

# JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM FY00

July 1, 1999 to June 30, 2000



March 2001

Arizona Supreme Court  
Administrative Office of the Courts  
Juvenile Justice Services Division  
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## **INTRODUCTION**

This is the seventh publication of Juveniles Processed in the Arizona Court System. The data for this report are drawn each year from the fifteen Juvenile Courts' Juvenile On-Line Tracking Systems (JOLTS). JOLTS is the court's automated juvenile court information management system that has been operational in Maricopa County Juvenile Court for more than 20 years, and statewide for seven full years. Each Juvenile Court actively participates in collecting and maintaining the data to ensure quality and accurate numbers.

This report provides an overview of the juveniles processed at various stages of the juvenile justice system statewide during fiscal year 2000. Selected breakdowns of an unduplicated juvenile count<sup>1</sup> are presented at the following stages: Referral; Diversion; Petition; Dispositions of Dismissed, Penalty Only, Standard Probation, Juvenile Intensive Probation Supervision, Arizona Department of Juvenile Corrections; Direct Filed in and Transferred to Adult Court, and Juveniles Detained.

The characteristics of juveniles at each of these stages are contained in this report. Each characterization of the juvenile is determined at his or her most recent referral. The demographic characteristics displayed are gender, ethnicity, age, and education status. This information is followed by offense-specific characteristics that contain the number of prior referrals, offense class of the most serious offense, and the severity of the most serious offense<sup>2</sup>.

Note that not all of these juveniles processed entered the system during this fiscal year, as some may have entered the previous fiscal year but received a disposition during this fiscal year. Therefore, these juveniles were all processed at least at one point in the system during this year. That is, one or more of the stages presented in this report happened during the year. The juveniles were referred, diverted, petitioned, had at least one disposition from the court, direct filed in and/or transferred to adult court, and/or detained at one point during FY00.

The number of juveniles processed in the juvenile justice system is influenced by several factors, including legislative actions (which result in changes in the law), law enforcement and prosecutorial practices, and the number of juveniles ages 8 to 17 years old in the Arizona population. Through the year 2000, the number of juveniles in the population has continued to increase steadily, as can be seen in the Arizona Juvenile Population Estimates and Projections chart in the population section<sup>3</sup>.

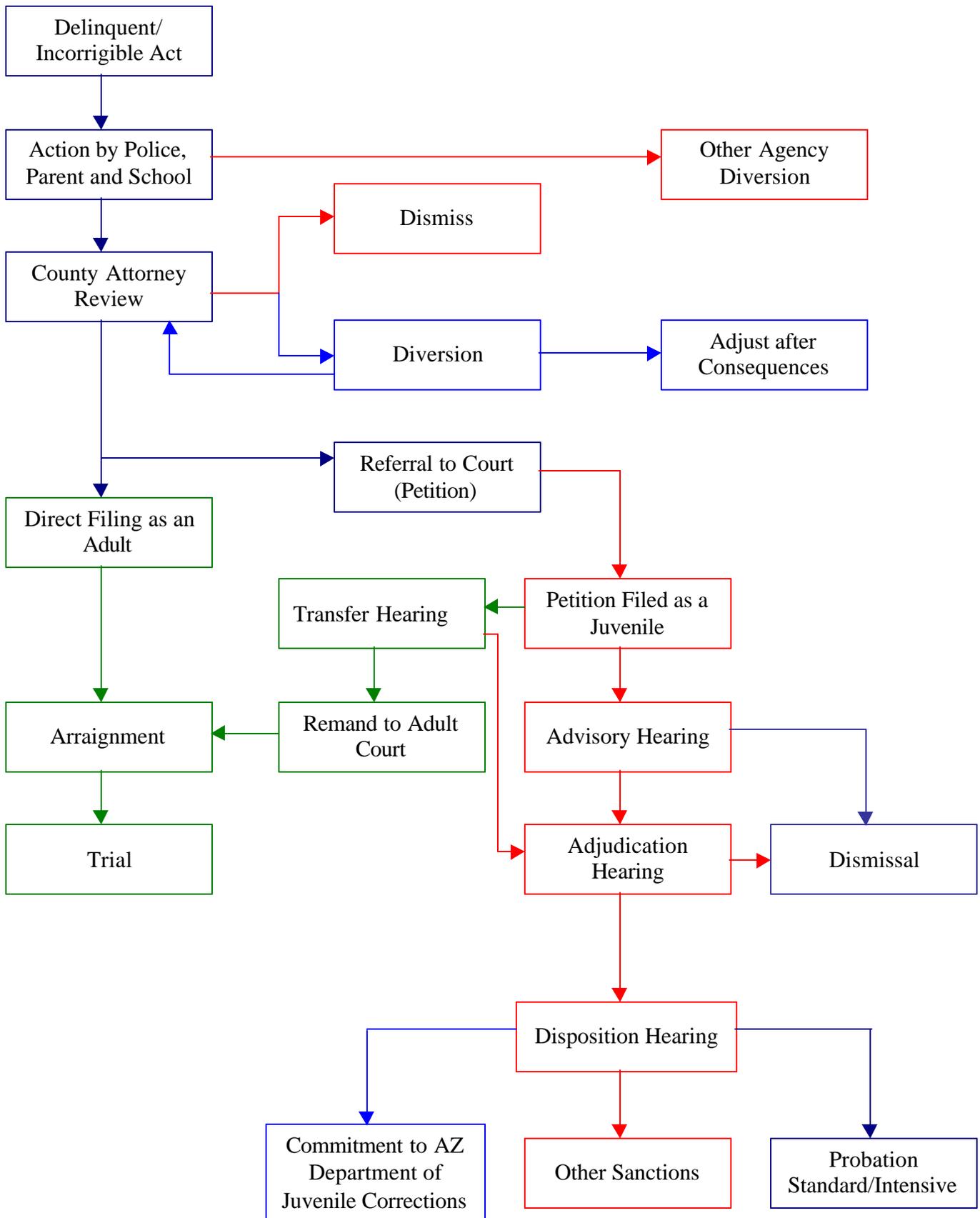
The flow chart of the juvenile justice system in this section of the report is followed by a chart entitled *Arizona Juvenile Court Activity* that illustrates selected stages within the juvenile justice system and the number of juveniles processed at each of these stages. In the *Arizona Juvenile Court Activity* chart, all stages show both duplicated and unduplicated counts of juveniles. Since a juvenile may receive more than one referral in a given year, the number of referrals and the number of juveniles at each stage will not be the same. Thus, the number of referrals gives a sense of the workload generated throughout the juvenile justice system as well as the number of juveniles processed at each stage.

Two graphs are included in this section to portray trends over the past six years. The first graph shows data on referrals, referred juveniles, petitions filed and juveniles with petitions filed. The referral numbers display total referrals, including multiple referrals of many youth. The referred juveniles show the number of unique youth. The same distinction is made between petitions filed (includes counts of multiple petitions per youth) and juveniles with petitions filed (unduplicated). The second graph shows the number of juveniles in each of four dispositions for each of the past six years. The number for each disposition is unduplicated, but, if a youth experienced more than one disposition during the year, he or she would be counted once in each disposition category.

In addition to this report that is published annually, other reports are available that describe some of the stages included herein. For example, the Juvenile Justice Services Division also publishes the Juvenile Intensive Probation Supervision (JIPS) Annual Report. Several special reports have also been completed over the past several years summarizing studies of specific juvenile programs or issues. These studies include: the *Arizona Juvenile Justice Evaluation*, the *PIC-ACT Study*, the *Juvenile Commitment Guidelines Departure Research Project*, the *Juvenile Justice Treatment Evaluation Pilot Project Outcomes Report*, the *Treatment Evaluation Pilot Project Final Report*, the *Survey of Arizona Juvenile Justice Service Providers*, the *Arizona Juvenile Transfer Study*, the *Initial Evaluation of Treatment Services for Juveniles Receiving Treatment in Arizona from January 1, 1994 to June 30, 1994*, and the *Empirical Validation of the Arizona Risk/Needs Instrument and Assessment Process*<sup>4</sup>. Juveniles Processed FY98, FY99 and FY00 are available on the Internet at <http://www.supreme.state.az.us/jjisd/>.

