

CHAPTER 9

9.1 Self Check page 300

Why is there a trend to waive more juveniles to adult court?

It is because of increased media and community pressure to punish serious and repeat juvenile offenders, and because of the perceived inadequacies of sentencing limits within the juvenile system.

9.2 Self Check page 315

1. What is the purpose of waiving a juvenile to adult court?

The three main purposes are:

- To remove juvenile offenders charged with heinous, violent crimes, partly as a result of community and media pressure.
- To remove chronic offenders who have exhausted the resources of the juvenile justice system.
- To impose longer potential sentences than are available within the juvenile justice system.

2. Briefly describe the three types of waivers.

The three types of waivers are:

- **Judicial waiver**, in which a judge waives jurisdiction and thereby sends the juvenile's case to adult court. There are two types of judicial waiver: discretionary judicial waiver, in which a juvenile court judge holds a waiver hearing to decide whether to waive the case to adult court; and mandatory judicial waiver, in which juveniles who commit certain (usually violent) offenses are automatically waived to adult court, with no hearing needed.
- **Legislative waiver**, which is a type of waiver created by a legislature, which orders an automatic waiver to adult court when certain offenses are committed.
- **Prosecutorial waiver**, which occurs when there is concurrent jurisdiction between the adult and juvenile courts, and the prosecutor is given the choice of which court should handle the case.

9.3 Self Check page 321

Describe the different types of blended sentences.

There are five types of blended sentences:

- Juvenile-exclusive blend
- Juvenile-inclusive blend
- Juvenile-contiguous blend
- Criminal-exclusive blend
- Criminal-inclusive blend

9.4 Self Check page 322

Describe the types of living arrangements juveniles can encounter once they are sentenced to an adult prison.

They can either encounter straight adult incarceration, which places them among the general prison population, or segregated incarceration, which is the practice of housing juveniles, usually between the ages of 18 and 25, in a separate prison facility.

9.5 Self Check page 325

1. Can and do juveniles receive the death penalty in the United States?

Yes, as long as they are aged 16 or older, juvenile murderers are eligible for the death penalty. Since 1973, nine juveniles (all aged 17) were executed for their crimes.

2. Do any states have statutes regulating a death sentence for juveniles?

Yes, some do not allow the death penalty for juveniles, and some do not allow it for offenders of any age.