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The Juvenile Injustice System of Minorities

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The Juvenile Injustice System of Minorities

by

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Abstract

The History of juvenile justice started out to be something that would help juveniles grow into being strong and educated children. Instead, it has been used to incarcerate young adults who are uneducated, have mental disabilities, and even sentence them to lifetimes behind bars for offences that are not against the law, but are status offences.

Mission statements, Personal Development Programs and Communication within facilities are a starting point that need to be improved before we can even start repair the damage. The current juvenile justice system is failing and has many issues including racial disparities within the system. The current juvenile system does not work.

Society should be educated on the long-term effects of this style of punishment in the system. Simply put it is unethical to lock up children in prison, no matter the severity of their crime. The current juvenile justice system has not provided the protection for children it was originally formed to provide. Today the juvenile justice system contributes to the overincarceration of young offenders and adult men currently incarcerated as young men. People of color are more likely to be incarcerated than whites due to current biases in the system.

Elimination of the current juvenile justice system would decrease of the number of young adults in prison and the number of adult men. Leadership in all areas of corrections need to make sure that everyone's constitution rights will be respected regardless of race, sexual orientation, or age. The current juvenile justice system has failed. The time has come to have a new juvenile justice system one that considers a young offenders age and involves punishment accordingly.

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History of the Juvenile Injustice System

Joaquin E. DiazDeLeon once said, “Rehabilitation happens when teenagers are forced to connect to their communities and confront their mistakes.” This quote is stating what many people in America think and know is the right approach to juvenile justice. The original juvenile justice system was not intended to be a punishment for children but rather, it was intended that a child could be in a sense reprimanded for their behavior. In the past children’s behavior had traditionally been addressed by their parents, but at some point, society decided that there was a need to have an informal court process. The process created had no punishment and no prison or jail time was assigned, furthermore, no record of any crime was noted on anyone’s record. There was no need for an attorney to be present.

The only purpose of the juvenile court was to perhaps scare a child into the proper behavior that the court thought needed to be displayed even if the parents disagreed with the courts. Although many people have worked hard to reform the juvenile justice system the fact that they have not succeeded proves the system does not work. Instead, society needs to release them back into the communities and find other ways to correct behavior other than incarceration.

Before the 1800’s, Americans did not allow for children under seven to be tried and found guilty of a serious crime. Between the ages of 7 and fourteen, people understood that children are unable to understand the seriousness of their crime (Anderson, 1998, pp.64-145). Some claim that the breakdown of families combined with harsh punishments and poverty created a situation where nutritional needs and supervision were not being met by parents, as a result talk of creating reform schools started to emerge. Reform schools were never intended to become punishment but a resource for parents who were struggling with disciplining their children.

In the 1920s every state decided that juveniles needed to have their own courtrooms in private. There were no witnesses, no lawyers, no court reporter in the courtroom. Just a judge and the children were present, it was basically conducted in secret. Once again, the purpose was to create an environment where children could learn the proper way to conduct themselves in society. No serious punishment was established that we know of at that time.

However, according to Levick, in 1967 the case of Gerald Gault came to surface, Gault was a fifteen-year-old who was charged with making an obscene telephone call to his neighbor. Gault was arrested, without his parents knowing. He was convicted of a crime and was sent to an Arizona school for boys for 6 years. This story came to The Supreme Court of America, the Supreme Court ruled that the Due Process Clause of the 14th Amendment applies to juvenile defendants and therefore juveniles must be afforded the same rights as adults. Before these rulings minors had been processed without a lawyer, or any other due process, including confronting witnesses or protection of rights against double jeopardy. This case was just the wakeup call that was needed to see the true victimization of the juvenile justice system.

Furthermore, in the 1980s and 1990s the drug wars changed the way we dealt with children adding more children to the already flawed system. The mantra of the time was “adult time for adult crime” and young offenders were moved into the adult jails and prison systems. Minors were also exposed to adult punishment including the death penalty and mandatory life without parole. During this time, a 9 or ten-year-old child could be put in prison for a crime he committed as a child. Between 1995 and 2005 many children were executed and sent to prison for crimes committed as a child (Anderson, 1998).

According to NPR news, the Supreme Court ended the death penalty for juveniles in 2005, claiming it was a violation of the 8th amendment of cruel and unusual punishment, yet it is

still happening. Executions for those under the age of fifteen was outlawed in 1988. This ruling prevented states from making sixteen and seventeen-year-olds eligible for execution (Totenberg, 2005) yet it continues to happen. According to Levick, 200,000 children at that time were being processed as adults. For one hundred years or more America has been zigzagging between justice for children and what that means. As time progressed, society began to see the emerging of mission statements as a tool to inform the public of facility intentions. There are many non-incarceration punishments that should be utilize before incarceration. Informing the public about them is key for them to accept change in the future.

Mission Statements

Mission statements are the main drivers of all organizations including juvenile justice facilities. Mission statements let people know what a company's purpose and what it is intended role is in the community they serve. A mission statement reflects the attitudes and mindset of the people who work in that organization. Ordinarily mission statements do not change; they remain the same over time and its core purpose is to inform others. In the juvenile justice system mission statements should provide goals and tools to be able to evaluate if in fact the agency is being effective in reaching its mission. Not only should it serve as an internal guide but also should let the community know what to expect and it should include the agencies limitations.

Employee buy-in is the most important aspect of a mission statement. Everyone needs to be willing and able to contribute to the mission of the company and willing to put in the work that is needed to accomplish this goal. Mission statements serve as a map or guide for organizations to succeed; therefore, everyone needs to understand the logistics of how that will be accomplished and know when this goal is accomplished. Putting words on a piece of paper and framing them does not create the true force of a mission statement. Frequently mission

statements are so poorly written it disappoints the people it is intended to serve. Very often these statements contain objectives with no guidance on how to accomplish this goal. They contain of vague words and do not state specific enough information to get a true sense of who is being served or what needs to be done. In juvenile justice, a mission statement should include what activities or behaviors must change and who must change and how resources will be used. We in criminal justice as it pertains to juvenile justice must also include what responsibilities the community has and the limitations of the agency.

Misleading the public with mission statements is quite common. One of the most common terms used when it comes to mission statements included in juvenile justice agencies that serve children is “In the best interest of the child”. These terms seem to suggest that agencies in criminal justice can provide all services to children. In fact, the legal system cannot do everything. The legal system can only deal with legal issues, administrative tasks, and sometimes participates in some educational means of the child.

The legal system cannot offer emotional support or the love that a family can give a child. In fact, the community including schools, businesses, and church organizations must take responsibility for their part in raising children in their communities. Teens and children need to be part of the community to become productive adults and cannot just be placed in custody of the judicial system. Mission statements need to be clear in its limitations so that all aspects of society are accountable for raising children.

Society, employees, and stockholders expect the juvenile justice system to be the all-inclusive answer to solve the dilemmas of the current juvenile justice system. when in fact, the juvenile justice system does not have the resources nor the capability to administer such a large mission, nor has it ever claimed to be the answer to such huge and sensitive issues. Prevention

and education should be the responsibility of the community and not part of the juvenile system. Nor does the juvenile justice system have the qualified staff to offer mental health or physical health services in the numbers that are needed to restore the sizable number of children currently being held in these facilities.

In addition, chemical dependency, special education for the mentally challenged, at grade levels, and mental health issues cannot be addressed on a large scale in juvenile facilities without proper funding. Because of past failures in accomplishing these goals investors, employers, and other stake holders no longer want to invest their time and money into a failing system. Mission statements need to be clear and concise, for staff and its entities to each have a clear vision of the expectations, and assure they have all the means needed to achieve these goals.

