

Focusing on Juvenile Justice

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Academic Setting

This curriculum will be used in Truman Middle School, which is located in the southwest part of Albuquerque in an area called Westgate. The student population has a diverse ethnic makeup. The school has 80% Hispanic students, 11% Anglo students, 5% African American students, 3% Native American students, and 1% "other" ethnic groups such as Japanese and Kurdish. Truman is a unique school because of the students who attend. It is a bilingual environment wherein students are given the opportunity to participate in a dual language program, taking core classes in English and Spanish.

The enrollment at Truman continues to climb, after reaching a peak during the 1999-2000 school year with 1,018 students in grades six, seven and eight. Truman continues to be one of the largest middle schools in the Albuquerque Public School District. Another aspect of the school is the number of students who receive free or reduced cost meals. Most of the middle schools in the Albuquerque have around 45% of students who receive this assistance. In the Truman community this number is much higher with about 79% who receive free or reduced cost meals. This type of need reflects the community in which Truman is located where 76% of the annual household incomes range between \$10,000 - \$49,999.

The staff at Truman consists of many dedicated teachers. The majority of the staff, 66%, has between zero and ten years experience in the field of education. Most of the teachers have earned a BA, are female, and are Anglo. Teachers at Truman are always trying to engage students by using relevant materials and activities. Truman Middle School is a very unique place to work.

This juvenile justice unit is an attempt to bring relevant information to an 8th grade humanities class. The core classes at Truman are 90-minute blocks. Using this block method, the unit is designed to last approximately three weeks. Various teaching and evaluation methods will be used including role-playing, debates, and a field trip. Part of

the 8th grade social studies curriculum focuses on the Constitution and the branches of government. Many students feel this information does not pertain to them and become apathetic in studying about it. Unfortunately, some of the students at Truman have experienced the judicial system first hand or have friends who have been through it. Middle school students are very interested in exploring what rights they have under the law. The goal of the juvenile justice unit is to relate these issues to the lives of 8th graders at Truman.

Context and Background

Before focusing on the juvenile system, students will study the Constitution and the Bill of Rights. Most of the information will come from the text *America's Past and Promise*. After a basic understanding of these documents, time will be spent on the branches of government. The judicial branch will be saved for last, and this will tie into the unit about the juvenile justice system. The unit will start with an overview of the juvenile system and why it was started. It will then focus on four areas of juvenile justice. The first area is to compare the adult system to the juvenile system. The adult system will have already been studied briefly through the Bill of Rights. The second area of focus will be the treatment of juveniles today and the various methods of rehabilitation. The third part will look at the juvenile justice systems in countries around the world. The last section will be a study of various juvenile court cases that made it all the way to the Supreme Court. This area relating to court cases will end the unit with a mock trial. This activity will tie together the Constitution, Bill of Rights, branches of government, and the juvenile justice system. A final activity will include a field trip to the juvenile courthouse in Albuquerque.

Beginnings of Juvenile Justice

Delinquency is a relatively new word that started to be used in the 19th century to describe unruly children. Does this mean that youths did not commit delinquent acts before this time? Of course not. According to LaMar Empey, behavior that we now define as delinquent has been common throughout history, but it has not always been illegal nor has it always been called delinquency (Empey 3). Various accounts of juvenile delinquency have been documented throughout history. In the 17th and 18th centuries in Europe boys carried swords to school. In France duels, brawls, and beatings of teachers made some schools write policies to forbid weapons in the learning environment. During the 1950's in the United States teenage rebels could be seen smoking, listening to rock and roll, and racing fast cars.

Rethinking delinquency and juvenile justice is not a recent phenomenon. What has changed? Either the behavior of young people has grown worse over the years or significant changes have occurred in the way we now define and react to it. There continue to be debates as to which theory is correct. Another factor in the changing attitudes about delinquents is that the time frame of adolescence is constantly changing. Childhood is a social status or phase in the life cycle to which special beliefs and expectations are attached (Empey 6). In the past children had short and miserable lives, if they survived at all. Children were asked to become adults at very young ages. All family members were needed to work in order to survive. In time, with developments in the areas of medicine and technology, people were able to live longer and healthier lives. Children were allowed to attend learning institutions and they had more free time. Today most people see children in need of protection so exploitation can be avoided. This philosophy is called *parens patriae* meaning "the state is the father" (Siegel 8). With this idea the government acts like a parent to protect children in time of need. The time of adolescence is the time for children to experiment, test boundaries, and start making their own decisions. Society wants to keep young people from growing up too fast and has enacted laws to support these ideas.

