

# Working with Diverse Populations: Juvenile's Involved in the Justice System

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Working with a diverse population requires the social worker to examine aspects that make up the population. To fully examine a population, a few of the aspects that should be researched are as follows; best practices for working with the population, cultural background, tradition, norms and values, history of oppression, types of support, family dynamics, spirituality, and body language. The stories that fill Humes book come and address each of these aspects at different points.

## Demographics and Population of Juvenile Offenders

In the United States, there is a large population of youth that are involved in the juvenile justice system. In the U.S. the ages associated with youths are defined state by state. The majority of the states define juveniles as under 18. Juveniles are incarcerated in juvenile detentions for various crimes that they commit. Depending on the severity of the crime the juvenile commits, they can also be moved into adult court. According to Elias (2006) "since 1982, every state but Nebraska has made it easier to try a juvenile as adults, and most states have legalized harsher sentences" (p. D9). Many states limit the judge's discretion by sending all teens who commit serious crimes to adult court (Elias, 2006). Juveniles in American consist of a range of demographics including; types of race and ethnicity, sex, age, the area of residence, family histories and structure, and the crimes that they commit.

As of 2002 in America, there are an estimated 72,894,500 persons that were under the age of 18 and considered juveniles. Juveniles make up 25% of the population of the United States (Snyder & Sickmund, 2006). So juveniles are an important factor in our society because they will be our future. "Current projections indicate that the juvenile population will continue to grow throughout the 21st century." The Census Bureau estimates that it will increase by 14% between 2000 and 2025 and then in 2050 the juvenile population will have grown 36% from the 2000 population (Snyder & Sickmund, 2006).

When juveniles commit various criminal offenses, they are arrested and can be charged as an adult. Fagan (2005)

describes that adolescents think and behave differently from adults. He states that teens "are risk-takers who inflate the benefits of crime and sharply discount its consequences, even when they know the law" (p. A6). Research shows that teen brain remains immature through early adulthood. "These new studies have zeroed in on the areas of the brain where impulsivity, risk-taking, and poor social judgment are regulated" (p. A6). Although some juveniles are charged as adults it is much more common for them to commit less serious offenses.

In 2003 law enforcement agencies reported 2.2 million arrests of persons under the age of 18 (Snyder & Sickmund, 2006). The male population was the most common offender noted by the United States Federal Bureau of Investigation (2005a). They reported 897,305 young men versus 381,643 young women who were arrested. The race of those arrested are as follows; 67.5% white, 29.9% black, 1.3% American Indian and 1.3% Asian (United States FBI, 2005b). The common offenses committed by males are property crimes. Property crimes include burglary, motor vehicle theft, and arson. The other offenses (except traffic) that males committed most commonly are larceny-theft and assaults. For males, the least common offenses were embezzlement, gambling, suspicion, and prostitution. Females most commonly committed offenses are property crimes, larceny-theft, and assaults. The least common offenses were those of suspicion, murder and non-negligent manslaughter, forcible rape, and gambling (United States FBI, 2005a).

In the United States Delaware, Florida, Maryland, Pennsylvania, New Jersey, and California have the highest juvenile crime arrest rates (Snyder & Sickmund, 2006). In recent research it has been noted that there is a connection between poverty and juvenile delinquency. For example, as cited in Snyder and Sickmund (2006) low-income families had more commonly self-reported violence in their younger years than those, not of low socioeconomic status. These same low-income families also had higher rates of convictions for vio-

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lent offenses. "Research, however, indicates that the linkage may not be direct" (p. 7). The Free Child Project (2007) said that family disruption has a direct influence on juvenile violence and adult violence. The youngest children are the most likely to live under the poverty threshold. "16% of juvenile's ages 5-17 lived in thresholds with resources below the established poverty thresholds" (p. 8). The family structure is another corollary factor that seems to determine whether juveniles act out with violent crimes. "Youth ages 12-17 who lived in families with both biological parents were, in general, less likely than youth in other families report a variety of problem behaviors, such as running away from home, sexual activity, major theft, assault, and arrest."

