

English III Prompt: Juveniles Charged as Adults



Prompt

In the story told in the podcast Serial, Adnan Syed is tried as an adult for the crime he is charged with, even though he was only seventeen at the time. The United States is one of the few developed countries in the world that allows juveniles to be charged this way.

In a well-developed essay, defend, refute, or qualify the argument that juveniles should be charged as adults for serious crimes.



Requirements

- Please submit a typed response that uses a legible 12-point font, 1" margins, a double spaced body, and a simple single spaced header.
- The response should be between 800-1200 words long.
- Your response should include both an introduction and conclusion, both of which should be short and direct.
- The essay needs to include at least five and no more than seven quotes from the articles provided and your own research.
- In addition to the four sources, you need to find and use two of your own research.
- Make sure to follow all MLA formatting and rules for citation.
- Do not plagiarize!

Tips

- Have a well-developed thesis that you stick with. Organization is paramount.
- Don't be afraid to break the five paragraph mold. Use an organic structure that suits your argument, not some antiquated idea of what an essay looks like.
- Focus on a few things in this essay:
 - An engaging introduction.
 - A strong thesis statement that suggests a concession.
 - Incorporating specific details into your paragraphs to give them power and interest.
 - A strong conclusion.

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No One Younger Than 18 Should Be Tried as an Adult

Carmen Daugherty is the policy director for the [Campaign for Youth Justice](#), which is dedicated to ending the practice of trying, sentencing and incarcerating youth under 18 in the adult criminal justice system.

Laws that permit youth under the age of 18 to enter the adult criminal justice system represent a departure from the traditional understanding of juvenile justice — to serve the best interests of the child.

An overwhelming amount of research shows that the adult criminal justice system is ill equipped to meet the needs of youth offenders, from trial to incarceration and re-entry. Beyond what brain science reveals about adolescent development, experts contend that the adult criminal justice system [does not deter repeat offenses](#) by juveniles under 18.

Youth placed in the adult system had [34 percent more](#) re-arrests, and often, at faster rates and more dangerous levels. Mental health needs go unmet in adult settings across the country and little training is offered to facility staff on working with the youngest offenders. Meanwhile, the juvenile justice system, more broadly, puts an emphasis on the rehabilitation, treatment, education and public safety of youth in its care. It is rare that you will find that kind of express mission — let alone a program focused on treatment and education — in state departments of corrections.

Young offenders are [more likely to succeed](#) on a personal level if they receive comprehensive services that support positive youth development. But in a broader sense, comprehensive juvenile justice is safer for society as a whole. [Ninety-five percent](#) of youth charged as adults return home by their 25th birthday: Don't we want them better off than when they entered the system?

Yet [nine states](#) still place 17-year-olds in the adult system for any offense — including simple misdemeanors or traffic related offenses — building permanent adult records for juveniles before they are even out of high school. For [North Carolina](#) and [New York](#), the age one goes into the adult system is 16.

Nearly every state uses a [variety of legal processes](#) to transfer youth to the adult system sometimes, either through judicial or prosecutorial discretion or through laws that prevent certain alleged offenses from being heard in juvenile or family courts.

But the federal government has released [recommendations](#) on best practices and approaches to reducing children's exposure to violence — including a recommendation to avoid prosecuting youth in adult courts that "ignore and diminish their capacity to grow."

New York Times. December 14, 2015

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There Is No One-Size-Fits-All Age Limit for Who Can Be Tried as an Adult

Charles Stimson is a senior legal fellow at the Heritage Foundation and manager of the National Security Law Program for Heritage's Davis Institute for International Studies. He is the co-author of "Adult Time for Adult Crimes: Life Without Parole for Juvenile Killers and Violent Teens."

Children and teenagers commit crimes. In many cases, they are low-level crimes, like stealing candy from a store, getting in fights or urinating in public. Sometimes the behavior is more dangerous — shooting BB guns or throwing rocks, drinking alcohol or smoking marijuana.

Though these activities are all crimes under state law, in most cases, youthful miscreants, when caught, are not processed in any court. Nor should they be: Kids do dumb things. As a compassionate society we deal with these incidents informally and use them as teaching opportunities.

More serious crimes, of course, are dealt with in the formal justice system. And, suddenly, different decisions must be made about whether a minor should be tried as an adult.

All states have unique juvenile justice systems designed to rehabilitate young offenders, and the vast majority of cases involving those under the age of 18 are processed that way. That's good policy:

Juvenile justice systems are an expression of our belief as a society that virtually every youthful offender can learn from his or her mistakes and become a productive member of society.

But when a juvenile murders or rapes someone, that's different and a much more difficult call. There is no one-size-fits-all answer, nor under our federalist system, where states handle the lion share of crimes, should there be. Some of those murderers go to juvenile court; others are rightfully treated as adults. The decision is made on a case-by-case basis and varies from state to state, depending in large part on the crime committed and the age of the offender.

Take [the 2002 case](#) of a 14-year-old girl who, with her 16-year-old boyfriend, conspired to shoot her grandfather in the face and stabbed him; shot her sleeping aunt three times; shot, stabbed, poured lighter fluid on and set fire to her grandmother; and stabbed her 10-year old sister 14 times.

