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Correct answers located at the end of the chapter.

TRUE/FALSE - Write 'T' if the statement is true and 'F' if the statement is false.

1) Under common law doctrine, the legal system the American colonists brought from England, a juvenile age 7 or older could receive the same punishment as an adult.
   - ◎ true
   - ◎ false

2) The first juvenile court was founded in New York, New York.
   - ◎ true
   - ◎ false

3) The term *parens patriae* means "the proper parent."
   - ◎ true
   - ◎ false

4) A legal doctrine in which the state plays the role of a parent for a juvenile is called *stare decisis*.
   - ◎ true
   - ◎ false

5) The authority granted by law to hear a case is called jurisdiction.
   - ◎ true
   - ◎ false

6) Individuals who are younger than a specified minimum age of juvenile court jurisdiction can be processed in juvenile court only if they have committed a serious offense.
   - ◎ true
   - ◎ false

7) A status offense would not be considered a crime if committed by an adult.
   - ◎ true
   - ◎ false

8) Almost all U.S. states classify status offenders as delinquents, subjecting them to the same legal procedures as juveniles who commit criminal offenses.
   - ◎ true
   - ◎ false

9) The term "juvenile" is defined by federal law and, therefore, each state defines the term the same way.
   - ◎ true
   - ◎ false

10) Under common law doctrine, individuals under age 7 were presumed to be unable to develop intent and therefore could not be prosecuted and punished for their actions.
   - ◎ true
   - ◎ false

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11) The procedure by which juvenile court staff decide whether to process a case further in court, handle the case informally, or dismiss the case is called probation.
- ◎ true
- ◎ false

12) A sanction by which a juvenile offender pays the victim for the harm done by the juvenile is called victim justice.
- ◎ true
- ◎ false

13) The process through which a juvenile court relinquishes jurisdiction over the juvenile offender and the case is processed in adult court is called adult processing.
- ◎ true
- ◎ false

14) A decision by a juvenile court judge that a juvenile committed a delinquent act is called an adjudication.
- ◎ true
- ◎ false

15) Probation is defined as a disposition imposed by a court that allows an adjudicated offender to remain in the community as long as the offender abides by certain conditions.
- ◎ true
- ◎ false

16) When a juvenile is sent to an institution, camp, ranch, or group home, it is called parole.
- ◎ true
- ◎ false

17) A document that states the allegations against a juvenile and requests a juvenile court to adjudicate the juvenile is called a petition.
- ◎ true
- ◎ false

18) An adult receives a sentencing hearing, and a juvenile receives a disposition hearing.
- ◎ true
- ◎ false

19) If an offender commits a crime while in a residential facility and is old enough to be classified as an adult in the state in which they have been residing, then the offender is likely to be sent to prison if convicted in the criminal justice system for the offense.
- ◎ true
- ◎ false

20) Rehabilitation is a primary goal of both the juvenile justice system and the criminal justice system.
- ◎ true
- ◎ false

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21) In juvenile cases, intake is handled by law enforcement officers.
- ◎ true
- ◎ false

MULTIPLE CHOICE - Choose the one alternative that best completes the statement or answers the question.

22) Under common law doctrine, the legal system the American colonists brought from England, a juvenile as young as_____ years old could receive the same punishment as an adult.
- A) 7
- B) 14
- C) 6
- D) 11
- E) 10

23) The first juvenile court was founded in
- A) New York, New York.
- B) Philadelphia, Pennsylvania.
- C) Boston, Massachusetts.
- D) Pittsburgh, Pennsylvania.
- E) Cook County, Illinois.

24) In the context of the juvenile justice system, the term *parens patriae* means
- A) bad parent.
- B) proper parent.
- C) state as parent.
- D) child's parent.
- E) parent's right.

25) A legal doctrine in which the state plays the role of the parent for a juvenile when the parents are deemed incapable or unwilling to control their child is called_____.
- A) *stare decisis*
- B) *parens patriae*
- C) *mens rea*
- D) *actus reus*
- E) *in loco parentis*

26) The authority granted by law to hear a case is known as_____.
- A) jurisdiction
- B) *actus reus*
- C) probation department
- D) parole board
- E) *parens patriae*

27) Any behavior that is prohibited by the juvenile law of a state is called_____.
- A) a misdemeanor
- B) a felony
- C) delinquency
- D) a diversion
- E) *mens rea*

28) Which of the following is defined as the system of agencies that is designed to manage adult offenders?
- A) the criminology system
- B) the law enforcement system
- C) the criminal justice system
- D) the justice ideology
- E) All of these answers are correct.