When juveniles can't follow the rules, they are in need of guidance from society. Ideas about how to handle these young offenders have changed over time. There have been three major ideas about how to handle the "correction" of children: retribution, restraint, and rehabilitation. The 18th century was a time of retribution. This meant that children were treated the same as adults and received harsh punishments. Children could be punished by disfigurement, whipping, or even death. In England during the 18th century, some children were sent to hulks that were abandoned, rotting ships anchored off shore. Children could serve out their sentences with adults working as shoemakers or bookbinders (Empey).

As the world moved into the early 19th century, these old efforts to control crime seemed barbaric. The new idea was to build prisons and restrain the prisoners. During this time a few juvenile facilities were built, but most children were still punished the same way as the adults. It was believed that the prison system would keep criminals away from society and deter crime. In the later 19th century the concept of rehabilitation started as a way to treat criminals, not just their crimes (Empey 368). Views of childhood changed and experts believed juveniles should be dealt with differently than adults. In 1899 the first juvenile court system was established in Chicago. Instead of prison sentences, juveniles would receive training, education, and a different

classification. Separate juvenile facilities were built to keep children away from adult convicts. The idea of rehabilitation can still be seen in the juvenile justice system the United States uses today.

Adult vs. Juvenile Court Systems

In most countries throughout the world today juveniles can be brought into the court system for three major reasons. First, is a case of a child being neglected, exploited, or cruelly treated by adults. Second, a crime has been committed that an adult could also be charged for such as murder or robbery. Third is a status offense that applies to only children because of their age such as truancy. Other examples of status offenses include running away, use of tobacco, disobeying parents, or curfew violation. Juveniles are separated into different categories as status offenders to separate them from criminals and to signify their special problems. These categories include Children, Minors, Persons, Youths, or Juveniles in Need of Supervision (CHINS, MINS, PINS, YINS, JINS).

Juvenile court is different from adult court in many different ways. For the most part, juvenile delinquency proceedings are confidential, records are secret, and the person's name, behavior, and background are not made public. One of the main differences between the two systems is the terminology used. The police "arrest" an adult while children are "taken into custody." Adults face an indictment and children face a petition. Adults are sent to jail, but children are sent to a detention facility. Adults are given a conviction while in the juvenile system this is called adjudication. In the adult system criminals are given sentences, but children receive a disposition. Other characteristics of the juvenile court system include that parents are highly involved, juveniles have no constitutional right to a jury trial, and there is no death penalty in this system. However, since 1917, the juvenile courts have been looking more and more like adult courts.

Along with these differences, many similarities in the adult and juvenile court systems can be found. Police officers, judges, lawyers, and other correctional personnel are all involved in the decision-making processes. Search and seizure law and the Fourth Amendment apply to both juveniles and adults. The Miranda warnings apply to both juveniles and adults. Both have a right to counsel during the critical stages in the court process. Negotiations and plea-bargains exist for children and adult offenders. Children and adults have the right to appeal. But for many juveniles who commit serious crimes, they may be waived into the adult court system and punished with adult sanctions.

Treatment of Juveniles

How to treat juvenile delinquents has long been a topic of debate. The juvenile court system today is still trying to use various methods of rehabilitation. One consistent idea is to house the juvenile offenders in a locked facility. In this environment children could receive an education by attending on-site schools or learn through hands-on training in a craft. Juveniles could also receive individual or group counseling along with drug treatment programs, if needed. The children living in this setting would constantly be under sharp adult supervision. These facilities are usually reserved for the juveniles committing more serious crimes. Another treatment idea is the boot camp atmosphere. This again is usually reserved for the more serious juvenile offenders and is similar to the locked detention centers. Juveniles are treated similar to people going through a military training camp.