We do not want mission statements to be a burden or a waste of anyone's time; therefore, we must take the time to insure they reflect the true vision of the juvenile justice system. Inspirational, meaningful, and educational mission statements can be the reset juvenile justice system needs to become successful. Writing and building a mission statement should be a team effort and create a culture of happiness and acceptance for everyone.

Next, if written properly a mission statement should attract the type of people with a similar personal mission statement in mind. Just like a business plan a mission statement can break or make employees goals for a greater juvenile justice system. A mission statement is your business or calling card to the world, your supplier, and employees. "The mission statement reflects every facet of your business: the range and nature of the products you offer, pricing, quality of service, marketplace position, growth potential, use of technology, your relationships with your customers, employees, suppliers, competitors, and the community (Entrepreneur, 2003). Patrick Hull in his article, "Answer Four Questions to get a Great Mission Statement"

states that the four most important questions to answer are as follows; What do we do? How do we do it? Whom do we do it for? What value are we bringing? If we can answer all these questions, then a great mission statement can reestablish the relationship an organization needs to be successful at its mission and accomplish its goals for the future. The task of writing a mission statement should not be dismissed as something that has no meaning or effect. On the contrary a mission statement can help an organization meet all its goals when correctly written.

Bazemore equates a great mission statement as, “Having little doubt about the fundamental purpose of the agency and should clarify in the public mind what tasks and service outcomes the agency is responsible for” (Bazemore, 2006). Equally important a good mission statement places clear limitation on what the public should expect from the agency”. It should not confuse the public about expectations nor should it make unachievable expectations. In addition, Balzmore stated “to protect and serve” may be used to disguise for hidden agendas or mask failures to develop clear objectives. It is time we reimagine our mission statements to reflect work that needs to be accomplished.

Mission statements are currently used to cover the layers of abuse of due process rights of children (Feld, 1992), while offering the child nothing in their best interest. This mission statement misleads the public into thinking that the justice system can do everything for a child including educate, reform, and heal, when in fact it cannot. For reform and practices to change we must start by setting new achievable mission statements to swing the political pendulum back to the community about who is truly responsible for the actions, behaviors, and future safety of the community.

A balanced approach is much more desired in the wake of the mounting number of medical issues related to the juvenile justice system. The “Balanced Approach” has three

objectives and are as follows; that offenders repay their victims for the damage done. In addition, offenders exit the juvenile justice system only when capable of being productive and responsible. Also, offenders must be rehabilitated at the lowest price possible and assure the offender is safe to enter society. This is a very tall order especially with little or no funding in place. Rehabilitation must be approached with a balance in mind (Maloney et al,1998).

Rehabilitation costs money. Unlike adults children still need to go to school while being rehabilitated, also they have emotional and medical mental health needs which place a significant challenge to staff in an already understaffed and unsupported job. These children require specialized mental health staff to rehabilitate them properly and effectively. The public needs to be made aware that the least expensive way to rehabilitate juvenile justice children is to send them out to the community.

Mental disorders, substance use disorder, post-traumatic stress, anxiety, and depression are some of what makes things more complicated than adult offenders. Juveniles have experienced trauma and other mental issues untreated for years. Children in the juvenile justice system need emotional support as well as medical treatment. For juveniles to be successful a balance of competency development, accountability, and public safety must all be present at the same time otherwise the system will become unbalanced. The answer does not lie with the child it must come from the adult.

Communication

Communication seems to be most common issue in implementing the correct type of programs. In this “Balanced Approach” of juvenile justice the reason for being ineffective or out of balance is not being able to communicate the exact details of each step to get this approach to work. Communication is the heart of all success when implementing any type of program. This part of the job is often overlooked and underestimated. Even though the power of communication determines our success it continues to be the number one challenge. Employees who are not clear on instructions appear to be disobeying supervisors and supervisors keep delegating with an iron fist.

Communication takes many forms including body language, hand signals, facial expressions, and tone of voice. Communication is complete when one person transmits a message to another person and that message is understood in the same way as it was transmitted. If one person did not understand part of the message or gesture that communication did not occur. The ability to encode and decode information is a mandatory skill for all criminal justice personnel to effectively do their job. Understanding the needs of coworkers as well as clients is the key to making the “Balanced Approach” work.

Technology today transmits information faster than it ever has before. Consequently, this causes people to jump to conclusions without investigating all the facts. Since much of today’s information comes via telephone or hearsay it is difficult to verify what is true and what is fiction. Criminal justice has had to endure the brunt of much of this miss communication. Privacy requirements as well as concerns of safety for team members do not allow us to paint a complete picture and become completely transparent therefore appearing less than honest.

Regardless of the circumstances it is important that we understand both the spoken meaning and the nonverbal communication when dealing with other people.

Lack of communication can have serious consequences especially when someone's life is on the line. Many officers have been faced with the decision to shoot or continue to negotiate when facing offenders who are less than cooperative. Juveniles are no different and may be unable to communicate with staff due to their maturing or mental disabilities. The number of disabilities that a social worker or a correctional officer's face vary in degrees depending on the situation. Yet very few professionals have the proper professional development training that is needed for this type of communication to take place.

Personal Development

Juvenile facilities are faced with many more issues than what the average person would think including mental illness, homelessness, attention-deficit/hyperactivity disorders, and substance abuse disorders (Frazel et al., 2008). Yet they have none of the tools to handle these issues, so they are often ignored. The best method of dealing with problems is through personal development. A national study of clinical directors examined professional development in facilities for adjudicated youth. They found that personal development was offered once a year at only 30% to 40% participated of those that did not participate included clinical directors, and counselors, correctional officers, administrators, and teaching assistants (Frazel et al. 2008). It was viewed by staff and administration as ineffective proving that more work must be done in this area to improve facilities.

Preparing our youth to become active and productive citizens of society is the main goal of the juvenile justice program. Yet we continue to not provide our staff with the required

training that is needed for them to do their job effectively. “Prevalence studies have indicated that 70% of youth in facilities of juvenile justice exhibit a mental disorder (Shufelt & Coccozza). In addition, 50 % have conduct disorder and are two to four times more likely to have attention-deficit/hyperactivity disorder than youth in the general population (Frazel et al., 2008). Yet still, 95% have experienced trauma (Becker & Kerig, 2011), and twenty-five percent experience post-traumatic stress disorder (Dierkhising et al., 2013). Across the board in most all mental disorders juvenile justice youth experience higher numbers and get no treatment from their health care providers instead they are punished for their disabilities which is a clear violation of our constitution.

In addition to these mental health issues juveniles have experienced sexual abuse, physical abuse and they have a suicide attempt rate double of those in the community (Templin et al., 2015). All these conditions require their own specialized care of which staff at the juvenile justice do not have and do not realize the benefits of being trained to deal with these mental illnesses.

As we struggle to have a safe transmission of juvenile offenders back into our communities, we fail to address the main issues of abuse and lack of education. When juvenile justice offenders are released into society, they continue to have these issues and continue to reoffend making the recidivism rates in America one of the largest in the world. As the number of recidivisms rises our communities continue to be unsafe. Juvenile facilities continue to grow with more offenders, and we continue to pour more money into a system that is not working.

As Gagnon and Swank noted in their studies that juvenile justice lawmakers know that for incarcerated juveniles to be reintegrated back in society all issues mental and/or behavioral must be addressed to be successful (Gagnon and Swank, 2020). Yet, they continue to ignore the

issues of mental health and fail to provide personal development training to the staff at the front lines of the incarcerated. Some staff members who are hired have college degrees are educated in their areas of work, including counselors, and social workers. Yet even though correction officers who spend their entire day with the incarcerated youth are not required to have the same education. Some corrections officers get little to no education on behavior management.

