

## **What Parents need to know about Juvenile Delinquency and the Michigan Juvenile Justice System**

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Everyday in Michigan...<sup>1</sup>

- 55 juveniles, ages 10-17, are arrested for an index crime (murder, rape, robbery, aggravated assault, larceny, motor vehicle theft, and/or arson)
- 9 juveniles are arrested for a violent index crime
- 10 children are placed out of home for delinquency (in addition to index crimes, these placements can result from status offenses like possessing and drinking alcohol, running away, truancy or some other ungovernable behavior)
- 157 youth drop out of high school
- 1 youth dies from an accident, homicide or suicide

According to State statistics (2003), Michigan is responsible for 2, 706 youth residing in juvenile detention and correctional facilities across the state. Many of these detained youth are children of color.<sup>2</sup>

Michigan Currently has a decentralized juvenile justice system. This means that the local courts are responsible for organizing delinquency services, supervising intake and probation and administering and referring youth to community-based alternative services, if available, detention, and aftercare services.

Michigan uses a process called Structured Decision-Making (SDM) to determine the placement of juveniles. Using this assessment, a youth's needs and the risk of re-offense are examined. Treatment resources are then assigned according to specific criteria established by the Michigan Office of Juvenile Justice.

### **Who can refer a child to the juvenile courts?**

Over 80% of juvenile court referrals involve the police. The remaining referrals are by concerned parents, school authorities, other professionals, or private citizens. Only about 50% of juvenile courts referrals receive formal intervention. The rest are dismissed for lack of evidence or handled informally- a common approach for first time offenders who commit nonviolent, non-serious crimes. In these cases, youth are released into parental custody, and may be required to participate in counseling or informal meetings with a probation officer who may be used to monitor and control a child's behavior. Formal interventions occur when a delinquency petition has been filed and the youth has been adjudicated (there was evidence to support the allegations of the petition). Formal interventions usually require the assignment of a probation officer who meets regularly with the youth, and other forms of specialized treatment are ordered (i.e. institutional

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<sup>1</sup> Kids Count in Michigan Databook

<sup>2</sup> Sickmond, M., Sladky, T.J., Kang, W. (2005). Census of juveniles in residential placement databook.

placements). Only about five percent of all juvenile court referrals result in institutionalization.

### **What are the legal rights of adjudicated youth?**

- Youth have a right to know what they have been accused of;
- Have a right to legal representation;
- To questions witnesses;
- Are guaranteed protection against self-incrimination;
- Access to the transcript of the court proceedings; and
- Have the right to appeal the conviction.

### **Can juvenile records be expunged?**

For most offenses, yes. Juvenile delinquency records can typically be expunged after the juvenile reaches 18 years of age, and five years have passed since the most recent case was terminated. Records can also be expunged faster at the discretion of the District Attorney.

### **Is there anything else important to know about juvenile court?**

Juvenile court can sometimes seem rather informal, but the consequences of adjudication in juvenile court can be quite serious. Some cases carry mandatory driver's license suspensions, fines, and very expensive treatment programs which must be paid for (in part or in whole) by the parent. In some of the more serious cases, jurisdiction in juvenile court can result in commitment/incarceration of the juvenile well into adulthood (up to 25 years of age). In cases of alleged sexual abuse, adjudication in juvenile court can result in the juvenile being registered for life as a sex offender.

### **Is my child at risk of becoming a juvenile delinquent? Warning signs:**

- My child was a victim of brain injury;
- My child has a learning disability and is not receiving appropriate support
- My child has a severe emotional disturbance and is not receiving appropriate services to manage his/her disability;
- The child is/has been abused by a family member;
- The child is a witness to physical or verbal abuse between family members;
- Is living with family members who abuse drugs or alcohol;
- Lacks discipline;
- The child has not formed meaningful relationships with family members;
- Is experiencing parental separation or divorce;
- Is living in poor neighborhood conditions;
- The child is performing poorly in school
- The child identifies with peers who are a bad influence;
- The child lacks interests, hobbies, and is not socially involved;
- The child frequently moves