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Law Day Essay Contest

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*"In re Gault: A Change in Juvenile Justice"*

A young boy, about my age, was taken into police custody. He is overwhelmed with emotions and has not the slightest clue as to why this has occurred. In his mind, he had done nothing wrong; it was his friend who made the prank phone call, he did not even know what happened. This boy, Gerald Gault, embodied the need for juvenile justice reform, and with the 1967 Supreme Court ruling, in his favor, his case paved the way for juveniles across the country to have a voice in legal proceedings and finally achieve what is engraved in the Supreme Court building in Washington D.C.— "equal justice under law".

As an adolescent, it can be quite confusing to know what your specific rights are and what to say and what not to say to a police officer, an attorney, or even a judge. Additionally, many kids at this age do not know what to say to their parents when they are caught in a bad situation. The *In re Gault* ruling guaranteed four major rights to juveniles, including notice, counsel, confrontation and cross-examination, and protection from self-incrimination. Specifically, though, this 1967 Supreme Court ruling granted protection from self-incrimination. The right to protection against self-incrimination speaks volumes as to the legality of prosecuting a juvenile.

When growing up, it is ingrained into children that law enforcement officers are your friends, something we all want desperately to be true. Children are taught to respect and trust them; however, many juveniles are wary of the fact that trust can be manipulated. For instance, a parent who has past issues with the police may be more likely to raise their children to be

cautious of law enforcement. Prior to *In re Gault*, juveniles were not informed of these rights which, in turn, opened a multitude of gaps in juvenile court proceedings, as well as the general equality of juvenile court.

Being afforded the protection from self-incrimination is not the first right which comes to mind when many people think of their specific legal rights; however, it is one of the most essential and vital aspects to parity and fairness in the court system. Regardless of the choice to confess to law enforcement officers or "plead the fifth" by not answering any questions, this ruling was imperative and necessary to build upon the landmark Supreme Court case *Miranda vs. Arizona*, and expand the scope of Fifth Amendment rights to include juveniles who face the possibility of imprisonment. Regardless of whatever statement deemed incriminating by law enforcement, and whether the accused is innocent or guilty, the *In re Gault* ruling allows this person the freedom of choice to speak or not speak—something critical in any justice system.

The *In re Gault* Supreme Court ruling was a major victory for juveniles across the United States, and the precedent the Supreme Court set proves again, and again, that adolescents deserve the right to due process under the law. Without such a ruling the overall juvenile justice system would not be as fair or equal as it is with these important guidelines and precedents. Changing the course, and lives, of juveniles across America, for the better, makes us a more civilized and productive society, and *In re Gault* played a crucial role in doing so.