Other forms of rehabilitation don't have the lock-up facility, but rather keep the individual in the regular environment with additional assistance. One idea is to have the juvenile be involved in community activities. In some cities midnight basketball leagues have formed where juveniles are in a safe environment and compete against each other for championships. These programs have proved successful in deterring young people from crime by keeping them involved in positive activities. Other communities have built recreation centers where teens can go for relaxation and information. School experience can also be catalysts in making a positive difference in a juvenile. After-school programs could be run instead of sending the students home or out onto the streets where trouble can occur. The school could also use its counseling centers to assist students in need. Programs such as PREPARE, AMAY, and ART work with troubled juveniles in the school by having private and group sessions where at-risk behaviors and anger management are discussed. Workshops in teaching students new behavior strategies are also employed.

Along with the individual, school, and community the family needs to be evaluated when dealing with troubled youth. In multisystemic therapy (MST) a case manager is assigned to work closely with the family. These types of intervention programs have shown to be highly successful. Initially, the case manager works many hours in the home helping with counseling, discipline, and goals. Gradually, the number of contact hours is diminished. Another program that works closely with the family is the Intensive Aftercare Program (IAP). This is offered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). It provides guidelines to help families who have a juvenile who has left a residential treatment facility. IAP has five basic

principles: to prepare youth for increased responsibility, to facilitate community involvement, to work with family and peers, to develop resources and supports, and to monitor the youth. All of these programs must work together to support troubled youth (Ellis).

World Comparisons

The United States is not alone in the need to work with juvenile delinquents. Many of the same philosophies that have developed in the United States are the same around the world. Some countries, however, have a unique perspective on how to handle juvenile crime.

China

China did not develop a juvenile court system until the early 1980's. Before this time troubled children were handled by families and schools. During the 1950's radical laws went into effect that abolished such things as minors working in brothels, selling children into slavery, the practice of the child bride, and infanticide. Because of the new government policies, thousands of children were placed into emergency shelters or foster homes. The Marriage Law of 1950 made parents liable for any actions of their children under the age of 18. Laws also enforced severe punishments for adults who allowed minors to commit illegal acts. In 1976, with Mao's death, came political chaos.

Starting in the late 1970's the crime rates for juveniles more than doubled. The People's Congress quickly passed new laws to combat the problem. Shaonianfan Guanjiao Suo (SGS – Institutions of Management and Education of Juvenile Offenders) were labor camps which took in juvenile delinquents (60). Chinese laws vary on the term juvenile; in some cases it's up to 25 years of age while in others it is 18. The 1991 Juvenile Protection Law expanded juvenile rights to include confidentiality and private courts. But instead of holding minors accountable for behavioral problems, the government still upheld that parents are responsible for the actions of their children (63). The idea of *parens patriae* does not exist in the Chinese juvenile system. Most of the police serve as social workers who visit the homes and schools of troubled youth. Police are trained in counseling and mediation, and only if a serious crime is committed will a juvenile be taken into custody.

When a juvenile is arrested the police must question the accused in the presence of legal guardians within 24 hours. The courts must make a decision of adjudication or dismissal within a month. Occasionally, juvenile courts will handle adults who commit crimes against minors such as molestation or parental custody hearings (64). All juvenile

courts hold an educational session for offenders before disposition. Lay judges present information on the juvenile's family background, school performance, association with peers, personality, and causes of misbehavior. This process is to help the juvenile analyze the causes of the crime, understand the impact on society, and feel remorse (66). Most offenders receive a sentence of five years or less in a locked institution. If a juvenile demonstrates remorse, good behavior, or good educational performance a sentence may be reduced.

Germany

Germany began its juvenile justice system in 1871, and in 1923 a separate court was established. The goal of this system is to educate rather than to punish. Like the United States, Germany believes the state, along with the parents, is responsible for the care of the children. Status offenses are handled by the Youth Welfare Office (Jugendamt) and are kept separate from criminal acts. Four age categories have been established by law: 1) Child (Kind): 0 to 14; 2) Juvenile (Jugendliche): 14 to 18; 3) Adolescent (Heranwachsend): 18 to 21; 4) Adult (Erwachsene): over 21 (126). According to data from 1994, juveniles committed about 10% of the crime. Most offenders are males who have been accused of theft, vandalism, and violence against foreigners.