Hiring agencies only require that correctional officers have a high school education or GED certificate. Many times, the correction officers depend on their own methods of dealing with juveniles and often end up making things worse. Often these correction officers deal with situations they encounter on the job the same way they would deal with a person without mental disorders, which is entirely not going to be effective.

More important is that many people within our own communities including school administrators, teachers, and support staff do not know how to deal with mental illness or other related issues and therefore send these students to the juvenile justice 's system facilities even though the students have not broken any laws. Teachers themselves are not educated in mental illness or special education unless they specifically went to college for that subject leaving teacher assistants to deal with offenders' mental illness. Teaching assistance for the most part only have a high school or GED education. It continues to be stated that one day a year of mental illness and other issues is not enough for front line staff to have in personal development to have a reduction in the recidivism rate of our incarcerated juveniles.

Medical Issues of Juveniles

Not only are juvenile justice youth not getting the mental illness medical attention they need but juveniles are also becoming victims or becoming predators themselves inside these

facilities. They also tend to harm themselves and others more often due to mental illness and immaturity, which makes them targets for being misplaced in juvenile justice facilities. The lack of personal development given to correction officers in the areas of personal care and relief of their own stress is causing correction officers to be unable to offer youth emotional or educational support due to their high-stress jobs.

Professional development of correction officers staff is of vital importance for mothers, fathers, family members of the mentally ill and abused to get the necessary care needed for reunification of their family and safety of our society. Juvenile justice goal should be to unit families not to incarcerate young offenders.

As our world and family structures change so should the facilities that vow to correct our children and vow to bring back to society a well-developed and changed person. Little boys with mental health issues grow up to be adults with mental health issues. Therefore, filling up our prisons with adults with mental issues is not contributing to the safety of society. Our prison system needs to change to reflect the population and not be used as a dumping ground for the mentally ill but be used for its intended purpose of incarcerating criminals.

We should remember that the “best interest of the child” is the basic principle of ensuring the rights of all children, (Veselov,2020). Administration should make the necessary changes to meet the needs of children even though the list is long and extensive. Juvenile facilities should look to legal and scientific experts to guide them. America should never sweep under the rug the rights of children for they will be the future of America.

Land of The Free

America is known for being “The Land of the Free” and the home of the brave yet, it consistently incarcerates the most amount of people in the world. As Americans continue to incarcerate adults in both private and public prisons it also incarcerates juveniles of color at an increasing number which seems to double every year. When people under the age of 18 commit a crime, people think that they go a child’s version of punishment in fact, the juvenile justice system does not have a facility that is appropriate for children. The age of majority the age which a person is considered an adult varies from state to state. This matter because all children are the same from state to state. Children in one state are not more mature than children in other state. Incarcerating juveniles of color goes against the ethical codes America has built as a nation which promises to apply the constitution to every man, woman, and child, regardless of religion, race, or color the same. Yet laws and punishments still have vast differences within each state.

Ethics in juvenile justice is important because it will determine the direction of future America. Ethics is the reason society has a juvenile justice system in the first place. The justice system was created to teach children how to conduct themselves for the good of society, not to punish one group of people more, and giving an advantage to another group of people, who can then prosper from others misfortune.

Although America has the largest incarceration rates in the world it also has some of the safest streets. Americans like to live in a community that is free from racism and crime. The reason for incarceration is to assure that Americans can go about their day without worrying about being harmed. The truth is that most people in prisons are there for nonviolent crimes. If America decided to release the juveniles in the system and put them in a community-based

programs, we would not see crime run ramped but instead we would see families reunited and less people in the juvenile facilities.

In the 1990's zero-tolerance policies which were adapted by schools to lower status offences by students that did more harm than good. The policies were initially supposed to help stop drugs coming into schools but were soon used as a method of justifying the removal of students from schools for status offences. Students were then sent to juvenile justice facilities that resemble prisons and not schools. The use of these policies even though they have been renamed have not deterred students from committing less status offences but have increased. Laws were not intended to harm children or young adults under twenty-one yet somehow this is how our current system is operating. Our current system puts children at incredibly young ages in concrete cells to be forgotten.

Even children who murder do not deserve to be in prison Many people justify incarceration by saying children deserve the punishment because of their immature actions. Nobody deserves to be tortured for years and kept a concrete box. It is simply unethical. The office of Juvenile Justice and Delinquency Prevention has found disparities in the number of colored teenagers arrested for status offences compared to that of whites. Including the fact that black teenagers are arrested twice as often even though they account for only seventeen percent of the population. The W. Haywood Burns Institute for Justice Fairness and Equality reports even sharper racial disparities in incarceration rates, noting that sixty-nine percent of incarcerated juveniles in 2015 were minorities (Juvenile Justice System, 2019).

In addition, for incarceration of young offenders to qualify as an ethical act, it would have to mean that society is scared of young offenders and they feel that they would continue to murder or commit the crimes if they were to be released into the community. Surely adults in

America are not afraid of young offenders under the age of twelve. Putting children in a concrete box is not for the good of the community, but for the convenience of those who do not want to spend money educating the populations of color. Equal amounts of money must be spent on all schools in order to have an equal education.

When the government does not take the time or money to educate and give jobs to entire populations evenly it become the perfect breeding ground for crime. It is time humanity reexamines their ethics and applies them to action to restructure our criminal justice system to truly serve the greater good of all communities.

Increase in Juvenile Crime

Parents and society are proud of their children when they accomplish goals and reach dreams and rise to their potential. As parents it means a great job has been done of raising our children. giving adults an opportunity to pat ourselves on the back for a job well done. Society wants underage juveniles to stop drinking, fighting, committing vandalism, tardiness, and violating dress codes at our public schools. The truth is that our school systems have moved away from providing a sense of community for families and neighborhoods. Schools should go back to working on encouraging happiness, growth, and health, for families; and concentrate on being more inclusive for youth of color. Schools are slowing providing less education and are more obsessed with becoming places where people of color are not welcome.

On the other hand, some children are the very challenged some have mental health issues, suffer malnourishment, live in substandard housing and are severely behind in their education. Parents are often frustrated because of lack of experience with the internet, laptops, or Wi-Fi. Some parents who have no idea how to help their children with schoolwork or teach them how to

survive in a neighborhood full of crime, violence, and drugs. Students of color deal with these issues not because they did anything wrong but because they were born into a family with uneducated parents who are sometimes undocumented and have financial struggles to deal with instead of focusing on raising a child.

People of color do not know that college can help them out of poverty. They have no idea how to encourage their children or how to start the college process. On the other hand, other students have parents with generations of college education and backgrounds in prestigious careers like the military, teaching, medical and legal fields. Most kids of color are barely graduating middle school. Therefore, minority children, due to lack of supervision or school activities to keep them keep busy, turn to the streets to look for what the family and their communities cannot provide.

Within their communities they get nice clothes, food to eat, respect, and a sense of being loved. Their adopted communities accept them for who they are without judgement. Sometimes when they form survival communities, law enforcement, and the juvenile justice systems like to label them “gangs” to justify their unlawful actions such as incarceration. These communities like to get matching shirts, set up codes of conduct, and even form their own financial plans to include how they will help their families including their parents survive. Unlike their more educated counterparts they do not have football teams, music bands, or after school programs.

They do the best they can with the education they have. Some of these strategies include things that have worked for their parents and grandparents in past generations. (Cuentas, 2018), in her article about poverty explains minority children and the school to prison pipeline. Which is not only real but used as a tool to continue the injustice committed against juvenile children of color.