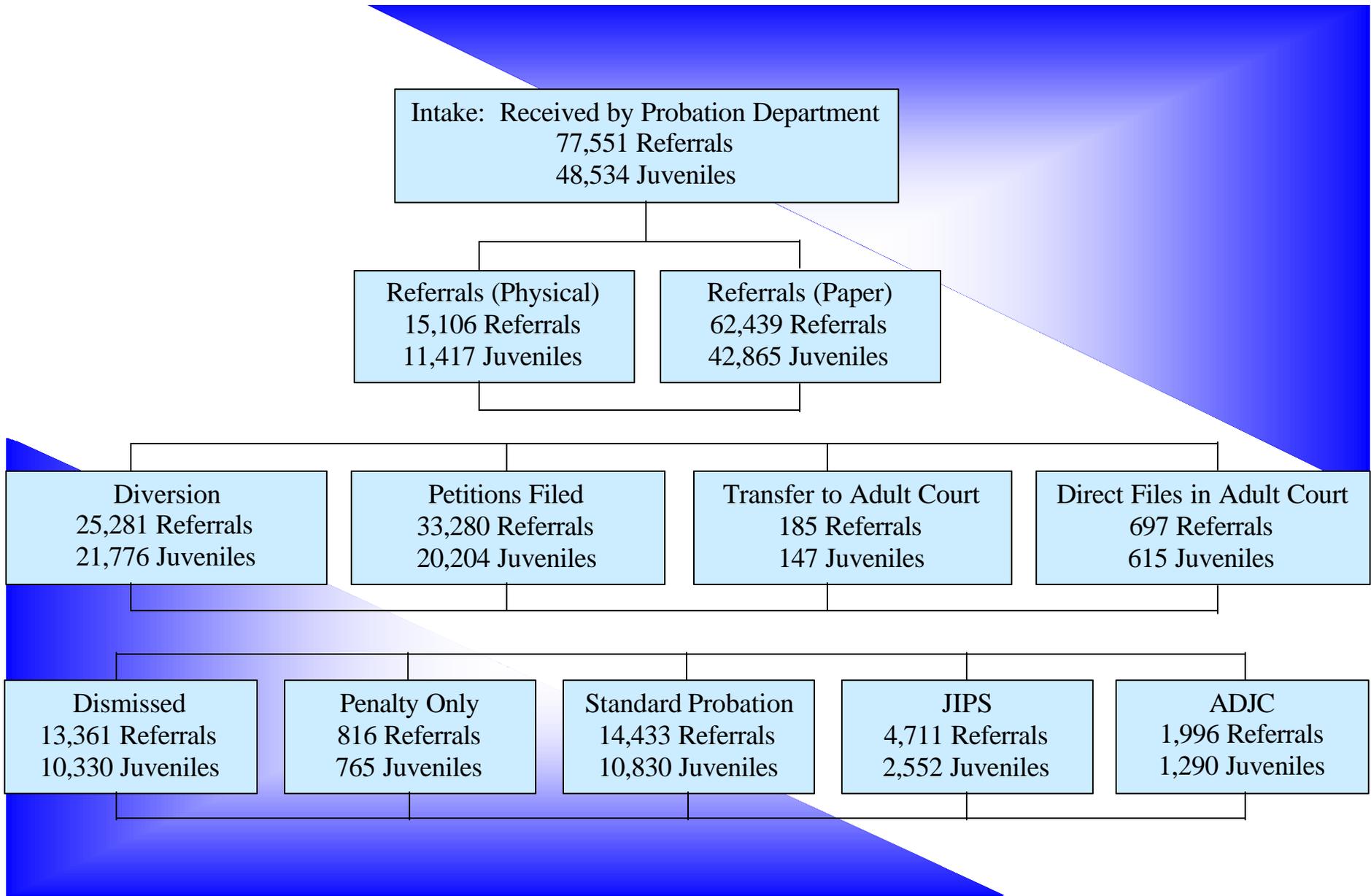
Analysis of data on juveniles processed in the Arizona court system is ongoing in order to identify the treatment needs of juveniles, to determine what works in meeting those needs and obtaining the best outcomes, how to allocate resources in a cost effective manner, and how to work most effectively with local communities to provide for public safety. Information from this report and others, in addition to past and ongoing studies, is important for public policy makers, juvenile justice professionals, and Arizona's citizens to understand, formulate, and address current and future juvenile justice issues.

# JUVENILE JUSTICE FLOW CHART



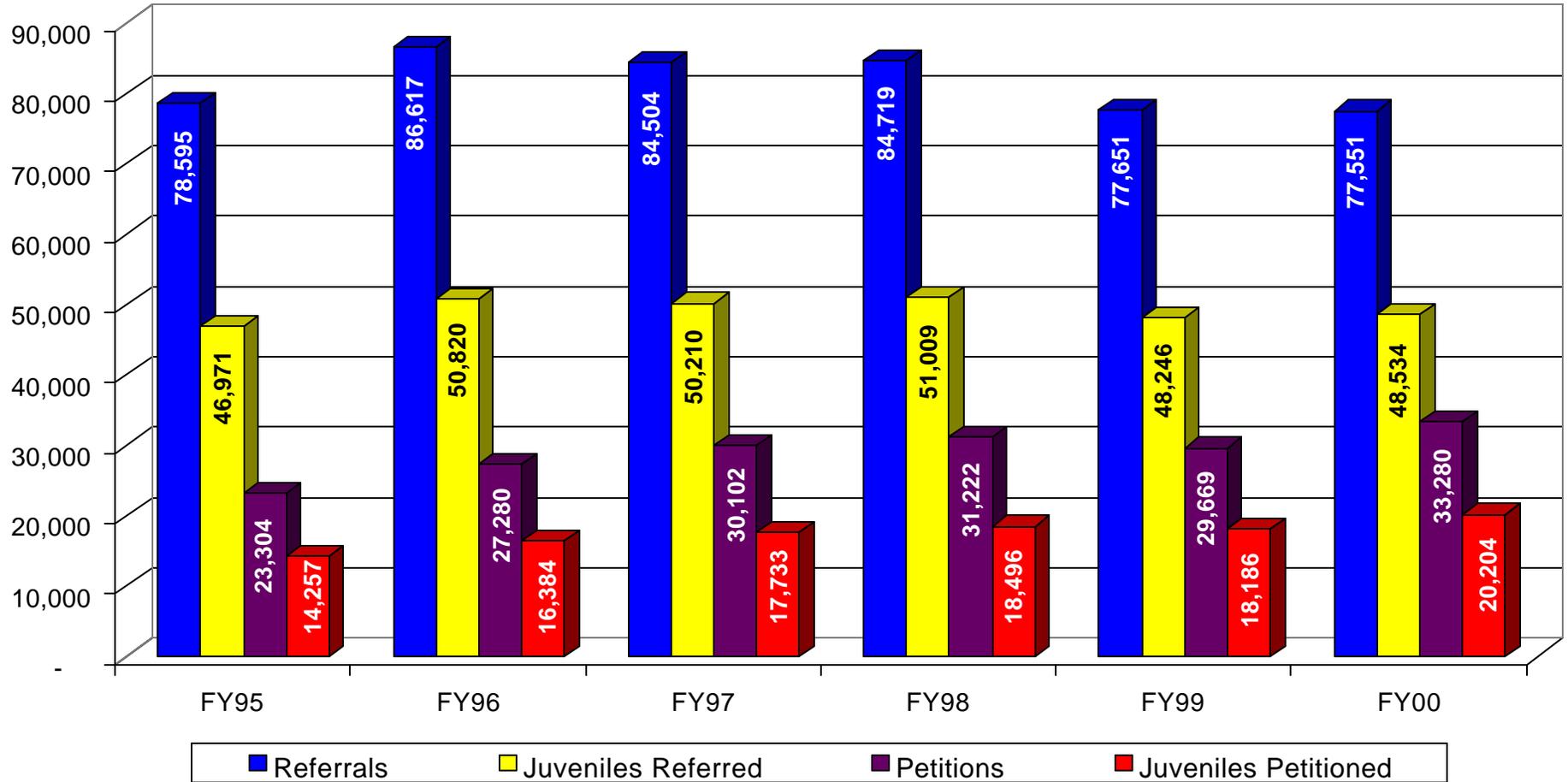
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# ARIZONA JUVENILE COURT ACTIVITY FY00