Germany has established three different types of juvenile courts. The first is with a juvenile judge (Jugendrichter) sitting alone over minor offenses. The second is for more serious offenses and is heard by a juvenile judge and two lay judges (Jugendschoffen). The last court is for major crimes and appeals. Three juvenile judges and two lay judges run this court. It is the responsibility of the judge, not the attorneys, to bring out all evidence. Most cities have a special police division that handles juvenile crimes. Detention centers do their best to separate the young detainees but in some circumstances they are mixed with adult prisoners.

Sanctions are made to fit the individual offender instead of the severity of the offense. A juvenile judge has three choices for punishment. Educational measures would involve training and supervision of the juvenile through some sort of education program that cannot exceed two years. Disciplinary measures could include a warning, a task such as making restitution, or temporary custody. The last option is juvenile prison for a maximum sentence of 10 years. The objective of prisons is to educate the convicted person to lead a responsible life. Inmates can receive training in carpentry, welding, cooking, or computer technology. Delinquents can earn temporary overnight releases with a legal guardian up to 21 times per year.

Towards the end of the sentence, inmates go into the community to find a job and a place to live. This will provide them an easier transition back into society.

Japan

Pre-World War II Japan's juvenile laws were heavily influenced by the United States. The Juvenile Justice Law of 1922 contained the following features: it applied to minors under the age of 18; convicted juveniles were not to face severe punishments, a personalized, case-by-case treatment was the goal; and some juvenile cases could be judged in adult criminal court. During this time there were only two Juvenile Adjudication Offices in the country located in Tokyo and Osaka (192).

After the defeat in the war, a new set of laws was drawn. New juvenile justice laws were created in 1948 under close military supervision. Juveniles were now divided into three different groups. The first was juvenile offenders between the ages of 14 and 20 who committed one or more criminal acts. The second group, child offenders, was people aged 14 or younger who committed delinquent acts. Predelinquent juveniles were the last group that targeted children aged 20 or younger who were considered at risk. Another change was that the Family Court became the primary decision maker in the disposition of juvenile offenders. Psychological evaluations and counseling were used to determine the best handling of each case. Another new concept was that complaints were allowed to be filed. New challenges continue to face the old juvenile system. For example, why has the criminal behavior of 18 to 20 year olds grown in recent years and how accountable should the parents be in the crimes of their children? Many of the same issues can be seen in the United States.

The primary institution of the juvenile justice system is the Family Court. A unique position in the Family Court is the probation officer. These officers are trained in psychology and sociology and it is their role to investigate the character of the juvenile delinquent. The background of the offender is divided into two parts: a social investigation by the Family Court probation officers and a legal investigation by the judges. During the investigations the juvenile is placed in a classification home for a maximum of four weeks. A juvenile may request the help of an attendant to act as defense counsel and to explain the Family Court proceedings. A public attendant is not provided, so the family must decide who will fill this role. Hearings are not open to the public and usually no personal details are revealed about the accused. The presence of parents, guardians, or attendant is strongly advised to protect the juvenile's rights, but it is not required

by law (202).

Japanese schools play an important role in preventing delinquency. Students wear school uniforms that easily identify which school a student is from. Teachers and parents often keep watch over student behaviors outside of school. Schools can use sanctions against students who are found to be delinquent. Because of this informal policy, many juvenile crimes are not referred to the Family Court. In 1990, 442,303 juvenile crimes were referred to Court but including not-referred cases that number could be as high as 8.8 million juvenile crimes committed for that year (203).

Mexico

Because Mexico is a federal republic, it has a variety of laws that govern juvenile justice. Juveniles, because of their age, are not considered capable of understanding the laws. Therefore, judges are replaced by counselors and sentences become security measures (208). There are limits in the system. For example, juveniles do not have the right to counsel for defense nor do they have the right to call witnesses or present evidence.

In 1991 laws were passed to improve the justice system in Mexico. The new system created the Juvenile Counsel to handle offenders. There is a 120-hour time limit from the time juveniles are arrested to the time a decision to free them or continue prosecution must be made (211). The juvenile process includes the investigation, initial resolution, diagnosis, final resolution, application of treatment measures, assessment of treatment measures, treatment conclusion, and further follow-up (211). The President who is appointed by the president of the republic heads the Counsel.