Tough Love

Tough love seems to be the message that society has determined to be the answer solving issues concerning young children and juveniles under the age of eighteen especially those in poverty-stricken communities of color. Tough love is unethical because it does nothing for society. Sometimes even incarcerating children as young as 7 years old and judging their actions through the lens of an adult instead of listening to the science which states their brains or not fully developed. Courtrooms are still refusing to acknowledge that they are in fact children and not little adults. Science has proven that children's minds are not completely developed still courtrooms refuse to take the proper action to release these children.

Parents are young offenders first teachers therefore they teach children how to problem solve. Very often these parents are many times uneducated and do not always have the best ethical advice for their children. Many times, parents are the ones who encourage violence in the home. Nobody teaches them to call the police when someone hurts you because in many communities of color, police are regarded as a threat and regarded as someone to fear. Even if young boys did call in communities of color white policeman do not have the training needed to deal with communities of people struggling to survive the economic hurdles they face.

Stop and Frisk

Racial minorities who form communities or "gangs" as law enforcement likes to call them, are much more susceptible to the reality of losing their freedom just for trying to survive. These young adults are often stopped on the street and searched, without probable cause, handcuffed and degraded only because of the color of their shirts, the hand signs they throw up in the air, or the color of their skin. Often frisked and searched without probable cause. At no

time would a law enforcement officer stop a group of football high school players and treat them in the same manner just because of the clothes they wear.

Bias free policing is the first step needed to start the process of lowering the number of kids being arrested in Minnesota and other places around the United States. Too many young men are being judged by the clothes they wear and sometimes the places where they like to gather. Being in the wrong neighborhood or in an alley is not against the law and should not be a reason to be stopped and frisked but it occurs every day in cities across America.

According to Acriminallaw.com the 4th Amendment rights of young men are violated on a consistent basis by Minnesota police officers. Police officers often feel that they somehow have a right to stop people and frisk them for no apparent reason other than they do not like the way they look; many times, officers do not even give a reason. Many times, reasons they give are obviously not good reasons to anyone, yet they continue to work for our cities under this immoral code that it is okay to do so. Some reasons given by officers when confronted are “Walking to the ATM, seemed odd.” or “Sitting on a wall not far from area” or because they happen to be walking in an “Alley”. The Office of Police Conduct Review knows about this and makes recommendations upon recommendations to practice “bias-free policing”, but nothing ever gets done.

It is time that our leaders act, remove or re-educate these officers in proper ethical standards and moral behavior. Police are role models in the community in the article, Stop Children What is that Sound (Anthony et al., 2014), authors described the effects of contact between police officers and juveniles. This contact can be positive or negative for the young people. The four-year study found that “individuals who are stopped or arrested reported a significantly lower level of anticipating guilt and a higher level of neutralization- justifying their

actions. Juveniles often felt their actions are acceptable- for their delinquent behavior.” In other words, they felt that no matter what they did good or bad they were still going to be in trouble. So, the teenagers justified their bad behavior.

They felt that police were biased and unfair no matter what they did. This study shows that how police interactions with minors matter and make a difference in how many go through the “pipeline” to prison or become law abiding adults. It is important for teenagers and kids to have positive interactions with authority figures. When people of color call upon police for help with family trauma they are sometimes faced with officers who are less than ethical. This changes the perception of children for the worse. When communication is lost than no advances can be made to help make society safer.

Using our Brains to Change the System

Children’s brains are still developing during these young years, unlike their adult counterparts, which means there is room to learn and to grow. It is important that officers know they have the power to change lives simply by being positive, moral, and building ethical relationships when interacting with juveniles on the street. Judges like New York City’s federal judges know this and made laws that will impact people of color in the future. Our ethical system has not changed since the days when teenagers were thought to have the same responsibilities and capabilities as adults. Ethical systems provide the answer the question of why something is right, or something is wrong (Pollock, 2019). It is a clearly immoral and beyond question that juveniles cannot be responsible for own behavior especially since their brains have not fully developed to the point where they can make decisions related to ethics or proper behavior.

Kids in Adult Courts

Research shows that juveniles have a greater capacity for reform than adults. Nevertheless, states continue to raise the age for juvenile court jurisdiction, and it has been increasing over the years. States used to have age for transferring a case to the adult system at the age of fifteen now have raised the age to seventeen (Davidson, 2002). Those who want the age lowered agree that children should be treated like children and not like little adults. People against these proposals feel that age should not be a factor in the decision of punishment and if an adult crime is committed then “adult time” should be the punishment. Then there are those who want to abolish the juvenile justice system all together and just have one court system. The idea of not protecting our children in court at first glance seems shocking despite that fact that the system has not been protecting children as it was originally intended.

Society can and should live without a juvenile justice system (Butts, 2000). The original system was set up to fulfill our moral obligations as a community and society to help children become better adults. The initial system was informal and minimal procedural protections were offered but then again there was no prison time handed out it was meant to get kids on the right track.

Currently our society has changed. Society today includes communities of a young generation who for various reasons have banded together to survive. This was not present over one hundred years ago when the first juvenile courts existed. At that time only white people attended school. According to Professor Barry Feld of the University of Minnesota, America’s juvenile courts have become a “scaled-down, second-class criminal courts.” This coverup of injustice for juveniles of color cannot continue to happen. It is important that society go back and reexamine the original intention of the juvenile justice system and determine what actions can be

taken to line up the juvenile justice system to coincide with the current society's moral codes and ethical issue that are face today in society. Society needs to take child behavioral issues out the courtroom and jails.

Increase in Crime

There is a sharp nationwide rise in juvenile crime over the last thirty years especially in homicide and other violent crimes. The FBI reports note a fifty-one percent rise from 1980-1991 (Davidson, Ross, 2002). Our own moral instinct is to punish young offenders and treat them as adults this punishment has not stopped the number or frequency of this type of crimes. Some say the process is causing the number of juvenile crimes to increase. Juveniles are young when they are put in prison many times are released without any type of rehabilitation. In Idaho v. Anderson the courts stated that "we as a people need to deal with juveniles on a child's level and work toward rehabilitation rather than punishment". The purpose of prison should not be to punish so severely that it destroys the mind of a child it defines the purpose. It is not then rehabilitation it is severe and unusual punishment. The "balance" is important not only to the mental health and wellness of the children already in the system but to the future generations of children who will grow up to be adults.

Ethics is not a very individual choice. It means doing what is right for the community. This question comes before us every day. In every decision made society is communicating their priorities to other including our children. Therefore, society has an obligation to do the right thing and bring this to everyone's attention and follow the ethical rules if for no other reason other than that it will allow us to live with our own decisions. Society cannot act against its own moral and ethical codes and divide its people. The laws, policies, and procedures currently in place work but they must be applied to everyone.

Biases in the juvenile justice system are deeply rooted into the system. As stated in NCSI, (National Conference of State Legislatures) people of color are one-third of the population in the U.S. but two-thirds of incarcerated youth. The reasons that are given for the disparities are many. They include jurisdictional issues, police practices, pervasive crime in urban areas. Most often blame is placed on everyone from police, court personnel, and correctional officers. The truth is that there is a larger problem growing in this system. Biases within the system are very apparent. There is so much injustice that lawmakers are looking into making new laws, but it does no good if those who must apply them are corrupt. More than fifteen states have new legislation trying to address this issue.

