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SooYeon Choi
CSU - Monterey Bay

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Finding the Best Way for Everyone

Sooyeon Choi

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JUVENILE delinquency indicates the act of participating in criminal activity as minors who are between 12 to 17-years-old in California. The difference in punishment for juveniles from adult offenders is that it is more concentrated on the rehabilitation of young offenders. Juveniles are usually offered more sentencing options than adult criminals would get. These options include keeping youth offenders out of jail and placing them within the community such as community service, diversion, and counseling programs. However, the state of California decided to execute Proposition 21 to strengthen the punishment for youth offenders and it became a controversial issue. This is because some people who support this policy argue that age could not be an excuse for the intensity of punishment, while others who are against it assert that discipline is a priority for juvenile offenders over a penalty.

Similarly South Korea, a country 6,651 miles apart from California, is facing a similar problem with juvenile delinquency and what punishments are appropriate for youth offenders. It shows that even though the law and how to treat young offenders are different from each country, controversy over the severity of punishment exists regardless of it. Therefore, I am going to compare and contrast the policy for juvenile delinquency and people's awareness of youth offenders between South Korea and the state of California.

According to California Proposition 21 (Prop 21), the state decided to reinforce the criminal penalties of young offenders. They announced that juveniles who are 14 or older, and committed a crime such as murder or specified sex offenses, would be incorporated into the adult criminal justice system. This is because the state expected that the new policy would prevent not only the increased number of gang-related crimes but also further crimes conducted by gangs. The policy got support from 62.1% of the voters, while 37.9% voted against the proposition ("California Proposition 21"). However, enforcement of this law is still disputable. People who support Prop 21 argue that youth could not be an excuse for a serious criminal offense such as murder, rape, or violent act. Thus, juvenile offenders who committed cruel crimes should take their responsibility and be treated as adult offenders.

On the other hand, people who are against the policy argue that it could sometimes give excessive punishment and make the situation worse. For instance, in the film called "Juvies," there was a boy named Michael Duc Ta who received a 35 years-to-life sentence. The reason was that he was the driver of a car where guns were fired at an opposing gang member. However, no one was injured and Duc wasn't a gangbanger. He didn't even have a gun and did not know that an attack was planned. In addition, there is statistical data that supports how adult prison negatively affects young offenders. It shows that juveniles who are treated as adult offenders are more likely to commit crimes repeatedly and return to prison more often than juveniles who are sent to a youth offender institution (Wood).

The Republic of Korea treats juvenile offenders quite differently from California's method. The juvenile laws in South Korea are separated into three

parts depending on the offenders' age (Korean Ministry of Justice). First, no laws are applied for juvenile offenders who are under ten years old, so they are not punished. Second, juveniles between the age of 10 and 14 are classified as a "tentative boy" and receive protective disposal such as volunteer work or probation, which is different from the punishment for adult offenders. Also, young offenders in these ages would not have any record of their crime. Lastly, juveniles between the age of 14 and 19 are also punished with juvenile law rather than criminal law. For example, the crime in which adult offenders would be sentenced to life imprisonment or death penalty is sentenced to a maximum of 15 years in prison for juveniles offenders between 14 and 19 years old.

In South Korea, the number of people who want to repeal the juvenile laws is increasing (Ju). This is caused by the increasing violent crime rate committed by young offenders. To give a brief explanation about one case, there was an incident that became a huge social issue in 2017. The crime was committed by four girls. Two of them were 15, and the other two were 14 and 13 years old (Park). They dragged the victim who was 14 years old to the nearby factory and assaulted her for about an hour and a half with steel tools, bricks, and glass bottles until she was bloodied. The reason for this merciless assault was that the attitude of the victim was cocky. What is more shocking is these young offenders knew that they would get a light punishment and they abused it. Thus, even though the victim got serious injuries, the offenders were given protective disposal due to their young age as they expected. It drew public indignation and many people protested the court's decision. People strongly disputed the abolition of juvenile law.

It is really hard to answer if someone asked me; What perspectives do you agree with? Before I knew about the incident which occurred in South Korea, I was against the policy that treats juveniles as adult offenders. However, the

interview which was done with the victim's mother inspired me. She said, "Even though perpetrators students saw my daughter bleeding and collapsed on the street, they left her alone without taking any action. It's so cruel. I hope this will be an opportunity to create an environment where parents with children can relieve and send their child to school. I really hope there will be no more victims like my child. To do this, the government should abolish the juvenile law and the offenders should receive the punishment which is fit for their crime" (Lee). It made me consider again the assertion that young age should not be an excuse for serious violent crimes.

On the other hand, the argument that the policy could impose excessive punishment on young offenders and make the situation worse has valid points as we could see on the documentary, "Juvies." According to the film, the common traits that juveniles shared was that they were suffering from problems with their family while they were growing up such as drugs, domestic violence, sexual abuse, or family gang members. For instance, the father of Duc confirmed in the interview that he often beat up his son as a punishment. This shows that the behavior of youth offenders are more indicative of the environment they were raised in.

As we could see from the examples, the punishment given to juvenile offenders is hard to decide and could be controversial. However, people would agree, regardless of their positions, that we need to create a system that works for everyone. Foremost, we should consider the severity of the damage. Even though both are committed by juveniles, murder and pickpocket should not be treated in the same way. Also, if there is any victim, we should first take care of the pain that the victim and his or her family should suffer. However, it is also an undeniable fact that juveniles are still young and immature. They might not know how to handle their tragic situations and what they should do. They

might follow what others do without considering the result. I agree with the idea that there should be a limit and they should take some responsibilities for their behavior. However, as an adult, I also think it is unreasonable to ask them to follow the regulation that adults decide without offering them a shelter where they could protect themselves. Adults should do their duty before just asking teenagers to act in a good way. Everyone's care and effort would be needed significantly to overcome the current issues regarding juveniles.

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