framework for imagining juvenile justice systems that emphasize the welfare of juveniles, achieved primarily through connections within their communities. A must read for professionals working in juvenile courts and within juvenile justice agencies. *Juvenile Justice: Advancing*

Research Policy and Practice reflects both the considerable advances and the challenges currently evident in the juvenile justice system with an emphasis on the development and implementation of policies that can succeed in building a new generation of educated young people able to embrace their potential and build successful futures **Juvenile Justice Sourcebook** Wesley T. Church, David W. Springer, Albert R. Roberts, 2014 Several million reported and unreported delinquent acts take place each year In fact according to the U S Department of Justice and the U S Bureau of Justice Statistics juvenile delinquency acting out and oppositional behavior illegal drugs guns and youth violence are pervasive throughout American society Juvenile Justice Sourcebook is the first comprehensive volume devoted exclusively to the biopsychosocial assessment police and juvenile court processing and institutional and community based treatment and rehabilitation of juvenile offenders The overriding objective of this sourcebook is to trace the tremendous progress achieved toward resolving juvenile justice issues dilemmas and controversies while providing futuristic visions for the juvenile justice field Each chapter authored by preeminent expert practitioners and researchers explores topics ranging from innovative counseling and multisystemic programs to restorative justice to rehabilitation programs such as aggression replacement training wilderness programs family treatment substance abuse treatment restitution and aftercare This volume grounded in history and exhaustive research presents the latest evidence based policies programs and innovative treatment alternatives Examining the entire juvenile justice system including juvenile law policies practices and research the Juvenile Justice Sourcebook will be invaluable to all juvenile justice practitioners policy analysts researchers and students

Race and Ethnicity in the Juvenile and Criminal Justice Systems Jennifer Peck, 2018-11-07 Over the last few decades the racial and ethnic composition of the United States has changed dramatically This seismic transformation has important implications for theory research policy and public opinion perhaps most crucially around the topic of race ethnicity and our justice systems Recent national events from Ferguson to ferocious public debate about racism to media depictions of police violence have reawakened the tense question of race relations in the 21st century This edited collection of research aims to highlight contemporary issues surrounding the overrepresentation of racial and ethnic minorities throughout both the juvenile and adult criminal justice systems Our contributors cover both formal sources of social control e g police courts correction facilities and perceptions and public opinions of the relationship between race ethnicity and offending behaviors As the intellectual sphere ignites with fresh debate old questions redefined and new ones asked this publication provides innovative insight into how race and ethnicity interconnect with all aspects of criminology and criminal justice Furthermore it helps encourage directions for future research practice and public policy This book was originally published as a special issue of the Journal of Crime and Justice

Juvenile Justice Practical Application Workbook Barry S. McCrary Sr., 2018-03-13 The purpose of this juvenile justice workbook is to explore the current challenges in meeting the social developmental needs for youth in the juvenile justice system This workbook will explore strategies for addressing these challenges at a policy and

practice level The attempt to improve social developmental needs requires the promotion of a practical application outlook for juvenile justice students and workers to provide a service to manage behaviors along with learning about the offender in order to manage and address specific needs The purposes of this workbook will be 1 to examine the current juvenile justice practices by which juvenile justice workers provide services and 2 to study core case procedures that juvenile justice workers are using to meet youth offender s needs and 3 to analyze those practices that exist for juvenile justice worker to meet social developmental needs *Federal Register* ,1987 **Juvenile Justice: A Social, Historical, and Legal Perspective**

Preston Elrod,R. Scott Ryder,2020-02-20 Juvenile Justice A Social Historical and Legal Perspective Fifth Edition guides students in developing a sound and balanced understanding of juvenile justice and the social legal and historical context that shapes juvenile justice practice Throughout the text there are FYIs Myths v Reality Comparative Focus and Interviews that highlight important facts dispel common myths compare practices in the United States with those of other countries and allow readers to hear from present and former juvenile justice practitioners Each chapter also contains critical thinking questions intended to help students examine key issues raised in the chapter and a discussion of important legal issues related to chapter content Every new print copy includes an access code to the Navigate Companion Website that features interactive and informative learning resources to gauge understanding and help students study more effectively

Reforming Juvenile Justice National Research Council,Division of Behavioral and Social Sciences and Education,Committee on Law and Justice,Committee on Assessing Juvenile Justice Reform,2013-05-22 Adolescence is a distinct yet transient period of development between childhood and adulthood characterized by increased experimentation and risk taking a tendency to discount long term consequences and heightened sensitivity to peers and other social influences A key function of adolescence is developing an integrated sense of self including individualization separation from parents and personal identity Experimentation and novelty seeking behavior such as alcohol and drug use unsafe sex and reckless driving are thought to serve a number of adaptive functions despite their risks Research indicates that for most youth the period of risky experimentation does not extend beyond adolescence ceasing as identity becomes settled with maturity Much adolescent involvement in criminal activity is part of the normal developmental process of identity formation and most adolescents will mature out of these tendencies Evidence of significant changes in brain structure and function during adolescence strongly suggests that these cognitive tendencies characteristic of adolescents are associated with biological immaturity of the brain and with an imbalance among developing brain systems This imbalance model implies dual systems one involved in cognitive and behavioral control and one involved in socio emotional processes Accordingly adolescents lack mature capacity for self regulations because the brain system that influences pleasure seeking and emotional reactivity develops more rapidly than the brain system that supports self control This knowledge of adolescent development has underscored important differences between adults and adolescents with direct bearing on the design and

operation of the justice system raising doubts about the core assumptions driving the criminalization of juvenile justice policy in the late decades of the 20th century It was in this context that the Office of Juvenile Justice and Delinquency Prevention OJJDP asked the National Research Council to convene a committee to conduct a study of juvenile justice reform The goal of Reforming Juvenile Justice A Developmental Approach was to review recent advances in behavioral and neuroscience research and draw out the implications of this knowledge for juvenile justice reform to assess the new generation of reform activities occurring in the United States and to assess the performance of OJJDP in carrying out its statutory mission as well as its potential role in supporting scientifically based reform efforts

The Juvenile Justice System Joseph B. Sanborn (Jr.),Anthony W. Salerno,2005 Juvenile delinquency and juvenile justice are two essential topics in the criminal justice curriculum Sanborn and Salerno s *The Juvenile Justice System Law And Process* is dedicated solely to explaining juvenile justice This text explores the many differences between the juvenile justice and the criminal justice systems both those that benefit youths and those that are arguably unfair to them The book concentrates describes and explains the unique traits of juvenile justice and what makes it so different from criminal justice The Juvenile Justice System specifically addresses what actually happens during the court process devoting an entire chapter to the adjudicatory hearing as well as all other major decision making stages A unique feature is its in depth coverage of plea bargaining Also featured are topics such as parental role in the juvenile justice system school searches and the origin of juvenile court several chapters detailing how many youths have been affected by various decisions made in the juvenile justice system such as arrest detention transfer to adult court adjudication being placed on probation or committed to residential placement In addition the appendices identify juvenile justice standards for all 50 states and Washington DC as well as the federal jurisdiction These standards apply to all decisions made within the juvenile justice system including arrest detention diversion intake transfer adjudication disposition and postdispositional stages The text is written in a conversational reader friendly style Each chapter describes and analyzes step by step what young alleged offenders experience in each successive stage of the court process For each chapter outlines of key terms and concepts aid student comprehension and serve as a starting point for class discussion Each chapter also features discussion questions designed to stimulate students critical thinking A comprehensive Instructor s Manual Testing Program is available of the book

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