

US youth crime bill: more children to be tried as adults

Kate Randall
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On June 17 the US House of Representatives passed a juvenile crime bill which strips young people in America of many of their rights as children in the justice system, and further erodes the distinction between adults and juveniles under the law. The vote was 287-139, with 80 Democrats voting for the bill.

Last month the Senate passed its version, and the two bills must now be resolved in conference committee. The Senate had included several gun control measures, but the House split it into two parts, voting down the portion containing gun control amendments, including background checks for all gun show transactions. The National Rifle Association spent \$1.5 million campaigning against the gun control provisions.

The bill had been stalled in Congress for two years, but debate was revived in the wake of the shooting at Columbine High School in Littleton, Colorado in April. The measure will provide \$1.5 billion to states to build juvenile prisons, and hire additional juvenile judges and prosecutors. As a condition for receiving the federal money, states will be required to implement mandatory prison sentences for repeat violent offenders.

Provisions of the bill include:

- Youth 14 years and older arrested for violent crimes could be charged and sentenced as adults.
- Juveniles convicted of gun possession could receive up to a year prison time.
- Youth carrying a gun in a school zone could receive a five-year sentence; if the gun were proven to have been brought to school with the intent to commit violence, the sentence could be 20 years.
- The penalty for discharging a firearm in a school zone would be a maximum of 20 years if there was disregard for others' safety and 25 years if others were harmed. If anyone was killed, for those 18 and older the death penalty could be imposed. Those under 18 could

received life imprisonment.

Other measures of the bill mandate increased sentences for adults who provide guns or drugs to minors.

The Child Welfare League of America, an association of agencies that helps abused and neglected children and their families, denounced the measures. The league's Executive Director David Liederman commented, "The US House of Representatives passed legislation that is a slap in the face of America's youth. This proposal sets back juvenile justice in this country by at least 25 years, and is a callous disregard for our children."

Liederman said the legislation "did virtually nothing to fund prevention programs." He continued, "The legislation will result in 13-year-olds being tried in adult court and allow children to be incarcerated with adult criminals. It will impose mandatory minimum sentences for children that are harsher than sentences for adults who have committed the same crimes. And prevention was ignored."

The House bill will accelerate the already existing trend in the US to prosecute and punish children as adults. Of the 1.2 million juvenile justice cases in 1987, 6,800 were moved to adult court. By 1996, 10,000 of 1.8 million young defendants were tried as adults.

An amendment sponsored by Republican Rep. Henry Hyde from Illinois that would have made it a crime for anyone to expose children to movies, books or video games that contain explicit sex or violence was defeated 282-146. However the House approved legislation permitting the Ten Commandments to be posted in schools. It is unclear whether this plainly unconstitutional provision will survive the conference committee.

The debate on the bill provided a graphic display of

the inability of either political party to seriously consider the underlying social roots of events such as the spate of high school shootings, or propose any perspective for addressing the crisis that has produced such tragedies. For the most part, the Democrats took the position that a combination of more punitive law-and-order measures against young people combined with stricter gun control laws could remedy the situation.

On the Republican side the debate provided a platform for promoting the most reactionary and backward conceptions, from proposals for a government clamp-down on the arts and entertainment industry to the promotion of religious bigotry. Republican Minority Whip Tom Delay (Texas) argued that the problem of youth violence resulted from a rejection of god by a depraved society. "Our school systems teach the children that they are nothing but glorified apes who are evolutionized out of some primordial soup of mud," he said.

The government response to the series of school shootings over the past year in American schools comes into clearer focus with the passage of the juvenile justice bill, which proposes to spend \$1.5 billion to arrest, prosecute, sentence and imprison children as adults.



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