

JUVENILE JUSTICE REFORM – A PRIORITY

Adopted by Convention Delegates May 13, 1983

Reviewed by Board of Managers July 2012

- WHEREAS,** The California State PTA has supported the establishment of juvenile court laws and juvenile protection programs; and
- WHEREAS,** The state Legislature has recognized the need for reform of the Juvenile Court Law by authorizing the appointment of a commission to study and make recommendations for changes in the existing law; and
- WHEREAS,** The PTA in California has begun a review of the Juvenile Court Law in order to establish current positions on the issues and make recommendations to the commission and the Legislature; now therefore be it
- RESOLVED,** That the California State PTA declare the reform of the Juvenile Justice System in California a priority; and be it further
- RESOLVED,** That the California State PTA Board of Managers be urged to continue, with the cooperation of units, councils and districts, to study issues related to the system of juvenile justice in California and work for reform that will best meet the needs of children and youth who come in contact with the Juvenile Justice System; and be it further
- RESOLVED,** That units, councils and districts be encouraged to study the needs related to children and youth who are at risk of entering the Juvenile Justice System and work in cooperation with other groups to develop plans of action.

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BACKGROUND SUMMARY

On April 25, 1982, the Governor signed into law AB 419 (Nolan) which became Chapter 170, Statutes of 1982. The Act states: “The Legislature finds that the problems of serious crime and delinquency have escalated throughout the state and are of a vastly different character today than they were 20 years ago when a statewide commission developed and assisted in enacting the Arnold-Kennick Juvenile Court Act.” AB 419 authorized the establishment of a Commission for the Revision of the Juvenile Court Law.

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In January 1961 the California State PTA endorsed the eight basic principles underlying recommendations of that earlier special study commission. The recommendations of this commission formed the foundation for the Arnold-Kennick Juvenile Court Act of 1961. While PTA has continued to look at the problems of juvenile delinquency, it has not conducted a comprehensive study of Juvenile Court Law and the system of juvenile justice since that time.

According to "Juvenile Delinquency and Its Prevention," a new publication of The National PTA published in cooperation with the U.S. Office of Juvenile Justice and Delinquency Prevention,

"Juvenile delinquents are not 'someone else's children.' Studies show that troublesome behavior is exhibited by youth from: all economic groups, all racial and ethnic groups, both sexes, rural as well as urban locales and intact families as well as broken homes."

"According to recent statistics, there were more than two million juvenile arrests over a one-year period. Juveniles accounted for: two-fifths of all arrests for property crime, including 45% of all burglaries and 30% of all robberies; one-fifth of all arrests for violent crime, including 15% of all forcible rapes and 9% of all murders. These figures are based on cases in which an arrest was made. Such cases represent only a small proportion of the total number of crimes committed."

"Although it is estimated that four to 8% of all youth account for about half of all serious crimes, a significant proportion of youth are involved in the other half. The problem is serious, widespread and frequent."

With the passage of AB 3121 in 1976 which, along with other changes in Juvenile Court Law, prevented detention of status offenders* in secure facilities, has come great controversy as to the handling of status offenders in California. (At the state convention in 1980 the PTA was unable to come to agreement on a resolution regarding the handling of status offenders.) Adding to the controversy have been the final rules to implement the 1980 Juvenile Justice Amendments issued by the U.S. Department of Justice. These rules allow for the incarceration of status offenders who violate valid court orders. On top of all this has been the gradual cutback on funding for delinquency prevention programs, both state and federal, which could benefit all children and youth who may come in contact with the system.

Many questions are unresolved as to the treatment of juveniles who may be judged to be dependent children of the court, status offenders or delinquents. The PTA in California must be prepared to make its recommendations to both the commission and the Legislature and to develop programs that will prevent delinquency.

* Status Offender - A youth who commits a crime for which he/she would not be punished if he/she were over 18. Truancy and running away are two examples of status offenses.