Without a Juvenile Justice System

America incarcerates more people especially juveniles of color. Some of those juveniles are now adults. This mass incarceration is a symptom of a bigger problem which is a systematic wide bias within the juvenile justice system. Even though the system has been changed many times in hopes of correcting this bias within the system it continues to fail in reducing the number of juveniles of color and transferring them into the adult system only to apply cruel punishment without rehabilitation or job skills needed to survive in society. As a juvenile justice employee there is a need to speak out in defense of these children to ensure children are not turned into violent criminals.

Across America there are over 43,580 American adult men locked up in prisons and this number is growing (Sickmund, 2019). These men have been locked up since they were teenagers. Many of them are locked up not because of their offences against society, but because of their race. Race disparities are clear for adult men in our current prisons the ratio of black: white men are 11:1, and for Hispanic: White men its 26:1 in the state of Minnesota (Rovner,

2021). Adult men are mentioned because these men have been in contact with the current juvenile system since they have been juveniles. This is the result of the current juvenile justice system, juveniles were not reformed or reeducated during their incarceration in juvenile facilities. Bias behaviors by various criminal justice agencies have allowed for the number of incarcerated juveniles in to grow.

The current system does not need to be fixed; it is beyond repair. A new system is needed, one that embraces all from children to juveniles and treats them with love, respect, and opportunities for growth. A new system is needed where those under eighteen years old, regardless of race, sexual orientation, or the language spoken, get the same treatment. The current juvenile system is failing to make good citizens of society's juveniles of color. Instead, the United States stands alone as the only nation that sentences juveniles to life without parole for crimes committed before turning eighteen years of age (Rovner, 2021). Nobody deserves a life sentence for crimes committed as a child.

Building more prisons is hurting our children. The cost of a life sentence incarceration for a juvenile is 2.25 million dollars. On average it cost about 34,135 dollars a year to house an average prisoner (Rovner, 2021). As society spends more money on incarceration less is being spent on education and community programs for prevention of crime. This current system of building more prisons puts our future generations at a greater risk of incarceration.

Furthermore, politicians use fear-mongering tactics to encourage more incarcerations of juveniles of color. There are very few cases where these children have committed alarming vicious crimes such as murder or rape. Some critics opposed to change in the system have used fearmongering tactics to inflate the truth that most children are not vicious criminals like some would like society to believe. Most violations broken by juveniles are status offences that have

escalated and multiplied over time into crimes not because of the juvenile's wrongdoing, but because of the system's lack of support.

Often juveniles are homeless, hungry, and jobless trying to run away from abusive parents, or unhealthy relationships, which oftentimes lead them to make bad choices. Systems such as schools, parents, and social services, are not providing the support these teens need to concentrate on school and form healthy relationships.

System with no Direction

In the original juvenile justice system advocates of the system considered it a necessary system because they considered themselves to be rehabilitating young people who were constantly running away from home, smoking, or participating in truancy behavior. The idea was that no one was committing a violation of law but rather they would be pointing the juvenile into a more prosperous life rather than a criminal life.

In a quote from a judge "The problem for determination by the judge is not, has this boy or girl committed a specific wrong, but what is he, how has he become what he is, and what had best be done in his interest in the interest of the state to save him from downward career (Mack, 1909)." This is exactly what we should be doing, and it simply is not happening instead we are entertaining politics in their myths and encouraging more conspiracy theories that are simply not true.

Additionally, although some states do provide some rights in different ways to juveniles not all of them provide all protections such as in the way that the Constitution of the United States protects all of us. If juveniles are to be tried with adult crimes, they should have adult protections. Juvenile courts were meant to help juveniles from falling into a life of crime and to

provide rehabilitation and education services neither has happened. There is no clear-cut method to any of the States methodology other than political gain for some. States are not taking into consideration the facts concerning the individual circumstances of each juvenile such as education, past abuse, development, or mental health, instead prosecutors are continuing to transfer juvenile cases to adult court.

What is more, “The juvenile court system was established in the United States a little more than a century ago, with the first court appearing in Illinois in 1899, prior to that time, children and youth were seen as “miniature adults’ and thus tried and punished as adults (Find Law, 2019). People did not agree that they should be punished as adults and therefore the juvenile justice system was born. When America gave birth to the juvenile justice system the intention was to help a child grow into a position of adulthood where he/she would be an asset to society. It was made to make their lives easier and less on the punishment. Currently these were white children. As mass immigration progressed in 1880’s and 1920’s the juvenile justice system no longer provided the same protections for children but instead applied much harder punishments such as incarceration with adults. This pattern of incarceration has not changed much since that time.

Another reason some will argue that the legal system has been overly lenient with juveniles of color is that seventeen percent of all serious violent crimes in 1991 were committed by juveniles of color, either alone (eleven percent) or in groups (six percent) (National Center on Juvenile Justice, August 1995). There is however evidence showing that small proportions of offenders commit the most violent crimes. Chronic offenders make up ten percent of juvenile offenders but make up for two-thirds of all violent crime. Violent crime begins at twelve years old doubles at ages thirteen and fourteen and continues to increase at sixteen and seventeen

(Justice gov., 2019). These statistics did not include which races committed these crimes but does show that the common denominator is the buying and selling of drugs.

The Science

What is the difference between a child and an adult? There is an obvious difference between a baby, child, and juvenile. There are physical changes as well as psychological changes and hormonal changes to consider. There are also stages that children must go through to form “normal” adult lives and relationships. In America children are expected to act as adults at a younger and younger ages. Society fails to ensure that all our children especially those of color and few resources are not able to achieve the same growth goals. Regardless of what responsibilities given to our children the fact remains that their brains are not fully developed (Walsh, 2020). They do not understand the consequences of their actions, their Miranda rights or know that people are trying to influence them.

Many times, the parents are no help since the average adult American does not understand their own rights. The adolescents brain continues to grow into the twenties so that means that many seventeen-year-olds are not fully developed. The same immaturity that gets them into trouble prevents them from defending themselves in the court system. Just as courts consider the circumstances of an adult so it should in the case of juveniles regardless of the crime.

In our current juvenile justice law system, there is no science or evidence presented when a juvenile commits a felony goes into court before a judge. In most courtrooms juveniles are dragged into the adult courtrooms with the public illusion that they in fact are dealing with an adult mind and body and not a child. It is the publics ignorance of the law that helps to

institutionalize children without providing educational and emotional support of the children that are swept into this system. Children are dependent on an adult for food, clothing and shelter in “regular” society are not “little adults”, they do not drink at bars or engage in sexual behaviors. Yet, despite all the differences that can go into a discussion about what is a child and what is an adult there is no set rule except the one that society creates in a court room.

Our current juvenile justice system fails to provide families with lawyers to explain their legal rights and responsibilities. Instead, they deliberately violate the procedural rights of juveniles and children.

Lawful Consequences

Laws regarding juvenile justice jurisdiction vary from state to state. In some states children as young as 6 can be charged with adult crimes and waived into adult court. Crimes such as murder, rape and aggravated robbery are crimes that are most often waived into adult court. Yet more and more often other crimes are being added to the list of waivable crimes including those stated in the three-strike-laws. Other times the courts handle the cases in juvenile court. “Even though cases start in juvenile court they are more and more often ending up in adult courtrooms (Teigen, 2017).” The federal government has failed to act on a more structured system with a uniform national age which would require scientific data about both physical and mental to determine the true culpability of a child.

In the twentieth century there has been a change in who is an adult and who is a child. The days when children would stay home with their parents and depend on them for food and shelter have changed with the introduction of technology. Children are much more sophisticated and mobile that in previous centuries. These teenagers now work, go to school, and sometimes

have their own businesses. Some have considered that with this change in society so should the punishments in courtrooms and somehow think that because a juvenile is transferred in adult court that the punishment will be harsher when many times it is not. Because of this new juvenile super predator that society has invented the “just desserts” sentencing model is what determines the length of the sentence instead of thinking about how to reform the offender or what caused him to commit this crime.

