

# JUVENILE OFFENDERS

- SS8CG6
- **Juvenile-** a child under 17 years of age

## TWO IMPORTANT TERMS

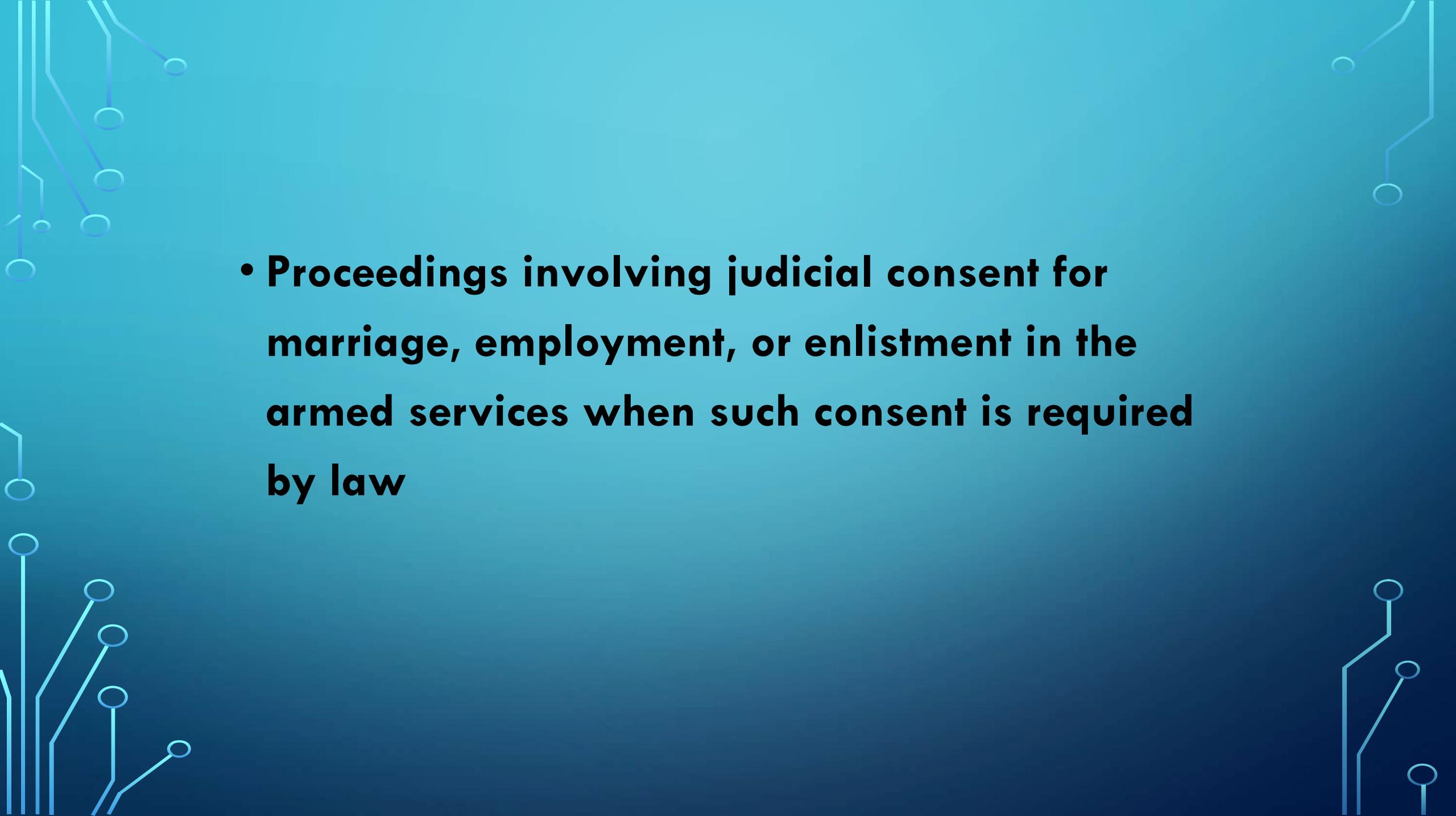
- **Delinquent Act-** would be considered criminal if committed by an adult
  - (burglary and car theft)
- **Status Offense-** would not be considered criminal if committed by an adult
  - (running away from home and skipping school)

# JUVENILE COURTS

- **3 main purposes:**
  - **To help and protect the well-being of children**
  - **To make sure that any child coming under the jurisdiction of the court receives the care, guidance, and control needed**
  - **To provide care for children who have been removed from their homes**

## **JUVENILE COURTS-JURISDICTION OVER:**

- **Juveniles who commit traffic offenses**
- **Delinquent juveniles**
- **Unruly juveniles**
- **Deprived juveniles**
- **Juveniles under the supervision or probation of the court**
- **Cases involving children who need mental health service**

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- The background is a dark blue gradient. In the corners, there are decorative white and light blue circuit-like lines with circular nodes, resembling a stylized PCB or network diagram.
- **Proceedings involving judicial consent for marriage, employment, or enlistment in the armed services when such consent is required by law**