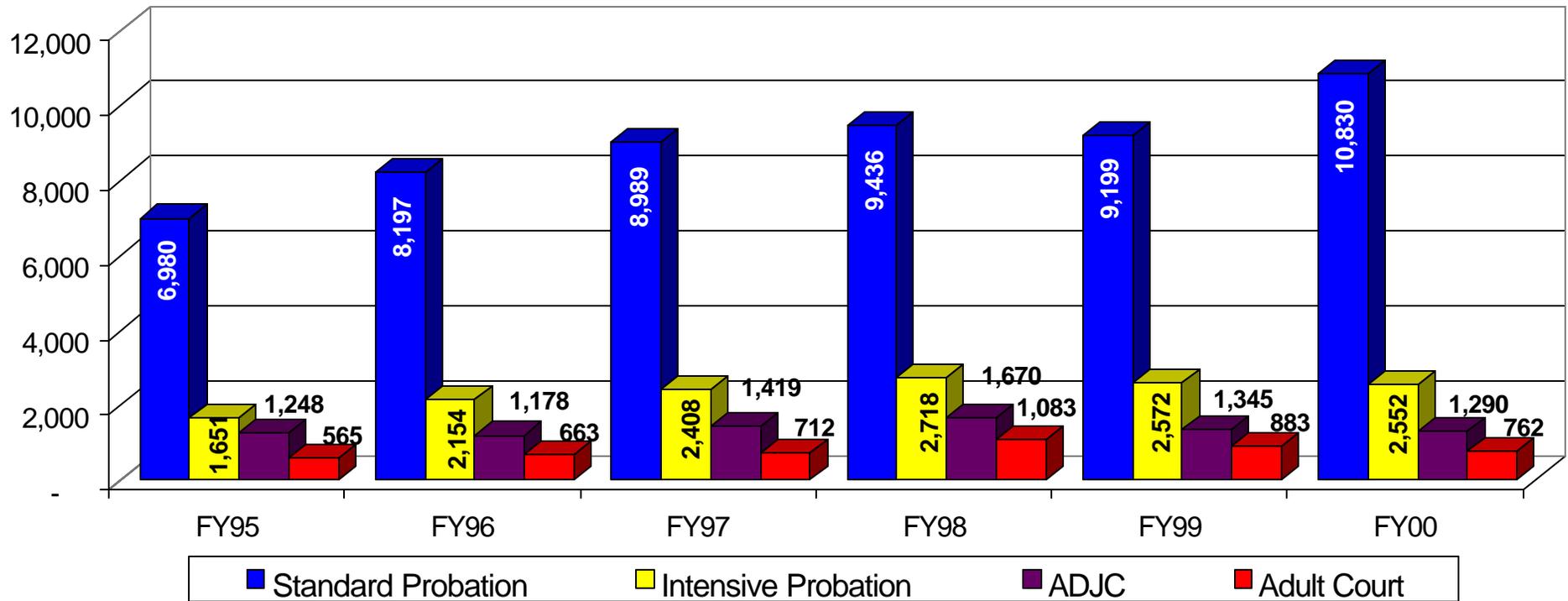


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## Referrals, Petitions Filed, and Juveniles Referred and Petitioned Fiscal Years 1995 - 2000



## The Number of Juveniles Dispositioned to Probation, Intensive Probation, ADJC and Adult Court Fiscal Years 1995 - 2000



## JUVENILES REFERRED TO THE ARIZONA SUPERIOR COURT SYSTEM IN FY00

This section on Juveniles Referred to the Arizona Superior Court System reflects the characteristics of those juveniles, ages 8 through 17, who came into contact with the system in FY00. The juveniles are those for whom a report was submitted to the Juvenile Court alleging that the youth committed a delinquent or incorrigible behavior or act.

Referrals can be made by police, parents, school officials, probation officers, other agencies or individuals requesting that the Juvenile Court assume jurisdiction over the youth's conduct. Referrals can be "paper referrals" issued as citations or police reports to the Juvenile Court or "physical referrals" in which the juvenile is physically brought to the Juvenile Court.

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Referred FY00</b>		
Apache	365	0.75%
Cochise	1,651	3.40%
Coconino	1,873	3.86%
Gila	985	2.03%
Graham	521	1.07%
Greenlee	104	0.21%
La Paz	135	0.28%
Maricopa	23,133	47.66%
Mohave	1,898	3.91%
Navajo	1,308	2.70%
Pima	9,787	20.17%
Pinal	2,056	4.24%
Santa Cruz	764	1.57%
Yavapai	1,844	3.80%
Yuma	2,110	4.35%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

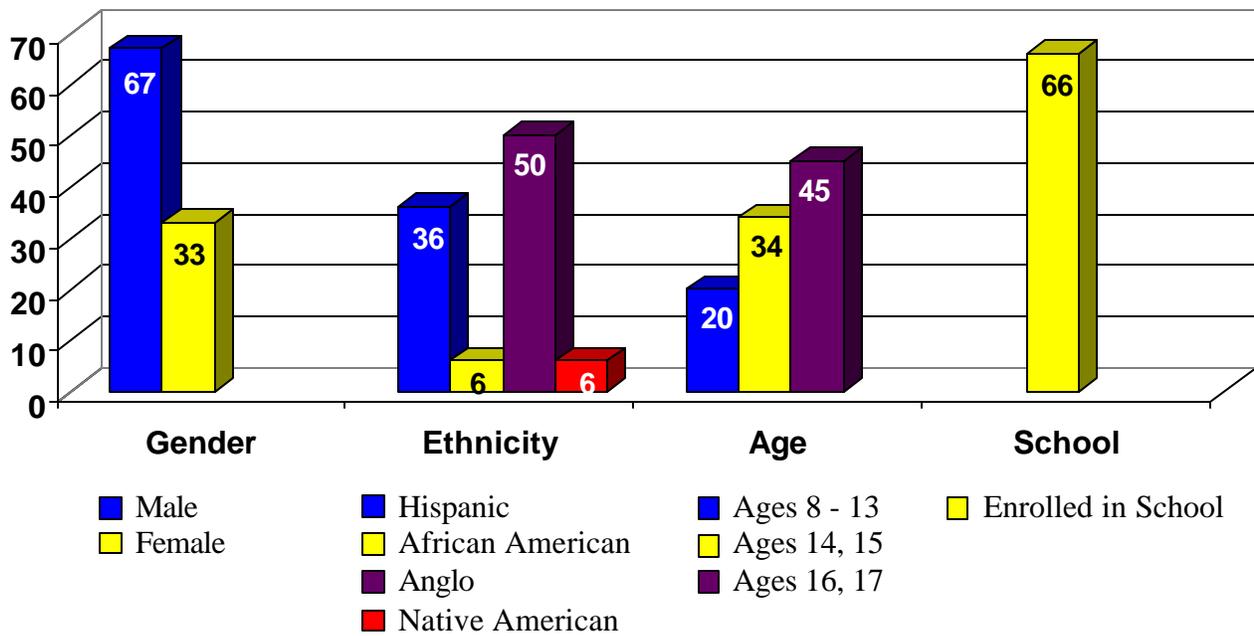
Gender: Referred FY00		
Male	32,372	66.70%
Female	16,160	33.30%
Unknown	2	0.00%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

Ethnicity: Referred FY00		
Hispanic	17,335	35.72%
African American	3,070	6.33%
Anglo	24,468	50.41%
Native American	2,829	5.83%
Asian/Pacific Islander	301	0.62%
Other	172	0.35%
Unknown	359	0.74%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

Age: Referred FY00		
8	252	0.52%
9	485	1.00%
10	790	1.63%
11	1,333	2.75%
12	2,414	4.97%
13	4,596	9.47%
14	7,264	14.97%
15	9,038	18.62%
16	10,031	20.67%
17	11,797	24.31%
Unknown	534	1.10%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

Education Status: Referred FY00		
Enrolled	32,032	66.00%
Not Enrolled	3,087	6.36%
Expelled	116	0.24%
Suspended	114	0.23%
Withdrawn	269	0.55%
Graduated	47	0.10%
GED Program	23	0.05%
Unknown	12,846	26.47%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

**Demographic Characteristics: Juveniles Referred FY 2000 (percent)**

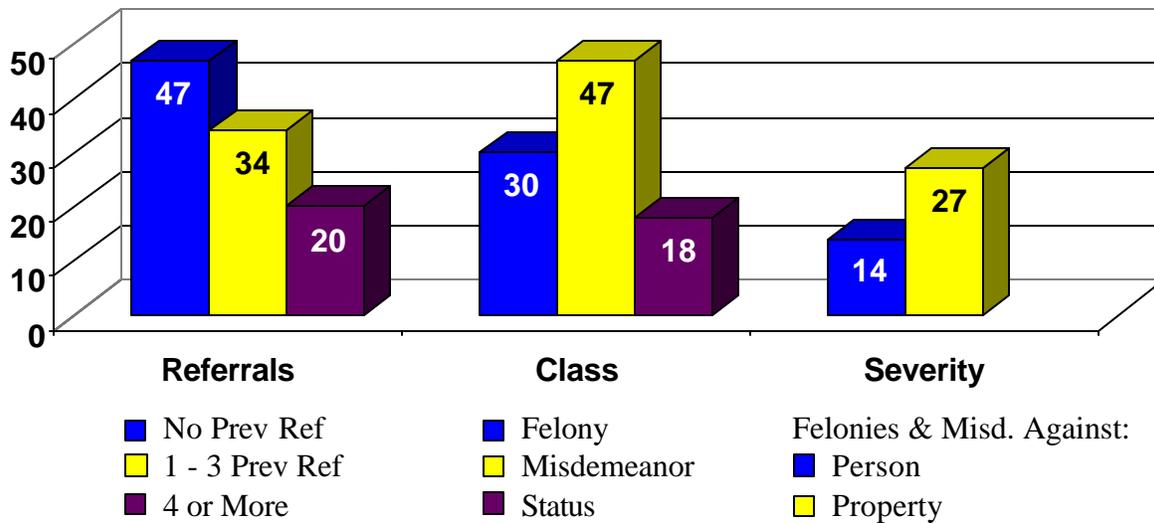


Number of Prior Referrals: Referred FY00		
0	22,649	46.67%
1	8,618	17.76%
2	4,698	9.68%
3	3,035	6.25%
4	2,061	4.25%
5	1,474	3.04%
6	1,138	2.34%
7	912	1.88%
8 or more	3,949	8.14%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

