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December 18, 1980

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ARIZONA ATTORNEY GENERAL

INTERAGENCY
Mr. Ellis MacDougall
Director
Arizona Department of
Corrections
1601 West Jefferson
Phoenix, Arizona 85007

Re: I80-215 (R80-250)

Dear Mr. MacDougall:

In your letter of November 17, 1980, you requested approval by us of the revised pilot program, "Prison Life Information Program." In Ariz. Atty. Gen. Op. 179-182, a copy of which is enclosed, we said it would not be contrary to the Arizona Constitution and statutes to allow juveniles, on a voluntary basis, to attend a youth indoctrination program lasting approximately three hours at the Arizona State Prison. That opinion was based on the fact that inasmuch as juveniles' participation would be voluntary, they would not be "confined" or "detained" in the manner prohibited by the Constitution and statutes.^{1/}

The revised pilot program makes even more explicit the fact that juveniles will not be confined or detained. Paragraph D of the Arizona State Prison Awareness Program states:

1. See Arizona Constitution, Article 22, § 16; A.R.S. §§ 8-226, 31-124.B.

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The juvenile will be advised by the Department of Corrections staff that any individual wishing to leave the physical confines of the prison at any point before or during the tour or rap session, will be allowed to do so by indicating their desire to one of the Department of Corrections or Juvenile Court personnel accompanying them.

We find nothing in the revised program that would cause us to overrule our prior opinion and thus conclude that the revised program is not contrary to law.

Sincerely,



BOB CORBIN
Attorney General

BC:JRA:eb