Mexico has no special police force to handle juvenile offenders. Frequently, adolescents are mistreated so they confess they are guilty. They are almost never told what their situation is, what will happen to them, or how long their confinement will last (213). Among recent interviewees 54 percent said they were mistreated. This included 34 percent who suffered physical mistreatment, 53 percent were insulted, 5 percent suffered theft, 4 percent were threatened, and 3 percent were given no meals (213). Research shows that almost all juveniles in treatment centers come from low-income families. There are far more boys than girls who are arrested. As a result, there are few treatment centers for girls and they are sometimes forced to be confined in areas meant for boys. To avoid contact with boys, they are not given full access to the facility. Because there is no classification for violations or age, juveniles are confined in the same cell for very different reasons. The minimum and maximum ages vary from state to state. In

some cases it is possible for a 10-year-old offender to live with a 20-year-old offender. The conditions in most centers are poor. There is the lack of adequate facilities, medical services, and quality personnel. There are also common informal juvenile practices that continue. Police raids to control homeless children are practiced almost daily (215).

Supreme Court Cases Involving Juveniles

The last part to be studied is actual Supreme Court cases. The following are a few examples of cases wherein juveniles tried to show that they do have rights under the Constitution.

In re Gault

One famous case involving a juvenile is *In re Gault*. Gerald Gault, 15, was taken into custody in Arizona because a woman complained that he had made obscene phone calls. His parents were not informed that he was being taken into custody. His mother appeared that evening and was told that her son had a hearing the next day. Gerald, his mother, and the police officer appeared before the judge by whom Gerald was questioned about the phone calls. Mrs. Cook, who had filed the complaint, was not present at the hearing. Gerald was released to his mother and was to appear again for a delinquency hearing. Again, Mrs. Cook was not present, but the police officer stated Gerald had admitted to the lewd phone calls. Neither the boy nor his mother was advised of any right to remain silent or the right to counsel. Gerald was found guilty and sentenced to a state school until the age of 21. An appeal was filed because Gerald was not given due process according to the Fourteenth Amendment. The Court found that Gerald's constitutional rights had been violated.

Fare v. Michael C.

Another case is *Fare v. Michael C.* Michael was arrested for the murder of Robert Yeager who was killed during the robbery of his home. A truck registered to Michael's mother was seen near the home. A witness also gave a description of a young man who was near the home who matched Michael. Using this information the California police arrested Michael who was then 16. He had been on probation with the juvenile court system since the age of 12. At the police station, two police officers began to question Michael with no one else present, but Michael was read his Miranda Rights. During the conversation, which was tape-recorded, Michael asked for his probation officer. The police did not allow this to happen and Michael proceeded to answer their questions giving incriminating information. Michael's attorneys argued that the information given was not valid

because the police violated his Miranda Rights. In reviewing the case the Supreme Court ruled that there was no violation and that a probation officer is not the same as a lawyer.

New Jersey v. T.L.O.

New Jersey v. T.L.O. is another famous case involving a juvenile. At a New Jersey high school two girls were found, by a teacher, in the bathroom smoking cigarettes. They were brought to the assistant principal's office to be questioned. Mr. Choplik questioned the girls and they denied any wrongdoing. The assistant principal then asked to see T.L.O.'s purse. Inside he found cigarettes, rolling papers, marijuana, a pipe, money, and a list of student names that owed T.L.O. money for drugs. T.L.O. was taken to the police station where she admitted to dealing drugs. She was found guilty and sentenced to a year's probation. Appeals were filed because they believed T.L.O.'s rights were violated and that the search of her personal belongings was illegal. The court ruled that school officials need to protect the school environment and have a right to search personal property if there is probable cause.

Schall v. Martin

Another interesting case is *Schall v Martin*. Gregory Martin was arrested in New York on charges of robbery, assault, and possession of a weapon. The arrest happened at 11:30 pm, so Martin was kept overnight until his hearing the next day. Because of a loaded weapon, the false address given by Martin to police, and the late hour of the crime, the judge ordered Martin be detained until his trial. His lawyers demanded he be released from custody because his Fifth and Fourteenth Amendment rights were being denied. The Court ruled that the state has the right to detain juveniles to protect themselves and the rest of society if they are perceived as dangerous.

