

**NINTH EDITION**

# THE JUVENILE JUSTICE SYSTEM

DELINQUENCY, PROCESSING,  
AND THE LAW

**Alida V. Merlo**

*Indiana University of Pennsylvania*

**Peter J. Benekos**

*Mercyhurst University*



330 Hudson Street, NY NY 10013

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**To Kevin and Alexandra**

**To Pat**



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# Preface

*The Juvenile Justice System: Delinquency, Processing, and the Law*, Ninth Edition, is a comprehensive study of the juvenile justice system. The book examines how juvenile offenders are defined and classified, and it utilizes the current literature to illustrate the significant stages of juvenile processing and recent changes and developments in juvenile justice. The book explains the system's response historically and currently, and it illustrates how research has influenced policy.

This edition also describes evidence-based programs that are effective in preventing delinquency and treating youthful offenders. The Sanctuary Model and trauma-informed care are presented and discussed as approaches to working with youth. In addition to policies and practices in the United States, examples of comparative juvenile justice are also presented. Developments and policies in juvenile justice reinforce the importance of a separate system of justice for youthful offenders and of providing opportunities for reform and treatment. Information presented in this edition indicates that elements of restorative justice are evident in several policies, including those from countries throughout the world.

The U.S. Supreme Court cases that address youth exemplify the legal framework for understanding how juveniles are handled. Historical landmark Supreme Court cases are included, along with decisions from various state courts that show juvenile justice trends. A legalistic perspective highlights the constitutional rights afforded to juveniles and how various components of the juvenile justice system relate to them.

The history of juvenile courts is described, including significant events that have influenced the evolution of juvenile justice. The review of the juvenile court indicates that it adopted a more punitive approach to juvenile offenders during the 1990s and early 2000s. One indication of this trend was the expansion of waiver (certification or transfer) provisions that were enacted by state legislatures. These policies were intended to prevent serious juvenile offending and to authorize more severe (adult) punishment when compared with the sanctions that juvenile judges could impose. However, juvenile crime was declining before most of these laws were enacted. Nonetheless, the number of youth in adult prisons and jails increased in the 1990s, but it has decreased subsequently.

In the 2000s, state legislatures began reevaluating some of the punitive policies enacted during the 1990s when juvenile crime rates peaked. Along with Supreme Court decisions on capital punishment and life without parole for juveniles, there are more rehabilitative and preventive strategies to deal with youth and a revision of juvenile justice policies, including state legislation, to raise the age of juvenile jurisdiction. There is also a greater awareness of the victimization of children and youth and its effects.

Juveniles who are transferred to criminal courts are not necessarily the most serious, dangerous, or violent offenders. Transferred youth include property offenders, drug offenders, or public order offenders. Once juveniles are waived to the jurisdiction of criminal courts, their age can be considered a mitigating factor. However, juveniles in adult court can receive the same sanctions as adults but juveniles who are convicted of murder in criminal court cannot be sentenced to mandatory life without parole sentences. In 2005, the U.S. Supreme Court determined that the death penalty for youth under the age of 18 violates the Eighth Amendment ban on cruel and unusual punishment. In this edition, case law prohibiting the death penalty and the Supreme Court decisions on life without parole sentences for youth are discussed.



Juveniles are classified not only according to the type of offense but also according to the nature of offenses committed. Delinquency is defined and measured according to several indices, such as the *Uniform Crime Reports*, the *National Crime Victimization Survey*, *Juvenile Court Statistics*, and the *National Youth Survey*. There is no single resource that discloses the true amount of crime and delinquency in the United States.

## ► Organization of the Book

The major components of the juvenile justice system, including law enforcement, prosecution and the courts, and corrections, are featured. Police deal with youth informally every day, and they use discretion in deciding whether to initiate a referral to court or another agency or take the youth into custody. The roles of the prosecutor and defense attorney and their participation in the critical stages of the process are discussed. The juvenile correctional process is presented in a broad context, and correctional strategies ranging from probation to incarceration are featured, along with a discussion of the strengths and limitations of various policies and programs. Probation remains the dominant sanction for juvenile offenders. Community-based correctional programs for juvenile offenders are assessed, and innovative strategies are discussed. Electronic monitoring and home confinement are described along with residential placements and aftercare. Particular attention is devoted to evidence-based practice and to Balanced and Restorative Justice initiatives.

Chapters present career snapshots of professionals who work with juvenile offenders in different capacities. These include law enforcement officers, attorneys, juvenile probation officers, researchers, students, detention center administrators, treatment specialists, professors, and counselors. The profiles are intended to share perspectives on why they have chosen their careers and what they find rewarding about working with youth. In addition, the professionals identify what they believe are the requirements, characteristics, and skills to be successful. To work with juvenile offenders effectively, special training, preparation, commitment, and education are required. The professionals describe on-the-job experiences with juveniles, and their narratives help students understand some of the situational difficulties they address in the course of their careers. In addition to seeing a client succeed, their work can be stimulating and inspiring in various ways. The career snapshots illustrate diverse aspects of the juvenile justice system and related areas in which future criminal justice scholars and practitioners might pursue their goals.

Every effort has been made to include current references. At the time this book went into production, the most recent material available was the basis for tables, figures, and juvenile justice statistics. The most contemporary material, however, is not always that current. For instance, government documents that include juvenile justice statistics are published a year or more after the information is actually collected and analyzed. Therefore, it is not unusual for a government document published in 2017 to report “recent” juvenile delinquency statistics for 2014 or earlier. This situation is common because governmental compilation and reporting of such information are complex processes. It is not possible, therefore, for the government to regularly report 2017 information in 2017. The historical and factual information about juveniles and the juvenile justice system does not change, but there are revisions in laws affecting youth each year. In addition, new data are collected, analyzed, and interpreted regularly by researchers and government agencies, and some of the most current information about trends in juvenile delinquency and other statistical information can be accessed from Internet sites. We have endeavored to provide the reader with the most recent policies and data available at the time this manuscript was written.