The Supreme Court and The Juvenile Offender

In the second half of the twentieth century there was a loss of faith that positive penology would work. It was thought that with proper expertise and information judges would be able to sentence juveniles to proper treatment and thus omit recidivism, but it did not work. Crime still increased and recidivism is still growing (Lipton, R. et. al., 1975). Even today when there are hard-to-prove cases juveniles are still not getting procedural protections in juvenile courts. Juveniles who are suspected of criminal crimes are not given attorneys. Society then went into a time where nothing is working or that nothing is going to work so the courts moved into a world of punishment. No longer were rehabilitative services considered but the “just desserts” model of sentencing was no longer being used. This model from the 80’s which no longer works still has many people sentenced as juveniles still incarcerated as adults.

Juvenile justice has failed to achieve its original goals, which were to rehabilitate young offenders, instead this system has been used by politicians to victimize young offenders of color, by not providing layers, bail options, jury trials, or the right to a speedy trial. These juvenile cases drag on the length of time a juvenile is young and only ends with a transfer to adult system once he turns eighteen. The juvenile justice system then denies the offender of a normal childhood, and a normal adult life. Their life is now spent in juvenile incarceration or placement

instead of in a home with a loving family and in a normal classroom where healthy relationships can be nurtured and built. Prison officials and other staff cannot provide the love the child needs to become a healthy adult.

The juvenile court system is increasingly looking more like an adult system. In the case of Gerald Gault, a fifteen-year-old from Arizona was taken into custody, without notifying his parents after a neighbor complained of receiving an inappropriate and offensive phone call. His mother eventually found him in the county jail. This case is one where a juvenile with a hard-to-prove case is dragged into the courtroom, denying due process to take place, such as that in adult courts. Gault denied making the calls and his words went unheard. The judge then found Gault guilty and said, “that said minor is a delinquent child, and that said minor is of the age of fifteen years” and ordered him confined at the State Industrial School until minority age or discharged by due process of law.” As an adult if found guilty with due process he would have received a two-month sentence or fifty dollars fine. In this case nobody was informed of their right to counsel, right to confront the accuser and they did not have or receive any records of the court proceedings.

In an eight-one decision, the U.S. Supreme Court ruled Gault’s commitment to the State Industrial School was a violation of the Sixth Amendment since he had been denied the right to an attorney, and was not notified of the charges against him, he was not given a chance to confront his accuser or informed of his rights against self-incrimination.

The lone dissenter Justice Potter Stewart argued that the purpose of juvenile court was correction, not punishment, so the constitutional procedural safeguards for criminal trials should not apply to juveniles’ trials. In this case the evidence is overwhelming that commitment to anyplace that is not a child’s home is confinement therefore unconstitutional therefore there are

many other who like Gault did not get their day in court and still today are not getting their constitutional rights addressed in courtrooms. Although there have been some changes done to the juvenile justice system few promise to give full legal representation for people of color. Courtrooms have become historically been inflexible in providing for the individual needs of juveniles.

A juvenile justice system is no longer needed because it no longer offers juveniles interventions that will make their lives more productive as adults; instead, it incarcerates them in facilities without many of the due process rights that many adults get. Juveniles with families who twelve are educated and have financial means will know to hire an attorney at the first sight of a legal problem and will be more apt to be familiar with the language and process of law.

Yet people of color who do not come from an educational standpoint will be exceptionally vulnerable to being exploited in a court room because they will not be able to defend themselves. A court appointed attorney will not be appointed to a minor or their parents. The juvenile justice system no longer offers fatherly, kind, correction instead it imposes cruel punishments to juveniles with minor crimes to detention centers with hardened criminals.

Feld suggests, as do most people of color, that law violations be handled in adult criminal court, this would eliminate the extra cost of having a juvenile court room system and process. It would also assure that everyone including a child is provided with at least a court appointed attorney. Eliminating the juvenile justice system will also assure that children and their parents are allowed due process. Even though the current systems are overwhelmed with full courtrooms it would allow for social workers, family therapist, clergy, educators, and many others to testify to what would be in the best interest of the child. This is much too large decision to let just one judge make without the input of those around the child. In addition, adults would

be less inclined to make petty charges against a child if they knew that they would have to face that child's family in a courtroom. A child should never be taken to court much less punished for acting like a child. Our courtrooms should be used to punish true criminals.

Juvenile justice should be about being childhood and not to satisfy society's need to punish. Society is failing to educate our children by incarcerating them and making them responsible for behavior that is perfectly normal for a person of their age and maturity. There is only a handful of killer juveniles that warrant a juvenile justice system. Even then child killers are not processed in juvenile courtrooms as most people think they are transferred to adult court. There is no proof that the juvenile system rehabilitates anyone. This system also allows courts and schools to ignore the fact that society is dealing with juveniles and not adults. Society must decide if juveniles are just that juveniles or are, they adults we cannot have two systems for the same population.

The Effectiveness of Correctional Treatment

Brown explains that "crime control" laws which have been used during the last two decades have had a negative impact on children of color. The laws are imposing social control over children of color. There has not been an increase in juvenile laws broken only laws changed to increase the number of criminals. Since the 1960's the government has used crime control measures to restrict the rights of citizens especially those of color.

In 1994, U.S. Congress enacted the Violent Crime Control and Law Enforcement Act which made mandatory sentencing laws; three strikes and you get life in prison. This crime bill made it possible to prosecute children as young as thirteen years old, (Brown, 2002). Although this three-strike law is intended for adults it also has major issues regarding children under

eighteen years old. No longer are children's lives private as they were in the past but now can be counted as a third strike later in life. The transfer of thirteen- and fourteen-year-olds to adult courts have implications that state that young offenders are mature enough to know how to defend their own constitutional rights.

Goldman noted that racial and ethnic disparities permeate juvenile justice processing. One in six Latino men born in 2001 can expect to go to prison in their lifetime, (Rovner, 2021). In addition, studies have found that non-white youth are more likely than their white counterparts to be detained pending adjudication, (Armstrong & Rodriguez 2005). Getting rid of the current juvenile justice system and handling juveniles in the social services system would ensure that they receive their constitutional rights.

End the Incarceration of Young Offenders

We are all leaders in our communities and our roles in our family. What we say and do is important to the health and welfare of those who depend on us to protect them. As community leaders and parents, we cannot allow the current juvenile justice system to keep incarcerating young adults without due process and rob them of their childhoods. We must speak up for our children and especially those of color and end the school to prison incarceration.

As I start my career in criminal justice, I see that the system has not changed very much since America began incarcerating adults. America is the leader in the world of incarceration of adults and juveniles. Our incarceration rates for young offenders are not much better. We even incarcerate children in our adult prisons. Furthermore, the recidivism rate is high and there is little to no rehabilitation incentive in place for offenders. This means that the system is not working and incarcerating our young offenders is hurting our children especially those of color.

In addition, looking at the traditional methods of recruiting officers and corrections staff is not working. Officers are still under paid and over worked, which accounts for much of the high turnover in staff. Staff is not trained consistently nor about cultural diversity. Staff members are young, sometimes eighteen years old with little life skills. These are hardly the type of people who can be mentors to juvenile offenders. Because incarceration has become the solution for every crime even for status offences committed by young offenders our prison population has quadrupled.