McKeiver v. Pennsylvania

McKeiver v. Pennsylvania is a case involving the right to a jury trial. Joseph McKeiver, 16, was charged with robbery, larceny, and receiving stolen goods. A jury trial was requested by denied by the judge. The Court ruled that not all rights which are given to adults are guaranteed to juveniles. It was also stated that a jury trial would not help in the juvenile court system as and it could cause delay and the possibility of a public trial.

Nelson v. Heyne

The last case that will be examined is *Nelson v. Heyne*. This civil rights class action was filed on behalf of juvenile inmates at the

Indiana Boys' School, a state institution. The facility was said to be violating the Eighth and Fourteenth Amendment rights of the boys with the use of corporal punishment, solitary confinement, injections of tranquilizing drugs, and censorship of mail. The medium-security institution was for boys 12 to 18. Most were noncriminal offenders with an average stay of 6 months. The decision was that corporal punishment was not cruel or unusual as long as it was not excessive. Tranquilizing drugs could also be used to maintain a controlled atmosphere that was needed in that kind of environment. The court also ruled that the state must provide treatment for juveniles in the system.

Implementation

This unit is designed to last approximately three weeks. Prior information regarding the Constitution, Bill of Rights, and branches of government will be incorporated into the juvenile justice unit. Students will begin with constructing a KWL which that will allow the student and teacher to explore what the student already knows, what the student wants to know, and what the student will learn. This unit is divided into six lessons.

Lesson 1: How and why did the juvenile court system start in the United States?

First, each student will create a KWL chart. Next, brainstorming will take place with ideas about how and why the juvenile justice system was started. The teacher will add ideas to the student input, and they will discuss the reasons behind juvenile courts. Student and teacher information will be put on the board. Students will use the information on the board to create a timeline for juvenile justice. This lesson will last one day. Assessment will be based on the individual completion of a KWL chart and a timeline.

Lesson 2: What is the difference between the adult and juvenile justice systems?

A handout will be distributed that includes similarities and differences between the adult and juvenile systems. Discussion will take place using the chart from the handout. A list of five fictional court cases will be given to the students who will be assigned to small groups. The students will choose two cases and pretend to be the judge in each case. The student groups will chart the progress of each trial with one being a juvenile case and the other being an adult case using the handout chart as a guide. After charting the proceedings, the groups must develop an explanation of how they would decide each of the two cases if they were the judges. A short group presentation on the

two fictional court cases will complete the lesson. Students in the audience will write whether they agree or disagree with the decision. The audience will be allowed to discuss their opinions on the outcome of the fictional trials. This process will take about two days. Assessment will be based on the group presentation grade.

Lesson 3: What are the various methods of rehabilitation used for juvenile offenders today?

Various magazine articles will be provided which detail information about the current juvenile crime and what communities are doing about it. Students will be asked to read one of the articles and write a short personal reaction. Some of the articles include: "Crime Time Bomb", "A Pittsburgh Court Battles the Tide", and "Colorado Has a New Brand of Tough Love" from *U.S. News and World Report*, March 25, 1996. Other articles will include stories from other magazines and local newspapers. Students will be asked to share their comments on the handling of juvenile offenders. Students working in small groups will be asked to draw upon an outline for rehabilitation method that could include boot camps, locked facilities, detention centers, intervention programs, or school-run programs. Students will be asked to think about the pros and cons of their method of rehabilitation. A mini-debate will be staged wherein the students will discuss the pros and cons of each method. At the end of the debate, students will vote individually for the methods they believe would be the most and least effective for deterring juvenile crime. This lesson will last two days. Assessment will be based on the group list of pros and cons, debate participation, and an individual written summary about which were the most and least effective methods.

Lesson 4: What are the juvenile justice systems like in other countries?

A handout will be distributed that will examine the juvenile systems in China, Germany, Japan, and Mexico. A discussion will follow about why the systems might be different in various parts of the world. Students will break into pairs and choose one country to research regarding its juvenile justice system. Time will be spent in the library where research will be done to answer basic questions about juvenile justice. Some sample questions: When did the system get started? Who arrests juvenile criminals? What rights do juveniles have? Who makes the decisions about what should happen to delinquents? What are some examples of crimes by and punishments of juveniles? Are adults treated differently? Students can also come up with some of their own questions to answer. After answering questions through library research, students will create a poster

describing the juvenile justice system from one country. Classroom presentations will be given about the findings. This lesson will last about five days. Assessment will cover the poster and presentation of juvenile justice around the world.