## ► Features

Several important features are incorporated in this book. First, there are learning objectives that outline what each chapter is designed to accomplish. Key terms that are fundamental to understanding the juvenile justice system, the criminal justice system, and various



programs and processes are highlighted. A complete glossary of these terms is provided. Each chapter also contains a summary, highlighting a review of the learning objectives and the chapter's main points. Boxed features throughout the chapters include Focus on Delinquency, Career Snapshots, Evidence-Based Practice in Action, and Comparative Practice and Policy, some of which are new to the Ninth Edition.

Critical Thinking Application Exercises are included at the end of the chapter, and students are encouraged to read and complete the exercises and answer the questions based on the chapter information. These exercises and questions may also be used in preparation for examinations.

## ► New to This Edition

New materials in this edition include

- Review of raise the age (RTA) initiatives
- Updated review of U.S. Supreme Court cases, including *Montgomery v. Louisiana* (2016)
- New collaborative policing programs
- Revised data from the *OJJDP Statistical Briefing Book*
- New “Focus on Delinquency” narratives, including reflective questions
- Implications of U.S. Supreme Court ban on mandatory life without parole
- Review of the Sanctuary Model<sup>®</sup> and trauma-informed care
- New comparative programs and policies
- Updated national juvenile court data

## ► Features in This Text

- Learning Objectives listed at the beginning of each chapter
- New boxed feature entitled Evidence-Based Practice in Action describes relevant research studies and their implications for juvenile justice practice
- New boxed feature entitled Comparative Practice and Policy Around the World describes juvenile justice practices in various countries and relates them to U.S. practices
- New end-of-chapter Critical Thinking Application Exercises focus on policy and practice
- Updated Career Snapshots include juvenile probation officers, law enforcement officers, youth treatment providers, and students
- Updated information from the Uniform Crime Reports (UCR), Bureau of Justice Statistics (BJS), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- Policy information from the National Center for Juvenile Justice (NCJJ)
- Updated review of U.S. Supreme Court cases, including *Miller v. Alabama* (2012)
- Review of recent research on adolescent brain development
- Developments in disproportionate minority contact in the juvenile justice system
- Examination of emergent policy in juvenile justice
- Recent legislative changes
- Updated Focus on Delinquency narratives and inclusion of reflective questions
- Incorporation of comparative policies in other countries in the text
- Summaries at the end of each chapter are organized according to the learning objectives

## ► Instructor Supplements

***Instructor's Manual with Test Bank*** Includes content outlines for classroom discussion, teaching suggestions, and answers to selected end-of-chapter questions from the text. This also contains a Word document version of the test bank.



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## Reviewers

Wendie Johnna Albert, Keiser University; James J. Drylie, Kean University; Lorna E. Grant, North Carolina Central University; Randolph M. Grinc, Caldwell University; Vanessa Poyren, Fort Scott Community College.

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The Career Snapshots were generously contributed by former and current students, professionals in the field we have had the honor to work with, committed scholars, and researchers. We appreciate their willingness to share their knowledge and experience.

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Any questions about the text, presentation, or factual information, as well as any inadvertent inaccuracies, may be sent directly to the authors through the contact information below:

*Alida V. Merlo*

Department of Criminology  
Indiana University of Pennsylvania  
411 North Walk  
Indiana, Pennsylvania 15705-1002  
(724) 357-2720  
E-mail: amerlo@iup.edu

*Peter J. Benekos*

Department of Criminology and Criminal Justice  
Mercyhurst University  
501 East 38th Street  
Erie, Pennsylvania 16546-0001  
E-mail: pbenekos@mercyhurst.edu





# About the Authors

**Alida V. Merlo** is Professor of Criminology and Criminal Justice at Indiana University of Pennsylvania in Indiana, Pennsylvania. Previously, Dr. Merlo taught at Westfield State University in Westfield, Massachusetts. She earned her Ph.D. from Fordham University, M.S. from Northeastern University, and B.A. from Youngstown State University.

Dr. Merlo has conducted research and published in the areas of juvenile justice, criminal justice policy, and women and the law. She is the coauthor with Peter J. Benekos of *Reaffirming Juvenile Justice: From Gault to Montgomery* (Routledge/Taylor & Francis Group) and *Crime Control, Politics & Policy*, Second Edition (LexisNexis/Anderson) and coeditor (with Peter J. Benekos) of *Controversies in Juvenile Justice and Delinquency*, Second Edition (LexisNexis/Anderson). She also coedited (with Joycelyn M. Pollock) *Women, Law & Social Control*, Second Edition (Allyn & Bacon). She is the Past President of the Academy of Criminal Justice Sciences.



**Peter J. Benekos** is Professor Emeritus of Criminology and Criminal Justice and Sociology from Mercyhurst University in Erie, Pennsylvania. Dr. Benekos was a Visiting Professor at Roger Williams University in Rhode Island. He earned his Ph.D. from the University of Akron, M.A. from the University of Cincinnati, and B.S. from Clarion University.

Dr. Benekos has conducted research and published in the areas of juvenile justice, corrections, and public policy. He is the coauthor (with Alida V. Merlo) of *Reaffirming Juvenile Justice: From Gault to Montgomery* (Routledge/Taylor & Francis Group) and *Crime Control, Politics & Policy*, Second Edition (LexisNexis/Anderson), and coeditor (with Alida V. Merlo) of *Controversies in Juvenile Justice and Delinquency*, Second Edition (LexisNexis/Anderson).