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29) Most states define the maximum age of juvenile court jurisdiction as age_____.
A) 14
B) 15
C) 17
D) 18
E) 21

30) Under common law doctrine, individuals under age_____ were presumed to be unable to develop intent and therefore could not be prosecuted and punished for their actions.
A) 7
B) 10
C) 12
D) 14
E) 17

31) In the context of juvenile court jurisdiction by state, who among the following is most likely to be processed in juvenile court after committing a crime?
A) a 6-year-old who lives in Colorado
B) a 6-year-old who lives in Maryland
C) a 16-year-old who lives in California
D) an 18-year-old who lives in New York
E) a 17-year-old who lives in Texas

32) In the context of the juvenile justice system, the decision by a juvenile court judge to send an adjudicated juvenile to an institution is known as_____.
A) commitment
B) detention
C) a disposition
D) an indictment
E) a conviction

33) In the context of the juvenile justice system, the short-term secure confinement of a juvenile for the protection of the juvenile or for the protection of society is referred to as_____.
A) conviction
B) indictment
C) commitment
D) detention
E) disposition

34) Which of the following terms is used in the juvenile justice system to refer to a facility designed for long-term secure confinement of a juvenile after adjudication?
A) a prison
B) a detention center
C) an institution
D) an aftercare facility
E) a jail

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35) In the context of the juvenile justice system, which of the following procedures is *most* likely associated with a law enforcement officer?
A) intake
B) diversion
C) prosecution
D) adjudication
E) revocation

36) A procedure by which a juvenile is removed from the juvenile justice process and provided with treatment services is called_____.
A) aftercare
B) probation
C) diversion
D) adjudication
E) disposition

37) The procedure by which juvenile court staff decide whether to process a case further in court, handle the case informally, or dismiss the case is called_____.
A) aftercare
B) probation
C) diversion
D) release
E) intake

38) A sanction by which a juvenile offender pays the victim for the harm done by the juvenile is called_____.
A) victim restitution
B) victim rehabilitation
C) victim justice
D) release
E) intake

39) A sanction requiring a juvenile offender to perform a predetermined number of hours of volunteer work is called_____.
A) victim restitution
B) *parens patriae*
C) revocation
D) community service
E) intake

40) The process through which a juvenile court relinquishes jurisdiction over a juvenile offender and the case is processed in adult court is called_____.
A) *mens rea*
B) waiver to adult court
C) adjudication
D) adult court intake
E) statutory exclusion

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41) In the context of the juvenile justice system, disposition frequently involves
A) conviction.
B) parole.
C) residential placement.
D) confinement in jail.
E) confinement in prison.

42) A disposition imposed by the court allowing the adjudicated offender to remain in the community as long as the offender abides by certain conditions is called_____.
A) adjudication
B) waiver
C) community service
D) probation
E) house arrest

43) When a juvenile is sent to an institution, camp, ranch, or group home, it is known as_____.
A) adjudication
B) residential placement
C) informal probation
D) parole
E) diversion

SHORT ANSWER. Write the word or phrase that best completes each statement or answers the question.

44) Explain what is meant by a status offense, and give several examples.

45) Describe how the maximum age of juvenile court jurisdiction varies by state by providing examples.

46) Why was a separate set of terms established for use in the juvenile justice system?

47) What assumptions led to the establishment of a separate system of justice for juvenile offenders?

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48) Describe the five decision points in the juvenile justice process.

49) What are the two main sources of referrals to juvenile court?

50) How does waiver to adult court occur?

51) Which types of cases are commonly dismissed at intake? Why?

52) What is diversion, and how does it work?

53) Identify the most common disposition in juvenile court and explain what it entails.

ESSAY. Write your answer in the space provided or on a separate sheet of paper.

54) Describe residential placement centers and the process juveniles go through after release.

55) Explain some of the differences between the adult criminal justice system and the juvenile justice system.

56) Outline the three major steps in the juvenile justice process.

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57) Identify and define the unique terms used in the juvenile justice system, and provide their corresponding terms used in the criminal justice system.

