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Juvenile crime dilemma

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The shotgun slaying of Orange Detective Kie ran Shields, allegedly at the hands of a 19-year-old with a long juvenile record, has rekindled the debate over mandatory minimum sentencing for juveniles. Officials in the Essex County Prosecutor's Office, who raised the issue a year ago following another police shooting, say the law needs to be toughened so juveniles who carry out crimes with guns and commit other serious offenses are not simply slapped on the wrist and returned to the streets.

Certainly, dangerous juveniles should be incarcerated. But is it wise to extend the one-size-fits-all justice of mandatory sentencing that has posed so many problems on the adult level to juveniles?

Under New Jersey law, juveniles who face incarceration can receive up to four years in a juvenile facility unless they are tried as adults.

But few get any time. Of 61,907 juveniles arrested in New Jersey in 2004, only 908 were committed to prison facilities. That's less than 2 percent. Typically, juvenile offenders have to commit 6.7 offenses before they are imprisoned.

Prosecutors correctly argue that this sends the wrong message. We agree. But we're not sure the solution is mandatory sentencing as much as it is judges taking advantage of what is now available. Creating a sentencing structure that scoops up a large number of juveniles and incarcerates them for lengthy periods eliminates judicial discretion.

Questions abound as to whether mandatory sentencing has worked at the adult level. Many experts say it has led to an explosion in the prison population and devastated families in urban areas while doing little to make streets safer and even less to provide treatment and other services for offenders.

Fear and frustration brought on by a spiraling gang problem have caused thoughtful public officials to push for mandatory minimum sentences for juveniles. We applaud the effort to find a solution but hope something more creative emerges.

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