Or [another case](#) from 2002, that decided a 16-year-old boy from Tucson would spend his life in prison for murdering a mother and her two young children as he stole their car.

These teenagers deserved to be prosecuted in adult court. Fortunately, they are the exception when it comes to teenage criminals, not the norm.

New York Times. December 14, 2015

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Raise the Minimum Age a Juvenile Can Be Tried as an Adult to 21

Vincent Schiraldi, a former commissioner of probation for New York City, is a senior research fellow at the Harvard Kennedy School's Program in Criminal Justice Policy and Management.

Nineteenth-century progressives legally invented much of what we now call “adolescence.” They created compulsory education, child labor laws and, [in 1899](#), the world’s first juvenile court for youth. Though the age limit for juvenile court varies from state to state, in [most jurisdictions](#) the cut off is age 18.

The court emphasized rehabilitative, individualized treatment and, later, confidentiality protections so that the bad choices of children would not follow them forever. When incarcerated, youth would be held in separate facilities designed to reform, not punish. By 1925, 46 states and 16 countries [had opened](#) separate courts for youth.

While the juvenile court’s founders got a lot right, the choice of age 18 was arbitrary, based on the mores of the time. But young people today face a very different world. [Completing school](#), [obtaining employment](#) and [getting married](#)— all of which correlate with reduced criminality — happen much later for today’s youth.

What’s more, research in psychology and neurobiology confirms that young people’s brains are not fully formed until in their mid-20s – much later than previously believed. Young adults are developmentally more similar to adolescents than fully mature adults, and are more prone to risk taking and influence by their peers. They think less about the future and are more volatile in emotionally charged settings.

With these discoveries in mind, I co-authored a [report](#) that recommends raising the age at which juveniles enter the adult court system to at least 21, with gradually diminishing protections that extend to age 25.

Though this would be a big change for many places in the country — each state determines at what age a juvenile is charged as an adult — special approaches to young adults are common outside of criminal justice. It is illegal to consume alcohol or purchase a handgun before age 21 and young people can’t serve in Congress until age 25. Their auto insurance is more expensive and access to car rentals more limited under age 25, but on the plus side, youth can now stay on their parents’ health insurance until they are 26.

Our plan makes social and economic sense. After Connecticut raised the age children could be tried as adults from 16 to 17 and 18, [in 2010 and 2012 respectively](#), juvenile crime levels plummeted and the number of young people in both Connecticut’s juvenile facility and young adult prison [dropped](#) to record lows. This has prompted Dannel Malloy, the current governor, to seek to raise the age even further, to 21.

The science is sufficiently robust to encourage policy innovation here. Whether the age one must be tried as a juvenile is raised to 21, a third system for young adults is created or developmentally appropriate programs and policies are crafted, young adults are a population that warrants a special approach. They deserve protection from a lifetime stain for acts committed when not fully mature.

New York Times. December 14, 2015

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Raising the Age Juveniles Are Tried as Adults Doesn't Lower Crime

[Charles Loeffler](#) is an assistant professor of criminology at the University of Pennsylvania.

Policy makers have long debated the appropriate age at which young law-breakers should be tried as adults instead of juveniles, the so-called age of majority.

When juvenile courts were first created at the turn of the 20th century, most states set this boundary between 16 and 18 years of age. Starting in the 1980s, however, a number of states [began lowering](#) this age, or making it easier for juvenile offenders to be transferred to criminal court, amid anxiety over rising juvenile crime.

More recently, the tides have shifted again, catalyzed by [research](#) suggesting that the adolescent brain is not fully mature until the mid-20s. A number of states with sub-18 ages of majority raised them, in hopes that the juvenile justice system's focus on rehabilitation would lower offending rates.

Connecticut raised its age of majority [in 2010](#) (from 16 to 17) and then again in 2012 (from 17 to 18). [Massachusetts](#), [Mississippi](#), [Illinois](#) and [New Hampshire](#) have made similar changes.

Unfortunately, longitudinal [research](#) conducted by myself and others suggests that the specific age of majority has little to no impact on juvenile crime. In [Illinois](#), a 2010 law change had no discernable effect on juvenile re-offending rates. And in [Connecticut](#), the lauded decreases in the offending rates of 16-year-olds after the law change turned out to be statistically indistinguishable from those of age groups unaffected by the law.

Studies examining the most common types of juvenile offenses – property and drug crimes – [have found](#) minimal differences between juvenile offenders arrested immediately before or after they hit the age of majority. Sadly, these studies also [showed](#) very high recidivism rates for both groups, regardless of whether they were processed in the juvenile or adult justice systems.

This is not to suggest that nothing can be done to lower offending rates among juveniles. [Cognitive behavioral therapy](#); swift, certain and fair [sanction systems](#); and [summer job programs](#) have all been shown to positively impact recidivism rates. What does not work, however, are policies that simply shift the age of majority without otherwise engaging these young offenders.

New York Times. December 14, 2015