58) Describe the jurisdiction of the juvenile court.

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Answer Key

Test name: Chapter 01

1) TRUE
2) FALSE
3) FALSE
4) FALSE
5) TRUE
6) FALSE
7) TRUE
8) FALSE
9) FALSE
10) TRUE
11) FALSE
12) FALSE
13) FALSE
14) TRUE
15) TRUE
16) FALSE
17) TRUE
18) TRUE
19) TRUE
20) FALSE
21) FALSE
22) A
23) E
24) C
25) B
26) A
27) C
28) C
29) C
30) A
31) C
32) A
33) D
34) C
35) B
36) C
37) E
38) A
39) D
40) B
41) C
42) D
43) B
44) Short Answer
45) Short Answer
46) Short Answer
47) Short Answer
48) Short Answer
49) Short Answer
50) Short Answer
51) Short Answer
52) Short Answer
53) Short Answer
54) Essay
55) Essay
56) Essay
57) Essay
58) Essay

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Chapter 1: The Juvenile Justice System

CHAPTER OBJECTIVES

After completing this chapter, you should be able to do the following:

1. Describe the jurisdiction of the juvenile court.
2. Explain what is meant by delinquency.
3. Explain what is meant by status offenses.
4. Compare the ways in which the various states define a juvenile.
5. Identify and define the unique terms used in the juvenile justice system.
6. Outline the three major steps in the juvenile justice process.
7. Describe the five decision points in the juvenile justice process.
8. Compare and contrast the juvenile and criminal justice systems.

CHAPTER OUTLINE

I. Origins of the Juvenile Justice System

II. Juvenile Court Jurisdiction
- A. Defining Delinquency
- B. Defining a Juvenile

III. The Language of Juvenile Justice

IV. Overview of the Juvenile Justice System
- A. Law Enforcement and Other Referral Sources
- B. Juvenile Court
  1. Juvenile Court Intake
  2. Prosecution
  3. Adjudication
- C. Disposition
  1. Probation or Other Nonresidential Dispositions
  2. Residential Placement

V. Comparison of Juvenile and Criminal Justice Systems

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CHAPTER SUMMARY

The chapter begins with the origins of the juvenile justice system. Before the establishment of the juvenile justice system, courts and judges treated juveniles as adults and, in many instances, juvenile offenders received the same punishment as adults. Under common law doctrine, the legal system the American colonists brought from England, a juvenile age seven or older could receive the same punishment as an adult.

The juvenile justice system was founded on the belief of *parens patriae* roughly translated into "state as parent." The state, acting through a juvenile court judge, can act in the role of parent for the juvenile when parents are deemed incapable or unwilling to control their children.

The chapter also describes the juvenile justice system. Definitions of a juvenile and the types of cases confronting the juvenile justice system are provided in the text. The definitions of terms used exclusively in the juvenile justice system, a brief overview of the major steps in the juvenile justice process, and an explanation of how juveniles are typically processed is also provided. The similarities and differences between the adult and juvenile justice systems are also discussed.

Juvenile delinquency is any behavior that is prohibited by the juvenile law of a state. Each state's legislature defines delinquency in that particular state. However, delinquency generally consists of two categories. The first category of delinquency is any act committed by a juvenile that would be defined as a crime if committed by an adult. The second category is called a status offense. A status offense is an act of delinquency committed by a juvenile that would not be considered a crime if committed by an adult. Running away from home, skipping school, and violating curfew are all status offenses.

Just as each state has defined delinquency, each state has defined the term *juvenile*. If an individual is within a certain age range, they are classified as a juvenile and subject to juvenile court jurisdiction. Each state's legislature determines the minimum and maximum age at which a person is considered a juvenile. Most states use 17 as the maximum age for juvenile court jurisdiction but some states use 16. Not every state has a specified minimum age of juvenile court jurisdiction. Some states do not set a minimum age, but those that do usually set the age between ages 6 and 12.

The language of juvenile justice system is different than the language for adult criminal justice system. Juveniles are not criminals; they are delinquents. They are not convicted; they are adjudicated. Parole is aftercare, a jail is a detention center, a sentence is a disposition, and an

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indictment is a petition. Juveniles are not arrested; they are taken into custody.