That is why one of the most important keys to a successful juvenile justice system is having the right staff with the right training. Staff must know how to correct behavior and we must have staff with the skills needed to motivate young minds to want to do better. Hiring people educated in child development, family services, cultural issues and education will set the programs in the right direction. Hiring staff who like “helping others” and “want to make a difference” is key to successful rehabilitation. Locking up children of color in adult prisons only ensures we will have violent offenders out on the streets when they are released from prison.

Similarly, military style tactics against children do not work. Our correction centers for young offenders are being run like adult prisons and young teens are being treated like little soldiers who are drafted into training. These kids come from broken homes, many times single parent homes and they simply lack social skills. Often, they have parents who do not have the time to parent their children. These young offenders have committed no crimes non the less they are often put in prison cells by themselves with nothing to do and no one to talk to. Often young offenders do not go to school while in detention. If they misbehave staff can and often do physically restrain them sometimes even causing death.

The juvenile justice system has been slow to accept the fact that change is needed. Everything changes in life but, our methods of dealing with young offenders who commit crimes or are accused of committing crimes has not changed. America has been incarcerating people for over one hundred years and has never made changes necessary to have a successful rehabilitation system. Oddly enough what the public wants is to have a safe community, yet they are unwilling to forgive those who commit even the slightest offense.

So, one of the places we can start making changes is to use other tools instead of incarceration. These tools such as home incarceration which would allow for a juvenile to stay home and be close to their family and support network which is often lost when a person is incarcerated. Restitution to the victim of a crime can be made instead of incarceration. Community service is an excellent alternative where a person can potentially gain work skills needed to pursue future jobs. These tools are extremely underused in our current juvenile justice system. Extreme punishment should be reserved for the worst of the criminals not minor crimes.

Yet, "Resentment is like drinking a poison and hoping it will kill your enemies" Nelson Mandela. Society needs to learn to forgive those who commit crimes. Punishment should be determined and extended to everyone in the same way. Some young offenders are currently being incarcerated for status offences which are not crimes. We must consider incarceration extreme punishment, the last resort and not the normal response for every situation. Our society has been conditioned to think that all criminals are evil and out to hurt them. This is simply not true.

In short, the juvenile justice system is not transparent but instead it manipulates information about what exactly they are doing to reeducate and rehabilitate young offenders. The current system is not working, instead it is taking young offenders and putting them through the

school to prison pipeline. Stronger crime policies would not decrease crime instead it would only increase the number of young offenders who end up in prison. I believe that we should abolish the current system before this problem becomes so large that it cannot be managed in a humane manner.

Make no mistake that some young offenders are truly beyond reform and they should be locked up, but that is rare. These offenders for some unknown reason have not learned to be empathetic or how to properly get along with those in their families or society. Yet even these offenders which are very few in numbers, do not deserve to be caged like animals. In fact, they should be studied, and the findings be reviewed to determine if there is anything that society can do to stop from further damaging individuals.

The juvenile system is consistently violating the rights of young offenders by punishing them for non-crimes, not providing attorneys, lowering the standards of due process so much that it is no longer looks like anything that was originally provided by the Constitution of the United States. It was never intended to be applied toward any young offenders, nor did our forefathers feel that America would deem it necessary to incarcerate children. On the other hand, we do not want to exclude one demographic such as people of color and not punish them for crimes committed. Consistency and creative solutions are needed to solve this ongoing problem.

The current system has gone much too far without producing the desired results. It is time to change the system so that young offenders are held accountable in a courtroom of young offenders who will determine a punishment suitable according to the offenders age and other pertinent issues.

It is a crime against humanity to punish a child in an adult system. Punishing them according to the severity of their crime goes against the true mission of the juvenile justice system which is to rehabilitate and build healthy lives so that when young offenders become adults, they will be healthy adults with productive lives. Rehabilitating young offenders will eventually decrease the number of not only young offenders of color incarcerated, but the number of adults incarcerated.

Our children learn from the adult's mistakes and do a better job than the previous generation of becoming great leaders. I believe that children of color have been undereducated and over criminalized because of the color of their skin. In addition, educators have not taken the time to teach social skills in school. Sometimes these are skills that their parents do not have therefore cannot teach. Therefore, when "schools are under-resourced and students are over criminalized society is flooding the school-to-prison pipeline" (Hughes, et al., 2020).

Changes can be made to the future of America by simply treating all young offenders the same and considering their age when deciding the least invasive punishment. A punishment that will not only teach the offender the behavior that is expected by society but also allows society that forgiveness and redemption is possible, (Minow,2020) Our children are our greatest resources. Everyone should be striving to better reform young offenders so that our country will truly reflect the values of Americas and that all are absolutely free.

America was built on the premises of freedom for everyone. Moral lines are blurred when those with educational backgrounds decide that those without do not deserve to have the same basic human rights as others, then decide that stealing food, using drugs as alternative to medicine, and selling drugs deserve lifelong prison sentences instead of basic help. Those who have knowledge and education should feel obligated to help others.

Some Counties around Minnesota are starting to realize that something needs to be done stop young offenders of color from being disproportionately sent into the juvenile system by starting to look at the numbers and making the needed changes. Hennepin County states that “seventy five percent of cases sent to the County Attorney’s office involve youth of color” (Chanen, 2020). Hennepin County is moving forward to juvenile justice and using alternatives to incarceration including probation, out of home placement and expedited hearings. This is the kind of forward thinking that should happen in the United States.

Crime is a community effort not just a law enforcement failure. Members of the community must take steps to create positive bonds and welcome support and find better alternatives other than what is not working.

References

- Anderson, E., (1998). *The Social Ecology of Youth Violence*. In M. Tonry & M.H. Moore (Eds.), *Crime and justice; A review of research* (Vol.24, pp.65-104). Chicago: The University of Chicago Press.
- Anthony, K., (2014). *Stop, Children, What's That Sound? The Unintended Consequences of Police Contacts with Juveniles*, Chicago Policy Review, Stop, Children, What's That Sound? The Unintended Consequences of Police Contact on Juveniles| Chicago Policy Review.
- Armstrong, G. S., & Rodriguez, N. (2005). *The effects of individual and contextual characteristics on pre-adjudication detention of juvenile delinquents*. *Justice Quarterly*, 22, 521–539.
- Appleman, A., (2015), *Stop and Frisk Laws in Minnesota*, Appleman Law Firm LLC Criminal Defense. Stop and Frisk Laws in Minnesota (aacriminallaw.com).
- Bazemore, G. (1992). *On Mission Statements and Reform in juvenile justice: the case of the "Balanced Approach."* *Federal Probation*, 56(3), 64–76.
- Becker, S.P., & Kerig, P.K. (2011). *Posttraumatic stress symptoms are associated with the frequency and severity of delinquency among detained boys*. *Journal of Children & Adolescent Psychology*, 40, 765-771. <https://doi.org/10.1080/15374416.2011.597091>.
- Berg, A., (2020). "*Bright Lines in Juvenile Justice*." *Journal of Political Philosophy*.
- Brown, F., et al. (2021), "*The Law and Juvenile Justice for People of Color in Elementary and Secondary Schools*." *The Journal of Negro Education*, vol. 71, no. 3, 2002, pp. 128–