### Juvenile Justice in the United States

The United States does not have many laws regarding juvenile justice which take federal jurisdiction. The U.S. Government empowers each state to choose the best modality of working with juvenile offenders (Cornell Law School, 2006). Even though the legislature creates the laws for each state, it is the courts that determine the meaning and acceptance of the law. The Judicial Ethics Committee in Tennessee explained, "only the courts can make a determination as to whether or not a law is constitutional or unconstitutional, ethical or unethical. It is not a matter for local officials to unilaterally determine" (Judge oversees the juvenile program, 2007). U.S. Code Title 42 Chapter 72 deals with Juvenile Justice and Delinquency Prevention. Specifically, it states law in regards to the following; programs and offices, runaway and homeless youth, missing children, incentive grants for local delinquency prevention programs, and public outreach (Cornell Law School, n.d.). Although there is an amount of federal legislation, it leaves a vast amount of variation for each of the states to have their own system.

The Juvenile Justice Act of 1977 was a piece of legislation passed in Washington. This act was a complicated set of legislation that dealt with a broad range of topics such as; juvenile courts, jurisdiction, payments, types of infractions, reinvestment programs, and many more topics. The Juvenile Justice Act of 1977 is a part of the Revised Code of Washington (RCW) Title 13. This title is all of the legislation that has happened in Washington State since 1977 (United States WA Leg, 2007). One of the unique structures in Washington is that it is the only state to use a determinate sentencing structure in committing juvenile offenders. The determinate sentencing means that there is a minimum and a maximum sentence. The length of the sentence is determined using a point system, it the "offenses seriousness and criminal history into account. Ordinarily, standard range sentences are applied based on the offender's point level" (United States WA DSHS, 2006).

The juvenile justice system tends to focus more on rehabilitation than punishment. In Washington State, the Depart-

ment of Social & Health Services houses the Juvenile Rehabilitation Administration (JRA). This office manages residential treatment programs, community programs, parole services, treatment services, and administrative programs. These services and programs are housed through four divisions; institutional programs, community programs, operations support services, treatment, and intergovernmental programs.

### Juvenile Justice System in Canada

Just as every individual state in the United States has different laws that govern the juvenile justice system, so does every nation state. Free Child Project (2007) as a part of their statistics used for advocacy explain that the United States is one of only 6 other nations that have executed juvenile offenders in the last 15 years. Canada, although they are close to America in being physically and often ideologically have different focus' for their juvenile system.

According to Creechan and Silverman (2005), the juvenile systems of the United States and Canada were very close since their inceptions. In 1960, they took fundamental ideological differences. "Canada came to place much more emphasis on legal aspects of juvenile delinquency while the United States stressed the importance of innovative solutions for treatment" (Directions taken by the United States and Canada vary section, para 1). The United States promoted programs, while Canada changed the law code associated with the juvenile offense. Canada also tends to focus on legislation from a federal level, versus a province level. The United States gives the majority of the power to each state to decide what the best course of action is.

Canada first juvenile justice legislation was the Juvenile Delinquents Act in 1908. In 1965 a report entitled Juvenile Delinquency in Canada was the culmination of recommended views on legal changes the government should make. This led to the introduction of bill C-192, the Young Offenders Act. It was not passed and criticized by groups as "too legalistic and punitive and as a 'Criminal Code for children'" (Canada DOJ, 2005). The Young Offenders Act (YOA) of 1984 was the next piece of legislation to be passed in regards to juvenile justice. The YOA of 1984 was "widely heralded as ushering in a 'new era,' or even a 'revolution,' in Canadian juvenile justice" (p. 219). Some of the sections of this legal code made the juvenile legislation constitutional again. Some of the previous juvenile code was deemed unconstitutional when Canada enacted the Canadian Charter of Rights and Freedoms amendment to their constitution. This is similar to the US Bill of rights. The Youth Criminal Justice Act came into being in 2003. This again replaced the YOA of 1984. Some of the changes included in the 2003 law are as follows; using the formal justice system more selectively, reducing the over-reliance on incarceration and increasing reintegration of young people into the community following

custody (Canada DOJ, 2005).

Juveniles are an important part of our society and do commit crimes, crimes that serious and some that are not. Juveniles are arrested and taken into custody which cost Americans financially and socially to incarcerate them.

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