The ways juveniles are processed in the juvenile justice system varies among states and even within the same state. A juvenile enters the formal juvenile justice system by being referred to juvenile court. The main sources of referrals to juvenile court are law enforcement agencies and others such as parents, victims, schools, and probation officers.

After a case has been referred to juvenile court, it is sent to intake. Intake is the procedure by which juvenile court staff decide whether to process the case further in court, handle the case informally, or dismiss the case. The juvenile is typically required to pay victim restitution, complete a drug counseling program, perform community service, attend school, or some other related requirement. If the juvenile completes the requirements, then nothing further occurs with the case (that is, the case is dismissed). This process is sometimes called informal probation.

If a prosecutor decides to prosecute, the juvenile may be tried in the juvenile court or waived to adult court. The process is known as waiver to adult court, certification, or transfer, and involves a juvenile court's relinquishing its jurisdiction over the offender and allowing a juvenile to be sent to adult court for prosecution.

If the juvenile is an adjudicated delinquent, then a disposition is required. Probation is the most common disposition. In some cases, the juvenile is placed in a residential placement. The chapter ends with a brief comparison of juvenile and criminal justice systems.

KEY TERMS

1. **Adjudication:** Decision by a juvenile court judge that a juvenile committed the delinquent act.
2. **Community service:** A sanction requiring a juvenile offender to perform a predetermined number of hours of volunteer work.
3. **Criminal justice system**: The system of agencies that is designed to manage adult offenders.
4. **Delinquency:** Any behavior that is prohibited by the juvenile law of a state.
5. **Diversion:** A procedure by which a juvenile is removed from the juvenile justice process and provided with treatment services.
6. **Informal probation:** A procedure by which a juvenile agrees to meet certain requirements in exchange for dismissing a case.
7. **Intake:** The procedure by which juvenile court staff decide whether to process the case further in court, handle the case informally, or dismiss the case.

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8. **Jurisdiction:** The authority granted by law to hear a case.
9. **Juvenile:** An individual who falls within a specified age range and is subject to the jurisdiction of the juvenile court.
10. **Juvenile justice system:** The system of agencies that is designed to handle juvenile offenders.
11. **Maximum age of juvenile court jurisdiction:** The upper age limit for which the juvenile court may hear a case.
12. **Minimum age of juvenile court jurisdiction:** The lower age limit for which the juvenile court may hear a case.
13. ***Parens patriae*:** A legal doctrine in which the state plays the role of a parent.
14. **Probation:** A disposition imposed by the court allowing the adjudicated offender to remain in the community as long as the offender abides by certain conditions.
15. **Status offense:** An act of delinquency committed by a juvenile that would not be considered a crime if committed by an adult.
16. **Victim restitution:** A sanction by which a juvenile offender pays the victim for the harm done.
17. **Waiver to adult court:** The process through which a juvenile court relinquishes jurisdiction over the juvenile offender and the case is processed in adult court.

DETAILED NOTES

I. Origins of the Juvenile Justice System

- There has not always been a juvenile justice system in the U.S.
- Originally there was one justice system that processed all offenders without regard to age.
    - Juveniles were housed in prisons with adults.
    - Juveniles aged 7 and older received the same punishment as adults, sometimes the death penalty although infrequent.
- There was not a separate system for juveniles until the late 1800s.
- First juvenile court was in Cook County, Illinois in 1899.
    - Established because it was believed that
        - Juveniles are less mature than adults.
        - Juveniles are incapable of the same level of intent as adults.
        - Juveniles are more easily rehabilitated than adults.
- Eventually, every state developed their own juvenile system with courts and institutions.
    - Today, most major police departments have officers whose sole responsibility is to deal with juvenile delinquency.
    - Many departments have officers regularly assigned to local elementary and

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secondary schools in their communities.
    - Each state has separate places such as detention centers and institutions in order to confine juveniles apart from adults.
- The juvenile justice system was founded on the belief of *parens patriae*—a legal doctrine in which the state plays the role of a parent.
    - State acts through a juvenile court judge in the role of parent for the juvenile when parents are incapable or unwilling control their children.
    - Juvenile justice system was designed to do whatever is in the best interest of the juvenile.

II. Juvenile Court Jurisdiction

- Jurisdiction—the authority granted by law to hear a case.
    - State law specifies the jurisdiction of the juvenile court.
- Jurisdiction involves two questions.
    - What acts committed by juveniles does the juvenile court have jurisdiction?
    - What age does an individual have to be in order to be under juvenile court jurisdiction?