Severity of Most Serious Offense: Referred FY00		
Felonies Against Person	2,491	5.13%
Felonies Against Property	5,727	11.80%
Obstruction of Justice: Fel. & Misd.	4,376	9.02%
Misdemeanors Against Person	4,483	9.24%
Drugs: Fel. & Misd.	4,459	9.19%
Public Peace: Fel. & Misd.	10,861	22.38%
Misdemeanors Against Property	7,313	15.07%
Status Offenses	8,591	17.70%
Citations/Administrative	233	0.48%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Referred FY00		
Felony	14,353	29.57%
Misdemeanor	22,782	46.94%
Administrative	2,319	4.78%
Status	8,596	17.71%
Other	484	1.00%
<b>TOTAL</b>	<b>48,534</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Juveniles Referred FY 2000 (percent)**



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## JUVENILES DIVERTED IN FY00

Diversion allows a juvenile to avoid formal court processing and to have their offense adjusted if the juvenile completes one or more conditions. To adjust is to dispose of a case without the juvenile being required to go to court. If a referral is adjusted, a petition is not filed. The petition is a document filed by the county attorney, which seeks to have a juvenile adjudicated as a delinquent or incorrigible child. The conditions to be completed are the consequences assigned in response to the juvenile's behavior.

Prior to fiscal year 1998, the Progressively Increasing Consequence Act or "PIC-ACT" allowed juveniles referred to the juvenile court for first and second time misdemeanor referrals to be diverted from formal court processing, if certain conditions were met. Beginning in fiscal year 1998, modifications to A.R.S. § 8-321 significantly changed the criteria determining which juveniles could be diverted and the way those cases are processed. The major statutory requirements are briefly summarized as follows:

- ▶ The county attorney has the **sole discretion** to divert the prosecution of a juvenile accused of committing an incorrigible or delinquent act to a community based alternative program operated by the county attorney or to a diversion program administered by the Juvenile Court. A juvenile identified as a chronic or violent offender, or who is alleged to have violated A.R.S. § 28-692 (DUI) is not eligible for diversion.
- ▶ The juvenile probation officer is required to submit a referral to the county attorney for alleged offenses that have been identified as not eligible for diversion. The county attorney is able to return a case to the juvenile probation officer for further action if prosecution is declined.
- ▶ The juvenile probation officer is mandated to conduct an interview with a juvenile diverted to the Juvenile Court and the juvenile's parent(s) or guardian. If, during the interview, the juvenile acknowledges responsibility for the offense (based on the referral), the probation/intake officer **may** choose to begin the process of adjusting the referral. Adjustment of the referral can occur only after the juvenile completes one or more conditions (consequences), as assigned by the probation/intake officer. The consequences could be one or more of the following:
  1. Participation in unpaid community service work.
  2. Participation in a counseling program, which is designed to strengthen family relationships and to prevent repetitive juvenile delinquency.
  3. Participation in an education program, approved by the court, which has as its goal the prevention of further delinquent behavior.

4. Participation in an education program, approved by the court, which is designed to deal with ancillary problems experienced by the juvenile, such as alcohol or drug abuse.
  5. Participation in a non-residential program of rehabilitation or supervision offered by the court or offered by the community youth serving agency and approved by the court.
  6. Payment of restitution to the victim of the delinquent act.
  7. Payment of a monetary assessment.
- ▶ The county attorney or the Juvenile Court, in cooperation with the county attorney, can establish community based alternative programs. Community based alternative programs and diversion programs must ensure that the participation of both the juvenile and victim are voluntary, and that the juvenile accepts responsibility for the delinquent or incorrigible act.
  - ▶ The participants in a community based alternative program agree on any legally reasonable consequence for the juvenile offender, with the exception of confinement. The program participants, juvenile and juvenile's parents(s) or guardian and victim may sign a written contract agreeing on resolution of the matter in which the parent(s) or guardian agree to ensure that the juvenile complies with the contract.
  - ▶ If a juvenile complies with the consequences set forth by the probation officer or community based alternative program, the county attorney will not file a petition in Juvenile Court.

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Diverted FY00</b>		
Apache	135	0.62%
Cochise	1,017	4.67%
Coconino	990	4.55%
Gila	455	2.09%
Graham	277	1.27%
Greenlee	38	0.17%
La Paz	75	0.34%
Maricopa	9,618	44.17%
Mohave	865	3.97%
Navajo	328	1.51%
Pima	4,923	22.61%
Pinal	903	4.15%
Santa Cruz	228	1.05%
Yavapai	991	4.55%
Yuma	933	4.28%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

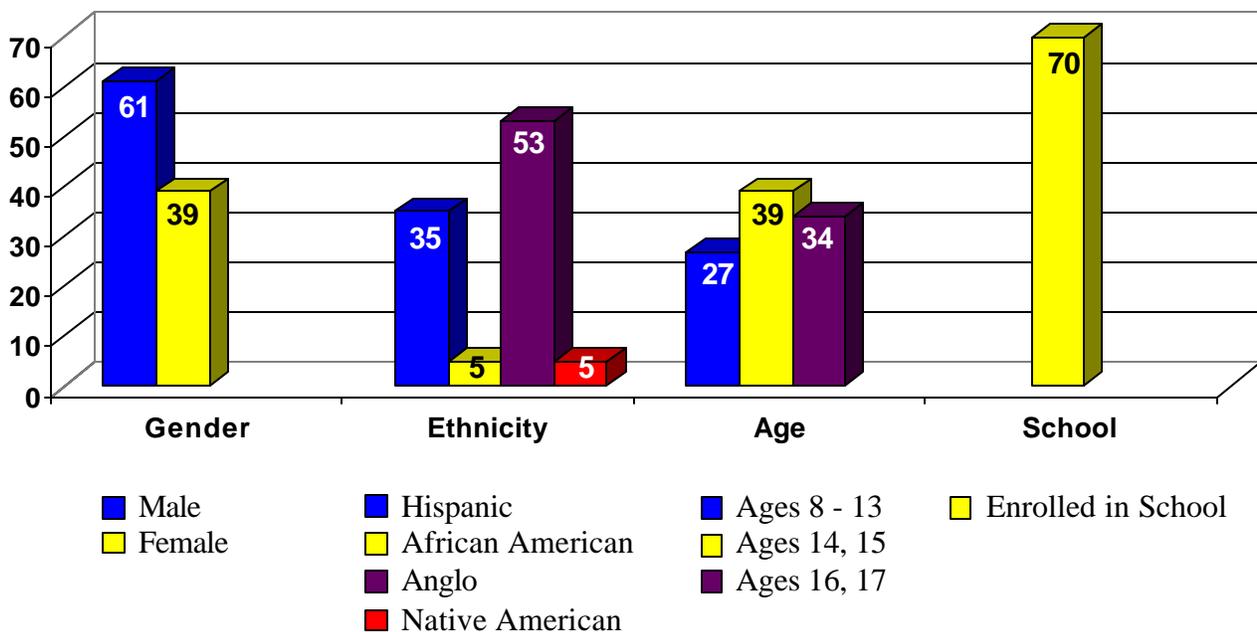
Gender: Diverted FY00		
Male	13,305	61.10%
Female	8,470	38.90%
Unknown	1	0.00%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

Ethnicity: Diverted FY00		
Hispanic	7,589	34.85%
African American	1,153	5.29%
Anglo	11,490	52.76%
Native American	1,074	4.93%
Asian/Pacific Islander	161	0.74%
Other	75	0.34%
Unknown	234	1.07%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

Age: Diverted FY00		
8	142	0.65%
9	269	1.24%
10	439	2.02%
11	789	3.62%
12	1,463	6.72%
13	2,705	12.42%
14	3,965	18.21%
15	4,479	20.57%
16	4,161	19.11%
17	3,326	15.27%
Unknown	38	0.17%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