142. JSTOR, www.jstor.org/stable/3211232. Accessed 2 Feb. 2021.
- Butts, (2000), *Can we do without Juvenile Justice?*, Criminal justice Magazine, Spring 2000, Vol. 15, Issue 1
- Butts, Jeffrey A., (2020), *Can We Do Without Juvenile Justice?* Urban Institute Elevate the Debate, PDF.1000232-Can-We-Do-Without-Juvenile-Justice-.pdf.
- Chanen, D. (2021). "*Hennepin County Launches initiative to eliminate disparities in juvenile system*", Star Tribune, retrieved from Hennepin County launches initiative to eliminate disparities in juvenile system - StarTribune.com [online newspaper].
- Cuentas A., (2018), *Poverty; Key factors Contributing to High Juvenile Delinquency Rates*. Medium.com, Poverty: Key Factors Contributing to High Juvenile Delinquency Rates | by Andrea Cuentas | Medium.
- Davidson, Ross J., (2002). *Rehabilitation and Tough Love: Balancing the two approaches to Juvenile Crime*. Vol. 1, Article 2, Rehabilitation and "Tough Love": Balancing Two Approaches to Juvenile Crime (byu.edu).
- DiazDeLeon, J., (n.d.), *Why do Communities give juvenile offenders to the State*. National Juvenile Justice Network, Retrieved from www.nijjn.org/our-work/past-youth-stories
- Dierkhising, C.B., Ko, S.J., Woods-Jaeger, B., Briggs, E.C., Lee, R., & Pynoos, R.S. (2013) *Trauma histories among justice involved youth: Findings from the National Child Traumatic Stress Network*. European Journal of Psychotraumatology,4,1-12.
<https://doi.org/10.3402/ejpt.v4i0.20274>
- Dodson, K., (2014), CHAP. *How should we Treat Juveniles?* 349.372, Feld, Barry University of Minnesota.

England, M. (2008). *Zero-Tolerance Policies at U.S. Schools Are Unnecessary*. In *Opposing Viewpoints: Violence*.

Entrepreneur. Entrepreneur Media, (2003), "*How to write your mission statement.*" Retrieved from <http://entrepreneur.com/article/65230>.

Feld, B., (1998). "*Abolish the Juvenile Court: Youthfulness, Criminal Responsibility, and Sentencing Policy,*" *Journal of Criminal Law & Criminology* 88; 68-136.

Feld, B., (1992). *Transformed but unreformed: Juvenile court and the criminal court alternative*, Minneapolis, MN: University of Minnesota Law School.

Frazel, S. Doll, H., Langstrom., (2008), *Mental disorders among adolescents in juvenile detention and correctional facilities* A systemic review and met regression analysis of 25 surveys. *Journal of the American Academy of Child and Adolescent Psychiatry*, 47, 1010-1019 <https://doi.org/10.1097/CHI.ObO13e31817eecf3>

Gagnon, J. C., & Swank, J. (2020). *A National Survey on Mental Health Professional Development in Juvenile Justice Facilities: Implications for Youth Reentry. Behavioral Disorders*. <https://doi.org/10.1177/0198742920911183>

Gerald Gault, (2007), "*Children under the Constitution*", In national Constitution Center http://feeds.feedburner.com/~r/NCCPrograms/~5/209900454/in_re_gault65.mp3)" panel discussion, Gault, 387, U.S.

Goldman, M., and Rodriguez. N., (2020). "*The State as the "Ultimate Parent": The Implications of Family for Racial and Ethnic Disparities in the Juvenile Justice*

System." *Race and Justice* 2153368720924769.

Goodkind, S., Shook, J., Kolivoski, K., Pohling, R., Little, A., Kim, K. (2020), *From Child Welfare to Jail; Mediating Effects of Juvenile Justice Placement and Other System Involvement*, *Child Maltreatment*, Vol. 25, 4 pp. 410-421., From Child Welfare to Jail: Mediating Effects of Juvenile Justice Placement and Other System Involvement (sagepub.com).

Hughes, T., Raines, T., and Celeste, M. (2020). "School pathways to the juvenile justice system.", *Policy Insights from the Behavioral and Brain Sciences*, 7.1 72-79.
doi:10.1177/2372732219897093

Hull, P., (2013), "Answer your questions to get a great mission statement". Forbes, Forbes Media, LLC, Retrieved March 13,2020 from <http://www.forbes.com/sites/patrickhull/2013/01/10/answer-for-question-to-get-a-great-mision-statement/>

Juvenile Justice System. (2019). *In Gale Opposing Viewpoints Online Collection*. Gale.
<https://link.gale.com/apps/doc/PC3010999163/OVIC?u=mnaconcordia&sid=OVIC&xid=Oe7e904f> Gale Document Number: Gale| PC3010999163 15

Levick, M. , (2016), *America's Juvenile Injustice System*, TEDx, Philadelphia retrieved from [Video].TED Conferences.
[America's Juvenile Injustice System | Marsha Levick | TEDx Philadelphia - Bing video](#)

Lipton, D, Martinson, R., & Wilks, J., (1975), *The Effectiveness of Correctional Treatment: National Research Council Committee on Law Enforcement and Criminal Justice*

Mack, (1909), *The Juvenile Court*, 23 Harv. L. Rev. 104, supra note 93, at 119-20.

Maloney, D., Romig., & Armstrong, T.L. (1988). Juvenile probation: *The Balanced Approach*.
 Juvenile and Family Court Journal, 39 (3).

McNeal, L. and Dunbar, C. Jr. (2010), *In the Eyes of the Beholder: Urban Education*,
 Sagepub.com/journals Permission. nav 45 (3) 293-311.

Minow, M., (2020), *How forgiveness can create a more just legal system*, YouTube [video]
 Retrieved from (91) How forgiveness can create a more just legal system | Martha Minow
 – YouTube.

N. A., NCSI, Ncs1.org, (2020), *Racial and Ethical Dilemmas and Decisions in Criminal Justice*.
 Boston. M.A. Centage Learning.

Oglesby-Neal, A., and Peterson, B., (2020) “*Influence of Race in the Deep End of the
 Juvenile Justice System.*” Youth Violence and Juvenile Justice,
 doi:10.1177/1541204020958465.

Pollock, J.M. (2019). *Ethical Dilemmas and Decisions in Criminal Justice*. Boston. M.A.
 Centage Learning.

Rovner, J., (2021), *Juvenile Life Without Parole: An
 Overview*, www.sentencingproject.org/publiation/juvenile-life-without-parole/

Shufelt, J.L. & Coccozza, J.J. (2006). *Youth with mental health disorders in the juvenile justice
 system: Results from a multistate prevalence study* National Center for Mental Health and
 juvenile justice, Research and Program Brief.
[https://www.unicef.org/tdad/usmentalhealthprevalence06\(3\).pdf](https://www.unicef.org/tdad/usmentalhealthprevalence06(3).pdf)

Sickmund, M., Sladky, T.J., Kang, W., & Puzanchera, C., (2019). "*Easy Access to the Census of*

Juveniles in Residential Placement." Available: <https://www.ojjdp.gov/ojstatbb/ezacjrp/>

Steiner, E., (2017). "*Mandatory Minimums, Maximum Consequences*". Juvenile Law Center.

Totenberg, Nina, (2005), *Supreme Court Ends Death Penalty for Juveniles*. NPR.org, From [Supreme Court Ends Death Penalty for Juveniles : NPR](#)

Marchbanks, T., Miner, P., et al. (2018) "*School Strictness and Disproportionate Minority*

Contact: Investigating Racial and Ethnic Disparities With the ‘School-to-Prison

Pipeline.’” Youth Violence and Juvenile Justice, vol. 16, no. 2, pp. 241–259

doi:10.1177/1541204016680403.

Minow, M., (2020), *How forgiveness can create a more just legal system*, YouTube [video]

Retrieved from; How forgiveness can create a more just legal system | Martha Minow - YouTube

Veselov, M. (2020). *Administrative and legal ensure of “the best interests of the child” in the field of junior justice*. Public Administration and Law Review, (3), 49-56.