A. Defining Delinquency

- Juvenile delinquency is any behavior that is prohibited by the juvenile law of a state.
- Each state's legislature defines delinquency in that particular state.
- Delinquency generally consists of two categories.
    - Any act committed by a juvenile that would be defined as a crime if committed by an adult. For example, theft, burglary, assault, and robbery.
    - Status offenses—something not considered a crime if committed by an adult but would be considered an act of delinquency if committed by a juvenile. For example:
        - Running away from home
        - Skipping school (truancy)
        - Violating curfew
        - Incorrigibility (not obeying one's parents)
        - Illegal purchase of alcohol
        - Smoking tobacco
        - Underage drinking
- About one-half of all states classify status offenders as delinquent.
- Other states have established categories which separate juvenile delinquents from status

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offenders. These states classify status offenders as follows:

- CHINS or CINS—children in need of supervision
- PINS—persons in need of supervision
- JINS—juveniles in need of supervision
- MINS—minors in need of supervision

- Reason for the legal separation of status offenders from juvenile delinquents is to remove the stigma of being classified as a juvenile delinquent from status offenders and to demonstrate that juveniles have special problems and needs and are not criminal in nature.
- Juvenile delinquency is any act ranging from truancy to murder.
- Very broad, almost all juveniles have committed an act considered delinquent at one time.

B. Defining a Juvenile

- Only difference between a juvenile and an adult is age.
  - Only difference between a delinquent and a criminal is age.
- Each state's legislature determines their own age at which a child is no longer considered a juvenile.
  - Most common maximum age is 17.
- Most states do not have a minimum age of juvenile court jurisdiction.
- States that do have a minimum age of juvenile court jurisdiction range from 6 to 12 years of age.
  - In these states, people younger than the minimum age of juvenile court jurisdiction are believed to lack the ability to develop intent and to know right from wrong.
  - In these states, people younger than the minimum age of juvenile court jurisdiction cannot be processed in the juvenile justice system regardless of their action.
  - For example, the minimum age of juvenile court jurisdiction in Pennsylvania is 10 years. If a 9-year-old commits murder, they cannot be processed in the juvenile justice system because the court does not have jurisdiction over the case.
- In Texas, a juvenile is anyone between the ages of 10 and 16.
  - In Texas, the minimum age of juvenile court jurisdiction is 10.
  - In Texas, the maximum age of juvenile court jurisdiction is 16.
  - Criminal actions committed by those 17 years and older in Texas are handled in the criminal justice system, not the juvenile justice system.

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III. The Language of Juvenile Justice

- One of the goals of the juvenile justice system was the rehabilitation of juvenile offenders.
- The stigma attached to juveniles who were labeled criminals interfered with the rehabilitation process.
    - This made it necessary to separate the two systems of justice, juvenile and adult, as much as possible.
- A different set of terms were developed for the juvenile justice system to distinguish it from the criminal justice system.
    - The following is a list of terms. The first one is the term used in the juvenile justice system. The term after the equal sign is the term used in the criminal justice system.
        - Adjudicated delinquent = Conviction
        - Adjudication hearing = Trial
        - Aftercare = Parole
        - Commitment = Sentence to prison
        - Delinquent = Criminal
        - Delinquent act = Crime
        - Detention = Confinement in jail
        - Detention center = Jail
        - Disposition = Sentence
        - Disposition hearing = Sentencing hearing
        - Institution = Prison
        - Petition = Indictment
        - Taken into custody = Arrest

IV. Overview of the Juvenile Justice System

A. Law Enforcement and Other Referral Sources

- A juvenile enters the formal juvenile justice system by being referred to juvenile court by the following two main sources:
    - Law enforcement agencies.
        - When a law enforcement officer takes a juvenile into custody, the officer frequently decides whether to send the case further into the juvenile justice system or to divert the case out of the system.
        - An officer makes the decision after speaking with the victim, the juvenile, and the parents.
    - Others such as parents, victims, schools, and probation officers.

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B. Juvenile Court

- The process in juvenile court has three distinct procedures.