Education Status: Diverted FY00		
Enrolled	15,163	69.63%
Not Enrolled	567	2.60%
Expelled	16	0.07%
Suspended	36	0.17%
Withdrawn	37	0.17%
Graduated	8	0.04%
GED Program	5	0.02%
Unknown	5,944	27.30%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

Demographic Characteristics: Juveniles Diverted FY 2000 (percent)

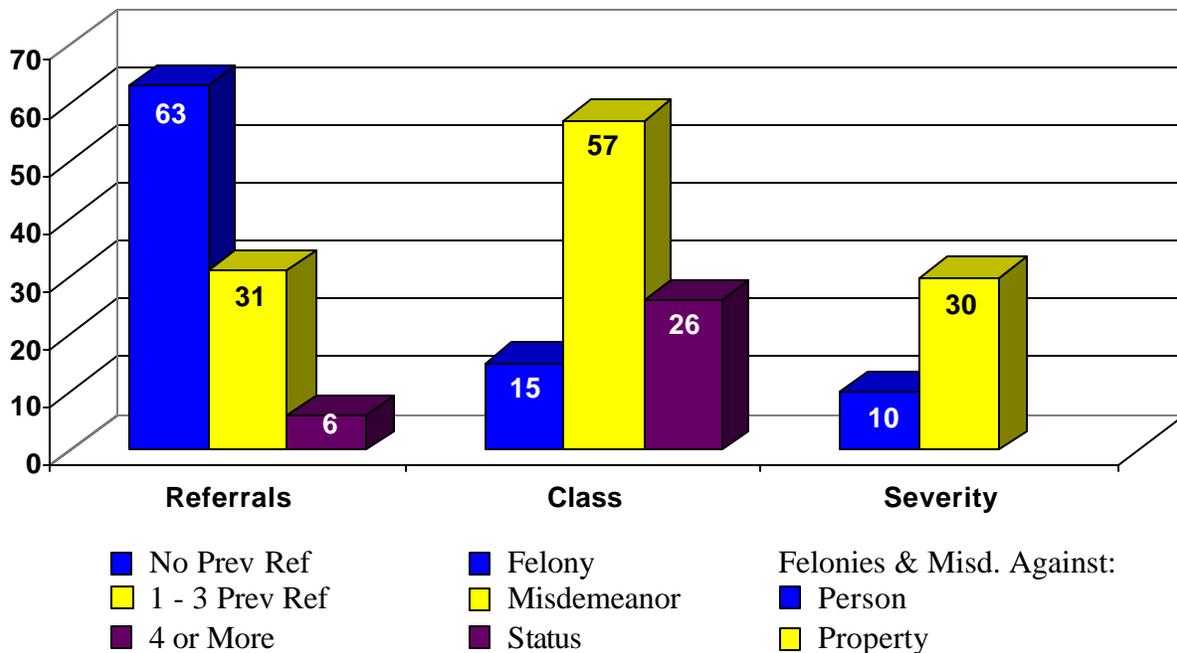


Number of Prior Referrals: Diverted FY00		
0	13,654	62.70%
1	4,389	20.16%
2	1,686	7.74%
3	667	3.06%
4	391	1.80%
5	241	1.11%
6	142	0.65%
7	132	0.61%
8 or more	474	2.18%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

Severity of Most Serious Offense: Diverted FY00		
Felonies Against Person	229	1.05%
Felonies Against Property	1,062	4.88%
Obstruction of Justice: Fel. & Misd.	345	1.58%
Misdemeanors Against Person	1,926	8.84%
Drugs: Fel. & Misd.	1,768	8.12%
Public Peace: Fel. & Misd.	5,397	24.78%
Misdemeanors Against Property	5,381	24.71%
Status Offenses	5,662	26.00%
Citations/Administrative	6	0.03%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Diverted FY00		
Felony	3,237	14.86%
Misdemeanor	12,448	57.16%
Administrative	314	1.44%
Status	5,664	26.01%
Other	113	0.52%
<b>TOTAL</b>	<b>21,776</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Juveniles Diverted FY 2000 (percent)**



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## JUVENILES WITH PETITIONS FILED IN FY00

A petition is a legal document filed in the juvenile court alleging that a referred juvenile is a delinquent, incorrigible, or dependent child and requesting the court to assume jurisdiction over the youth. The petition initiates the formal court hearing process of the juvenile court, and is prepared by the county attorney, who determines what charges to bring against the juvenile. Juveniles Processed reports petition data on delinquent and incorrigible youth only<sup>5</sup>.

A youth, under the age of 18, has committed a delinquent act if that same act committed by an adult would be a criminal offense. An incorrigible youth is one who commits an offense, which would not be considered a crime if he or she were an adult. Typically, incorrigible youth are juveniles who are habitually truant from school, run away from home, or violate curfew. In addition, juveniles who refuse to obey the reasonable and proper direction of their parents or guardians can be considered incorrigible.

Information on dependent youth can be found in the Administrative Office of the Courts, Dependent Children’s Services Division, and the Foster Care Review Board Annual Report.

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Petitions Filed FY00</b>		
Apache	142	0.70%
Cochise	420	2.08%
Coconino	536	2.65%
Gila	367	1.82%
Graham	266	1.32%
Greenlee	49	0.24%
La Paz	36	0.18%
Maricopa	10,921	54.05%
Mohave	568	2.81%
Navajo	445	2.20%
Pima	3,193	15.80%
Pinal	1,106	5.47%
Santa Cruz	515	2.55%
Yavapai	716	3.54%
Yuma	924	4.57%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

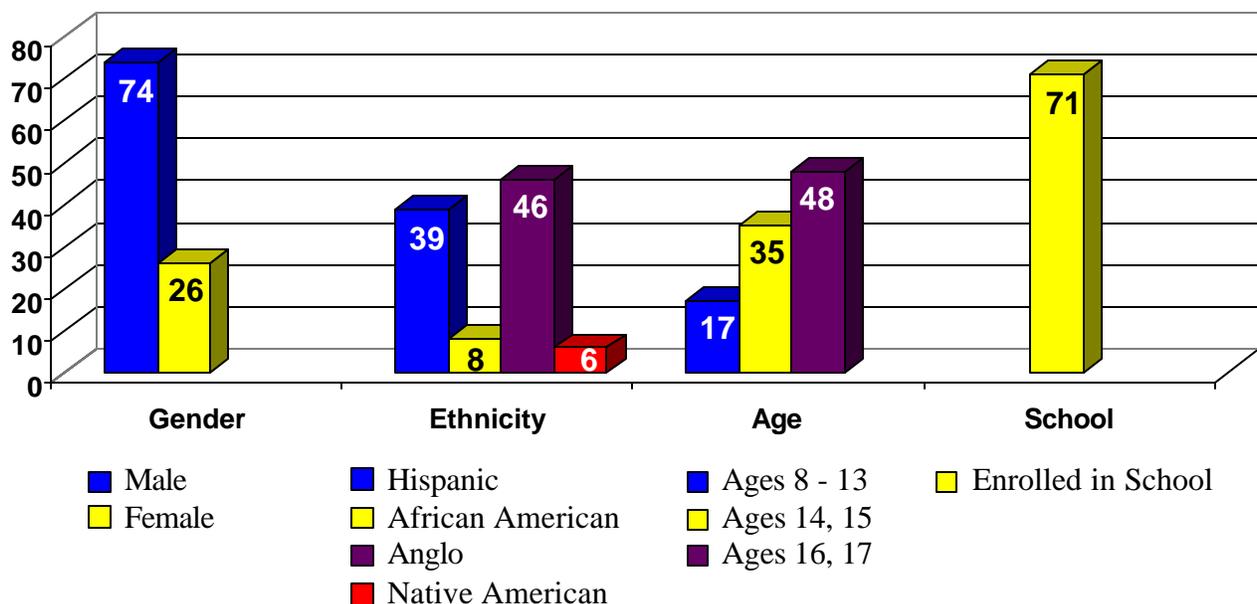
Gender: Petitions Filed FY00		
Male	15,017	74.33%
Female	5,186	25.67%
Unknown	1	0.00%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

Ethnicity: Petitions Filed FY00		
Hispanic	7,843	38.82%
African American	1,567	7.76%
Anglo	9,381	46.43%
Native American	1,166	5.77%
Asian/Pacific Islander	107	0.53%
Other	81	0.40%
Unknown	59	0.29%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

Age: Petitions Filed FY00		
8	36	0.18%
9	139	0.69%
10	229	1.13%
11	405	2.00%
12	844	4.18%
13	1,774	8.78%
14	2,993	14.81%
15	4,037	19.98%
16	4,598	22.76%
17	5,121	25.35%
Unknown	28	0.14%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