# 1. DELINQUENT JUVENILE

- **A juvenile who commits serious acts that would be considered criminal if an adult had committed them**
- **Is under the age of 17**
- **Thought to be in need of treatment or rehabilitation**

## **2. UNRULY JUVENILE**

- **If the parents cannot manage a young person whose actions would not be considered criminal if he/she were an adult**
- **Absent from school on a regular basis without an excuse (truant)**
- **Has run away from home**
- **Disobeys reasonable commands from parent/guardian**
- **Hangs out (between midnight-5:00a.m.)**
- **Goes to a bar without parent or guardian or is in possession of alcoholic beverages**
- **Disobeys terms of supervision in court order**

### **3. DEPRIVED JUVENILE**

- **One who has been neglected or who needs special help from the court and is under the age of 18**
- **Does not have adequate food, shelter, or protection**
- **Child is NOT at fault**
- **State prosecutes parent or guardians who endanger or neglect children under their care**
  - **Abuse or neglect**
  - **Physical or psychological abuse**
    - **Guardian ad litem-person appointed by juvenile court to represent child's best interest in legal proceedings**

- When juveniles commit a delinquent act or a status offense and are captured by the police, they are said to be “taken into custody” rather than “under arrest”.
- Juveniles handled under the juvenile justice system have the same basic rights that other citizens have.
- Juvenile cases are decided by a judge, not a jury.
- Juvenile court proceedings can result in the loss or liberty.

- **Juveniles have the right to a fair trial:**

- **They must be notified of the charges against them**
- **They are protected against self-incrimination**

**RIGHTS:**

- **They have the right to an attorney**
- **They have the right to confront and question witnesses against them**
- **The accused has the right to present a defense**
- **The right to introduce evidence**
- **The right to testify on his/her own behalf**
- **The right to have a parent /guardian present in all hearings**
- **If a lawyer cannot be afforded, the court must appoint one to represent the child**

# STEPS IN PROCESS:

- **1. INTAKE**
  - **GUILTY-Released to custody of parents  
or they are Detained**
- **2. DETENTION**
  - **Probable cause hearing w/in 72 hours**
    - **Dismiss**
    - **Informal adjustment**
    - **Formal hearing**



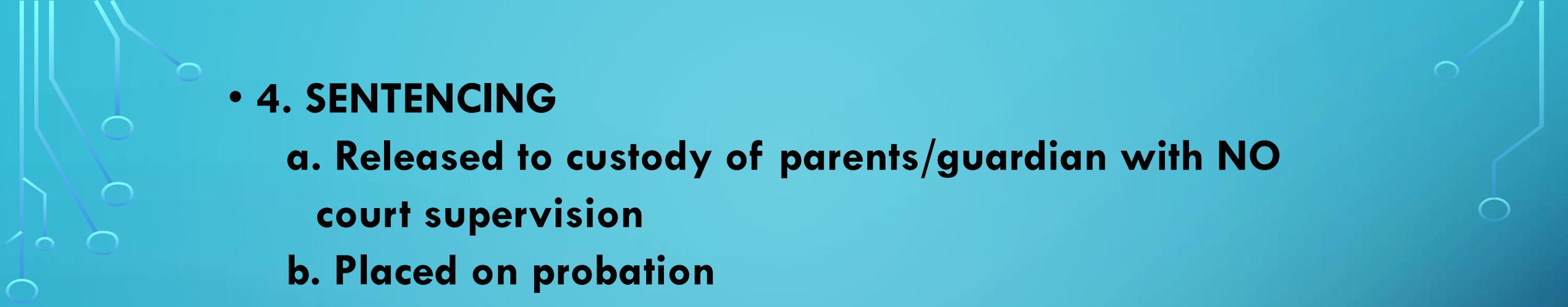
- **3. FORMAL HEARING**

- **complaint witness files petition outlining wrong doing**
- **date set for formal hearing/summons issued**