Juvenile court intake

- This is usually the responsibility of the juvenile probation department or the prosecutor's office.
- At this point in the juvenile court process, an important decision is made. The decision usually involves three alternatives:
  - Dismiss the case against the juvenile and release the individual to their parents.
    - These cases are usually less serious offenses or first-time offenders.
    - Often lack enough evidence to support the allegations against the juvenile.
  - Handle the matter informally.
    - Juvenile agrees to complete certain requirements in exchange for having the case handled informally and not processed further into the system.
  - Refer the case further into the juvenile justice system for formal intervention by the court.
    - Intake officer decides whether the juvenile should be placed in detention or released to the community.
    - Juveniles are not detained unless:
      Juvenile is determined to be a threat to the community.
      Juvenile will be in danger if returned to the community.
      Juvenile is a flight risk and may not appear at the adjudication hearing.

Prosecution

- A prosecutor receives case from intake officer and decides whether or not to file a petition stating allegations against the juvenile in juvenile court. Petition asks juvenile court to adjudicate the juvenile as delinquent.
- If the prosecutor does not file a petition, case is dismissed.
- The prosecutor can also waive juvenile to criminal justice system for prosecution.
  - This process is known as waiver to adult court, certification, or transfer, and involves a juvenile court's relinquishing its jurisdiction over the offender and allowing a juvenile to be sent to adult court for prosecution.

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Adjudication

- Adjudication hearings are held in juvenile courts to determine if the juvenile committed the delinquent act.
- This is the trial stage of the juvenile justice process.
- A judge usually determines guilt in juvenile court but occasionally there is a jury.

C. Disposition

- Disposition is equivalent to sentencing in the adult justice system.
- The disposition frequently involves probation or residential placement.

Probation or other nonresidential dispositions

- This is the most common disposition in juvenile court.
- Probation allows juvenile to remain in the community as long as they abide by certain conditions of probation.
- Many times, probation orders require a juvenile to attend counseling programs, to perform community service, and to pay victim restitution.
- Probation is for a specified period of time (for example, one year).

Residential placement

- This is where the juvenile is sent to an institution, camp, ranch, or group home.
- This may be for a specified period of time or indeterminate.
- The residential placement facility could be publicly or privately operated.
- Juvenile is usually required to serve a period of aftercare after release.
    - Aftercare—Supervision of a juvenile after release from an institution (same as parole in the criminal justice system).
- There are two circumstances in which a juvenile in a residential placement may be sent to the criminal justice system for confinement.
    - If the offender commits crime in the facility and is old enough to be classified as an adult in the state.
    - If the individual is subject to blended sentencing. Blended sentencing involves the imposition of juvenile and/or correctional sanctions for serious and violent juvenile offenders who have been processed in the juvenile or adult court.

V. Comparison of Juvenile and Criminal Justice Systems

- Regarding operating assumptions, the juvenile justice system and the criminal justice

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system differ in the following ways:

- Juvenile Justice System
  - Youth behavior is malleable.
  - Rehabilitation is usually a viable goal.
  - Youth are in families and not independent.
- Criminal Justice System
  - Sanction should be proportional to the offense.
  - General deterrence works.
  - Rehabilitation is not a primary goal.

- Regarding operating assumptions, the juvenile justice system and the criminal justice system are similar in the following ways:
  - Community protection is a primary goal.
  - Law violators must be held accountable.
  - Constitutional rights apply.
- Regarding prevention, the juvenile justice system and the criminal justice system differ in the following ways:
  - Juvenile Justice System
    - Many specific delinquency prevention activities are used.
    - Prevention is intended to change individual behavior and is often focused on reducing risk factors and increasing protective factors in the individual, family, and community.
  - Criminal Justice System
    - Prevention activities are generalized and are aimed at deterrence.
- Regarding prevention, the juvenile justice system and the criminal justice system are similar in the following ways:
  - Educational approaches are taken to specific behaviors (e.g., drunk driving and drug use).
- Regarding law enforcement, the juvenile justice system and the criminal justice system differ in the following ways:
  - Juvenile Justice System
    - Specialized “juvenile” units are used.
    - Some additional behaviors are prohibited (truancy, running away, curfew violations).
    - Some limitations are placed on public access to information.
    - A significant number of youth are diverted away from the juvenile justice system, often into alternative programs.
  - Criminal Justice System