Education Status: Petitions Filed FY00		
Enrolled	14,420	71.37%
Not Enrolled	1,984	9.82%
Expelled	71	0.35%
Suspended	66	0.33%
Withdrawn	148	0.73%
Graduated	20	0.10%
GED Program	12	0.06%
Unknown	3,483	17.24%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

**Demographic Characteristics: Petitions Filed FY 2000 (percent)**

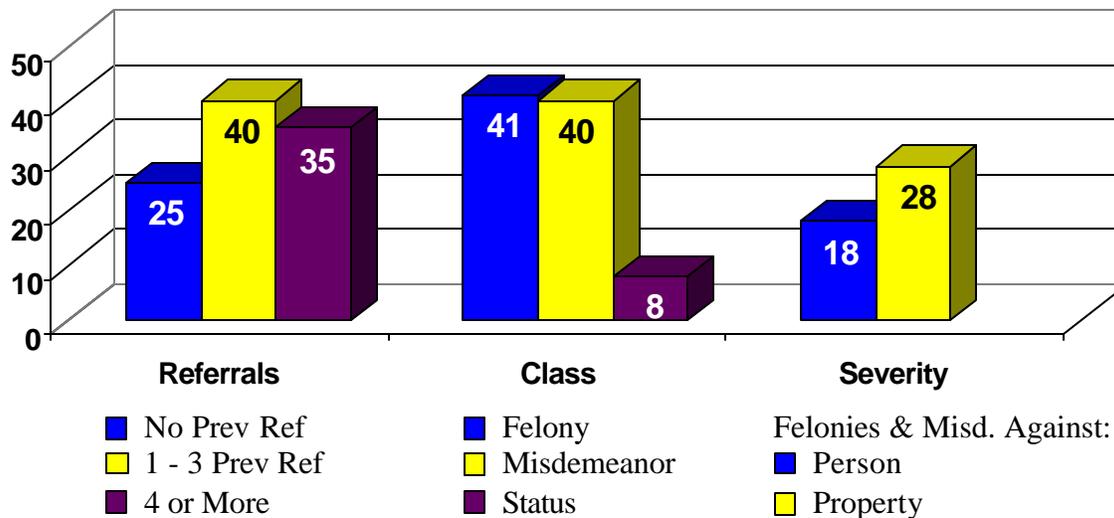


Number of Prior Referrals: Petitions Filed FY00		
0	5,139	25.44%
1	3,328	16.47%
2	2,592	12.83%
3	2,092	10.35%
4	1,476	7.31%
5	1,105	5.47%
6	873	4.32%
7	702	3.47%
8 or more	2,897	14.34%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

Severity of Most Serious Offense: Petitions Filed FY00		
Felonies Against Person	1,435	7.10%
Felonies Against Property	3,939	19.50%
Obstruction of Justice: Fel. & Misd.	4,172	20.65%
Misdemeanors Against Person	2,190	10.84%
Drugs: Fel. & Misd.	2,148	10.63%
Public Peace: Fel. & Misd.	3,055	15.12%
Misdemeanors Against Property	1,664	8.24%
Status Offenses	1,572	7.78%
Citations/Administrative	29	0.14%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Petitions Filed FY00		
Felony	8,362	41.39%
Misdemeanor	8,037	39.78%
Administrative	2,144	10.61%
Status	1,578	7.81%
Other	83	0.41%
<b>TOTAL</b>	<b>20,204</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Petitions Filed FY 2000 (percent)**



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## JUVENILES WITH DISPOSITIONS OF DISMISSED IN FY00

Referrals and petitions against juveniles can be dismissed. Dismissal means that further consideration or hearings regarding the charge are discontinued or discharged and further action is not taken<sup>5</sup>.

Dismissal of petitions can occur during the advisory or adjudication hearing process. It is possible that the charge could be dismissed for lack of evidence during either of these hearings. Similarly, a juvenile could have more than one charge pending. In this situation, the juvenile's attorney could initiate a process with the county attorney, which could result in dismissal of one charge while receiving some disposition (i.e., penalty only, probation, JIPS, or commitment to ADJC) on a second charge.

Non-petition referrals can also be dismissed. Dismissal may occur for such reasons as the juvenile cannot be located, or is transferred to another jurisdiction prior to adjudication, or the county attorney did not file (e.g., the victim refused prosecution).

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Disposition of Dismissed FY00</b>		
Apache	95	0.92%
Cochise	165	1.60%
Coconino	225	2.18%
Gila	159	1.54%
Graham	70	0.68%
Greenlee	27	0.26%
La Paz	48	0.46%
Maricopa	6,952	67.30%
Mohave	199	1.93%
Navajo	176	1.70%
Pima	1,043	10.10%
Pinal	481	4.66%
Santa Cruz	166	1.61%
Yavapai	206	1.99%
Yuma	318	3.08%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

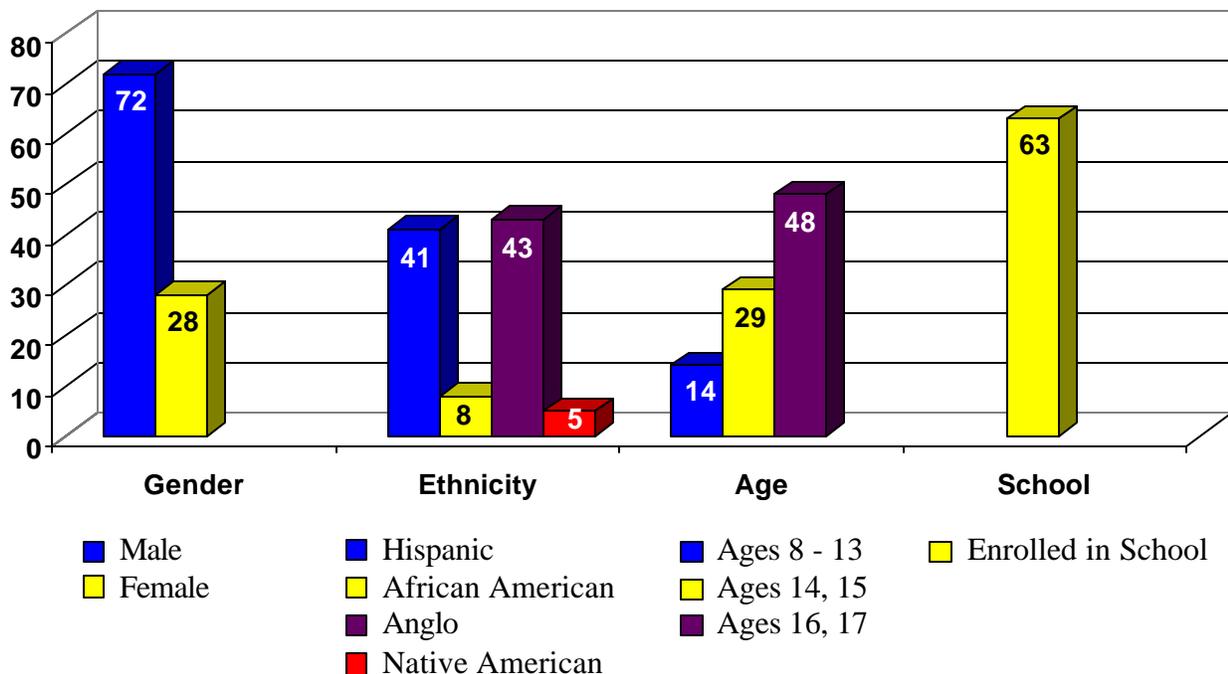
Gender: Dismissed FY00		
Male	7,417	71.80%
Female	2,912	28.19%
Unknown	1	0.01%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

Ethnicity: Dismissed FY00		
Hispanic	4,221	40.86%
African American	830	8.03%
Anglo	4,435	42.93%
Native American	492	4.76%
Asian/Pacific Islander	32	0.31%
Other	180	1.74%
Unknown	140	1.36%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

Age: Dismissed FY00		
8	10	0.10%
9	58	0.56%
10	105	1.02%
11	191	1.85%
12	383	3.71%
13	716	6.93%
14	1,251	12.11%
15	1,754	16.98%
16	2,217	21.46%
17	2,762	26.74%
Unknown	883	8.55%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

Education Status: Dismissed FY00		
Enrolled	6,484	62.77%
Not Enrolled	1,248	12.08%
Expelled	31	0.30%
Suspended	29	0.28%
Withdrawn	51	0.49%
Graduated	7	0.07%
GED Program	6	0.06%
Unknown	2,474	23.95%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