Lesson 5: What Supreme Court cases have been tried which involved juveniles and their rights?

A workstation will be set up to summarize each of the following Supreme Court cases: *In re Gault*, *Fare v. Michael C.*, *New Jersey v. T.L.O.*, *Schall v. Martin*, *McKeiver v. Pennsylvania*, and *Nelson v. Heyne*. A review and discussion of the Constitution, Bill of Rights, and branches of government will summarize information from past classes. Students will travel to various parts of the room and write down facts about each of the court cases and which constitutional rights were being challenged. Students will then discuss each of the court cases in small groups using their notes from the workstations. A large group discussion will then summarize the court cases. Students will then individually vote for the court case they would like to try in class in the form of a mock trial. Students will sign-up for the various roles to be played including the judge, recorder, witnesses, and attorneys. Each student will then be given a short description of the role to be played. Over the next few days students will be given a chance to meet with their fellow team members to prepare for the trial. The classroom should be arranged to resemble a courtroom. Students will then act out the trial and videotape the proceedings. Each student will be asked to keep notes during the trial. At the end the notes will be turned in along with evaluation questions about the trial. Evaluation questions might include: Did you agree with the outcome? How was the mock trial similar to a real trial? How was it different than a real trial? The lesson should last approximately three to four days. Assessment will be based on the role-playing during the trial and the evaluation paper at the end of the trial.

Lesson 6: What is it like in a real juvenile courthouse and who works there?

This lesson will involve an arranged fieldtrip to the juvenile courthouse in Albuquerque. Upon arriving at the courthouse, students will be given a packet of handouts. Students and sponsors will be given time to read through the material and think of questions to ask. A panel of people who work in the juvenile court system will then be introduced. The panel could include a judge, lawyer, security officer, and social worker. Each panel member will give a short introduction about what she or he does in the juvenile court system. Students will then be given the opportunity to ask questions of the panel. Included

in the student handout packet will be a worksheet for an informational scavenger hunt. Upon completion of the panel questions, students will be allowed to gather in an area of the juvenile courthouse to find answers to the scavenger hunt questions. They will need to interact with workers in the juvenile justice system. Prizes will be given to the students who complete the questionnaires the fastest and with the best answers. Students will then be given the opportunity to witness detention hearings in various courtrooms. Students will take notes about what they see and hear. The next day students will be asked to use the notes and write a short story or poem, or draw a sketch of what happened inside the courtrooms. Students can share their ideas within the large group. To summarize the unit, students will complete the KWL charts and discuss what was learned. This lesson will be completed in two days. Assessment will be based on completion of scavenger hunt worksheet and the short story, poem, or drawing.

District Scope and Sequence for grade 8

During the unit on juvenile justice, several areas of performance standards will be met in the areas of social studies and language arts.

Social Studies

History and culture: Learners will exhibit an understanding of the ways human beings view themselves in and over time through beliefs, values, and government.

- Read statistical information and make generalizations.

Civic understanding: Learners exhibit an understanding of the ideals, principles, and practices of citizenship in a democratic republic and in other forms of governance.

- Describe the major features and purposes of the U.S. Constitution (preamble, three branches of government, Bill of Rights, amendments, and federalism).
- Describe legislative, executive, and judicial functions.
- Analyze the influence of diverse forms of public opinion on the development of public policy and decision-making.
- Describe ways in which each person demonstrates responsibility in homes, schools, the community, and the world.

Language Arts

Listening: Learners develop active listening strategies.

- Listen for specific and implied information, follow

directions, ask relevant questions, sequence facts, take accurate notes, compare conflicting points of view, participate in purposeful communication with peers and adults.

Speaking: Learners communicate orally for a variety of purposes and audiences.

- Speak clearly and use standard pronunciation.
- Use a various formats including group oral presentations, informal/formal group discussions, and role-playing.

Reading: Learners read and gather information from a variety of printed material.

- Use format and visual clues.
- Recall and apply details and information.
- Make judgment and evaluate what is read.
- Use library resources to locate, research, and collect information on a topic or theme.

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