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        - Open public access to all information is required.
        - Law enforcement exercises discretion to divert offenders out of the criminal justice system.
- Regarding law enforcement, the juvenile justice system and the criminal justice system are similar in the following ways:
    - Jurisdiction involves the full range of criminal behavior.
    - Constitutional and procedural safeguards exist.
    - Both reactive and proactive approaches are used.
    - Community policing strategies are employed.
- Regarding intake—prosecution, the juvenile justice system and the criminal justice system differ in the following ways:
    - Juvenile Justice System
        - In many instances, juvenile court intake not the prosecutor, decides what cases to file.
        - The decision to file a petition for court action is based on both social and legal factors.
        - A significant portion of cases are diverted from formal case processing.
        - Intake or the prosecutor diverts cases from formal processing to services operated by the juvenile court, prosecutor's office, or outside agencies.
    - Criminal Justice System
        - Plea bargaining is common.
        - The prosecution decision is based largely on legal facts.
        - Prosecution is valuable in building history for subsequent offenses.
        - Prosecution exercises discretion to withhold charges or divert offenders out of the criminal justice system.
- Regarding intake/prosecution, the juvenile justice system and the criminal justice system are similar in the following ways:
    - Probable cause must be established.
    - The prosecutor acts on behalf of the State.
- Regarding detention—jail/lockup, the juvenile justice system and the criminal justice system differ in the following ways:
    - Juvenile Justice System
        - Juveniles may be detained for their own protection or the community's protection.
        - Juveniles may not be confined with adults unless there is "sight and sound separation".
    - Criminal Justice System

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    - Accused individuals have the right to apply for bond/bail release.
- Regarding detention/jail, the juvenile justice system and the criminal justice system are similar in the following ways:

    Accused offenders may be held in custody to ensure their appearance in court.
    - Detention alternatives of home or electronic detention are used.
- Regarding adjudication/conviction, the juvenile justice system and the criminal justice system differ in the following ways:
    - Juvenile Justice System
        - Juvenile court proceedings are "quasi-civil" (not criminal) and maybe confidential.
        - If guilt is established, the youth is adjudicated delinquent regardless of offense.
        - Right to jury trial is not afforded in all states.
    - Criminal Justice System
        - Defendants have a constitutional right to a jury trial.
        - Guilt must be established on individual offenses charged for conviction.
        - All proceedings are open.
- Regarding adjudication/conviction, the juvenile justice system and the criminal justice system are similar in the following ways:
    - Standard of "proof beyond a reasonable doubt" is required.
    - Rights to be represented by an attorney, to confront witnesses, and to remain silent are afforded.
    - Appeals to a higher court are allowed.
    - Experimentation with specialized courts (i.e., drug courts, gun courts) is under way.
- Regarding disposition—sentencing, the juvenile justice system and the criminal justice system differ in the following ways:
    - Juvenile Justice System
        - Disposition decisions are based on individual and social factors, offense severity, and youth's offense history.
        - Dispositional philosophy includes a significant rehabilitation component.
        - Many dispositional alternatives are operated by the juvenile court.
        - Dispositions cover a wide range of community-based and residential services.
        - Disposition orders may be directed to people other than the offender (e.g., parents).
        - Disposition may be indeterminate, based on progress demonstrated by the youth.
    - Criminal Justice System
        - Sentencing decisions are bound primarily by the severity of the current offense

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and by the offender's criminal record.
        - Sentencing philosophy is based largely on proportionality and punishment.
        - Sentence is often determinate, based largely on offense.
- Regarding disposition/sentencing, the juvenile justice system and the criminal justice system are similar in the following ways:
    - Decisions are influenced by current offense, offending history, and social factors
    - Decisions hold offenders accountable.
    - Decisions may give consideration to victims (e.g., restitution and "no contact" orders).
    - Decisions may not be cruel or unusual.
- Regarding aftercare—parole, the juvenile justice system and the criminal justice system differ in the following ways:
    - Juvenile Justice System
        - Function combines surveillance and reintegration activities (e.g., family, school, work).
    - Criminal Justice System
        - Function is primarily surveillance and reporting to monitor illicit behavior.
- Regarding aftercare—parole, the juvenile justice and the criminal justice system are similar in the following ways:
    - The behavior of individuals released from correctional settings is monitored.
    - Violations of conditions can result in reincarceration.

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