**Demographic Characteristics: Disposition Dismissed FY 2000 (percent)**

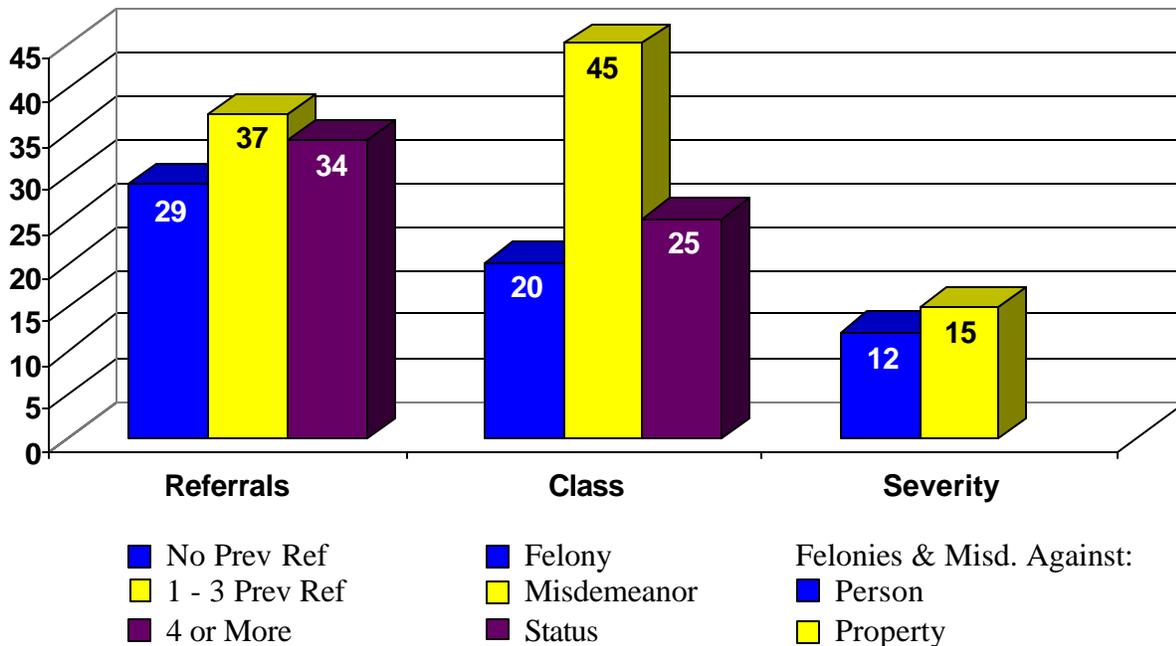


Number of Prior Referrals: Dismissed FY00		
0	2,984	28.89%
1	1,697	16.43%
2	1,212	11.73%
3	934	9.04%
4	677	6.55%
5	581	5.62%
6	410	3.97%
7	393	3.80%
8 or more	1,442	13.96%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

Severity of Most Serious Offense: Dismissed FY00		
Felonies Against Person	444	4.30%
Felonies Against Property	818	7.92%
Obstruction of Justice: Fel. & Misd.	1,224	11.85%
Misdemeanors Against Person	810	7.84%
Drugs: Fel. & Misd.	596	5.77%
Public Peace: Fel. & Misd.	3,046	29.49%
Misdemeanors Against Property	769	7.44%
Status Offenses	2,617	25.33%
Citations/Administrative	6	0.06%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Dismissed FY00		
Felony	2,029	19.64%
Misdemeanor	4,674	45.25%
Administrative	877	8.49%
Status	2,619	25.35%
Other	131	1.27%
<b>TOTAL</b>	<b>10,330</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Disposition Dismissed FY 2000 (percent)**



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## JUVENILES WITH DISPOSITIONS OF PENALTY ONLY IN FY00

Adjudicated juveniles may receive a disposition of penalty only. Typically, there is judicial discretion in the nature of the assigned penalty. Penalties may include but are not limited to monetary fines, community service work, and/or participation in various treatment programs to change the juvenile's behavior. Juveniles with dispositions of penalty only are not assigned to a diversion program, nor are they placed on standard probation, Juvenile Intensive Probation Supervision (JIPS), or committed to the Arizona Department of Juvenile Corrections.

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Disposition of Penalty Only FY00</b>		
Apache	1	0.13%
Cochise	30	3.92%
Coconino	59	7.71%
Gila	4	0.52%
Graham	0	0.00%
Greenlee	0	0.00%
La Paz	1	0.13%
Maricopa	457	59.74%
Mohave	0	0.00%
Navajo	16	2.09%
Pima	73	9.54%
Pinal	40	5.23%
Santa Cruz	40	5.23%
Yavapai	9	1.18%
Yuma	35	4.58%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

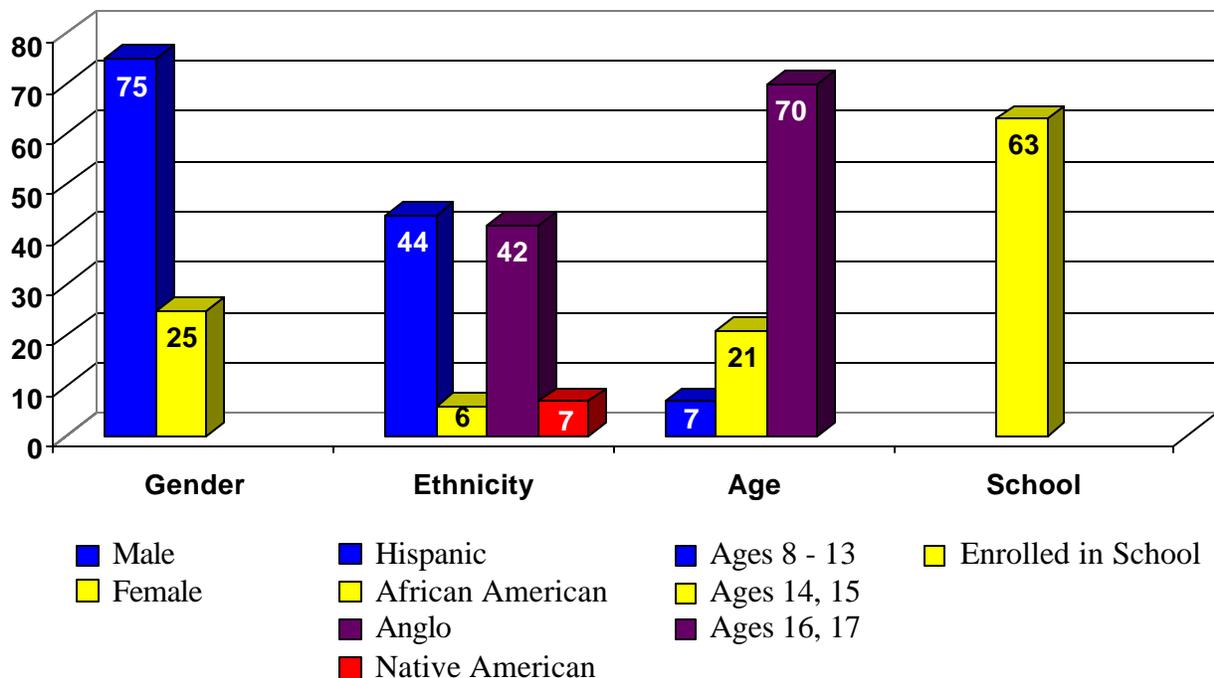
Gender: Penalty Only FY00		
Male	570	74.51%
Female	195	25.49%
Unknown	0	0.00%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

Ethnicity: Penalty Only FY00		
Hispanic	335	43.79%
African American	47	6.14%
Anglo	323	42.22%
Native American	53	6.93%
Asian/Pacific Islander	3	0.39%
Other	4	0.52%
Unknown	0	0.00%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

Age: Penalty Only FY00		
8	1	0.13%
9	1	0.13%
10	2	0.26%
11	5	0.65%
12	15	1.96%
13	28	3.66%
14	72	9.41%
15	88	11.50%
16	138	18.04%
17	394	51.50%
Unknown	21	2.75%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

Education Status: Penalty Only FY00		
Enrolled	485	63.40%
Not Enrolled	104	13.59%
Expelled	5	0.65%
Suspended	1	0.13%
Withdrawn	5	0.65%
Graduated	1	0.13%
GED Program	3	0.39%
Unknown	161	21.05%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

Demographic Characteristics: Disposition Penalty Only FY 2000 (percent)