- **Part 1- Adjudicatory Hearing (like a trial)**

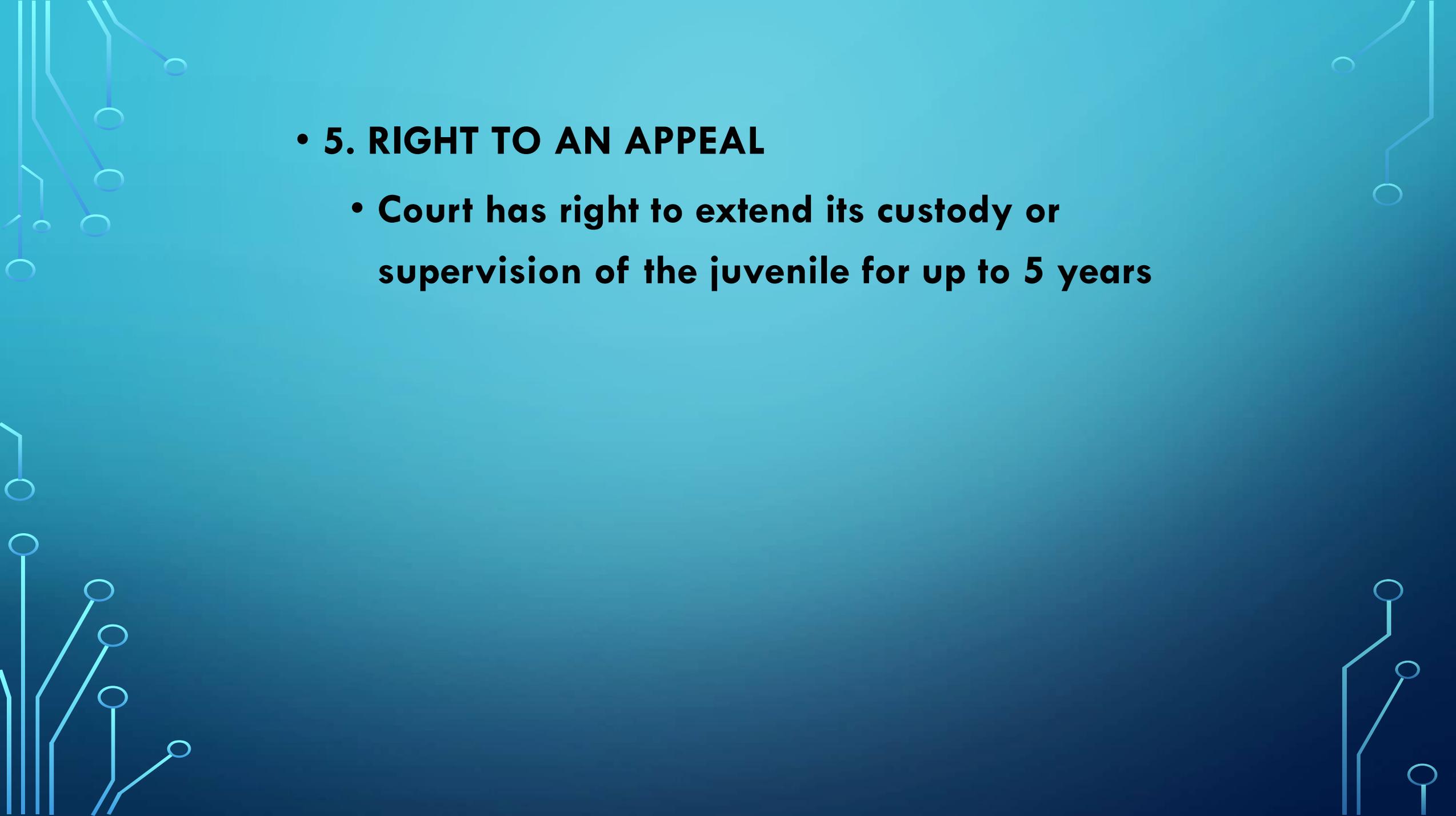
- **Judge hears case & the defense**
  - **Judge makes decision (guilty/2<sup>nd</sup> hearing OR not guilty (released))**
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- **Part 2: Dispositional hearing**
  - **Judge determines punishment**



- **4. SENTENCING**

- a. Released to custody of parents/guardian with NO court supervision
  - b. Placed on probation
  - c. Placed in youth development center (up to 90 days)
  - d. Commit juvenile to Department of Juvenile Justice
  - e. Sent to special program (boot camp)
  - f. Assign other punishment (fines, restitution) & special conditions of probation (mandatory school attendance, community service, counseling, suspension/probation of driver's license)
  - g. **Transfer the case to Superior Court**
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- **5. RIGHT TO AN APPEAL**

- **Court has right to extend its custody or supervision of the juvenile for up to 5 years**

## **6. SEVEN DEADLY SINS**

- **Certain violent crimes committed by juveniles that may result in the courts treating juveniles as adults.**
- **1. murder**
- **2. rape**
- **3. armed robbery**
- **4. aggravated child molestation**
- **5. aggravated sodomy**
- **6. aggravated sexual battery**
- **7. voluntary manslaughter**
- **AGGRAVATED-something that makes a crime more severe/worse**

- **Just because a youth has been arrested for one of the 7 Deadly Sins does not mean he or she will be tried in the adult system.**
- **Before an indictment, the superior court determines in which court the case will be heard.**
- **If convicted in superior court, the juvenile serves a mandatory 10-year sentence without the possibility of parole.**

## 7. DECISION

- **Before an indictment (a formal charge or accusation of a serious crime), the superior court determines in which court the case will be heard**

## 8. CONSEQUENCES

- **If convicted in superior court, the juvenile serves a mandatory 10 year sentence without the possibility of parole.**
- [http://www.gpb.org/georgiastories/stories/criminal\\_justice\\_and\\_the\\_juvenile](http://www.gpb.org/georgiastories/stories/criminal_justice_and_the_juvenile)