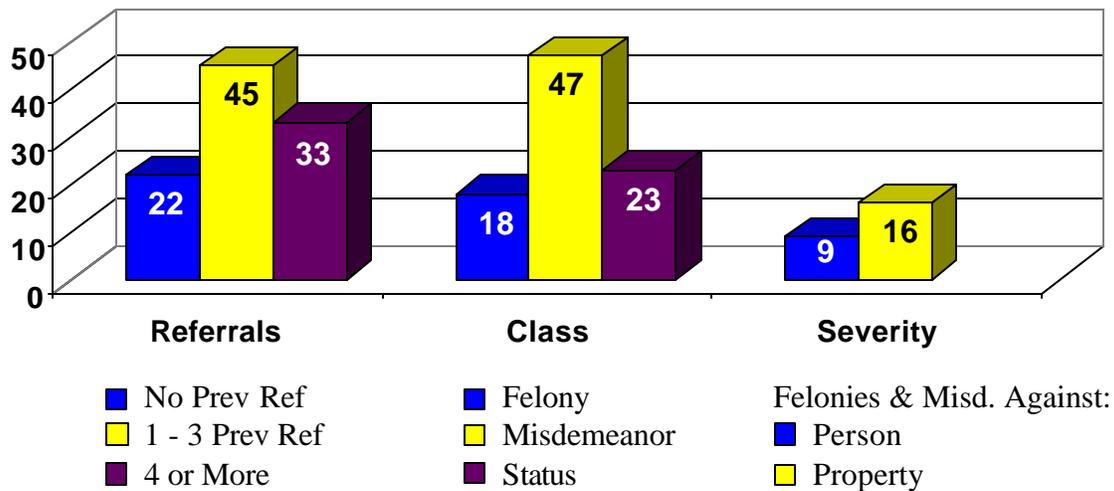


Number of Prior Referrals: Penalty Only FY00		
0	169	22.09%
1	131	17.12%
2	121	15.82%
3	93	12.16%
4	47	6.14%
5	41	5.36%
6	39	5.10%
7	25	3.27%
8 or more	99	12.94%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

Severity of Most Serious Offense: Penalty Only FY00		
Felonies Against Person	17	2.22%
Felonies Against Property	48	6.27%
Obstruction of Justice: Fel. & Misd.	93	12.16%
Misdemeanors Against Person	53	6.93%
Drugs: Fel. & Misd.	53	6.93%
Public Peace: Fel. & Misd.	250	32.68%
Misdemeanors Against Property	75	9.80%
Status Offenses	175	22.88%
Citations/Administrative	1	0.13%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Penalty Only FY00		
Felony	135	17.65%
Misdemeanor	357	46.67%
Administrative	81	10.59%
Status	175	22.88%
Other	17	2.22%
<b>TOTAL</b>	<b>765</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Penalty Only FY 2000 (percent)**



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## **JUVENILES WITH DISPOSITIONS OF STANDARD PROBATION IN FY00**

Probation is defined as conditional freedom granted by the juvenile court to an adjudicated juvenile on the condition of continued good behavior and regular reporting to a probation officer. The core tenets of juvenile probation are: the belief that youth can make positive changes in their behavior, protection of the community, preservation of the best interest of the child and stability of the family unit, fostering law-abiding behavior, and restitution to victims and society for the wrongs committed against them.

Juveniles placed on probation must comply with certain terms and conditions. Although every probation treatment plan is customized to address the needs of each individual juvenile, some standard terms and conditions apply to all cases. The standard terms and conditions include scheduled contacts with a probation officer, maintaining law abiding behavior, and paying restitution to the victim. Additional terms may also be imposed depending on individual juvenile needs, such as: mandatory drug testing, curfew, school attendance, restitution, community service hours, painting over graffiti, letters of apology, attendance at counseling or treatment sessions, and restrictions on acquaintances.

Once a juvenile has been placed on probation, the juvenile probation officer monitors the juvenile's compliance with the terms and conditions of their probation. The probation officer works closely with the juvenile and their family as well as members of the community including teachers, victims, treatment providers and others involved in the life of the juvenile and their family. The court can impose multiple restrictions and provide resources to help the juvenile. If the youth does not choose to comply, the probation officer will refer the juvenile back to the court. The court may in turn impose more severe liberty restrictions, including detention.

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*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Disposition of Standard Probation FY00</b>		
Apache	75	0.69%
Cochise	161	1.49%
Coconino	317	2.93%
Gila	205	1.89%
Graham	156	1.44%
Greenlee	32	0.30%
La Paz	27	0.25%
Maricopa	6,088	56.21%
Mohave	263	2.43%
Navajo	322	2.97%
Pima	1,798	16.60%
Pinal	306	2.83%
Santa Cruz	292	2.70%
Yavapai	344	3.18%
Yuma	444	4.10%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

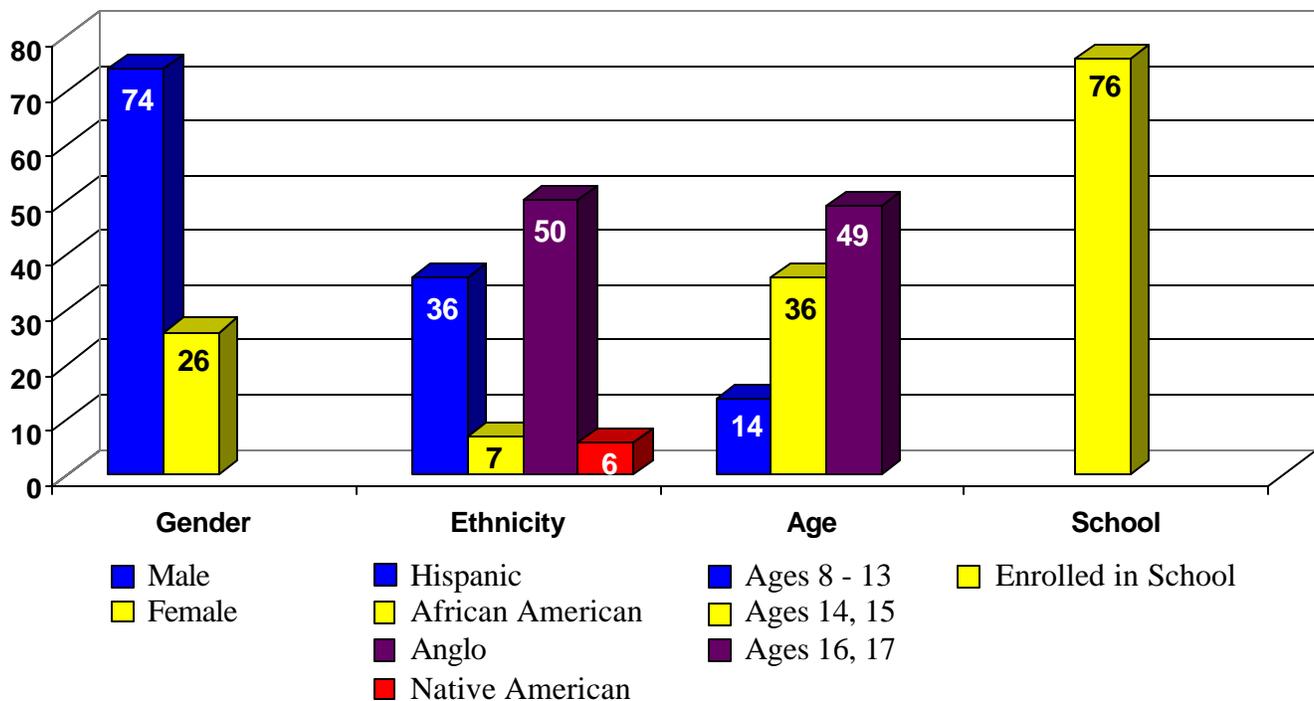
Gender: Standard Probation FY00		
Male	8,010	73.96%
Female	2,820	26.04%
Unknown	0	0.00%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

Ethnicity: Standard Probation FY00		
Hispanic	3,924	36.23%
African American	765	7.06%
Anglo	5,367	49.56%
Native American	655	6.05%
Asian/Pacific Islander	61	0.56%
Other	44	0.41%
Unknown	14	0.13%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

Age: Standard Probation FY00		
8	6	0.06%
9	17	0.16%
10	67	0.62%
11	136	1.26%
12	382	3.53%
13	952	8.79%
14	1,656	15.29%
15	2,295	21.19%
16	2,524	23.31%
17	2,783	25.70%
Unknown	12	0.11%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

Education Status: Standard Probation FY00		
Enrolled	8,282	76.47%
Not Enrolled	863	7.97%
Expelled	43	0.40%
Suspended	49	0.45%
Withdrawn	52	0.48%
Graduated	12	0.11%
GED Program	2	0.02%
Unknown	1,527	14.10%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

**Demographic Characteristics: Disposition Standard Probation FY 2000 (percent)**

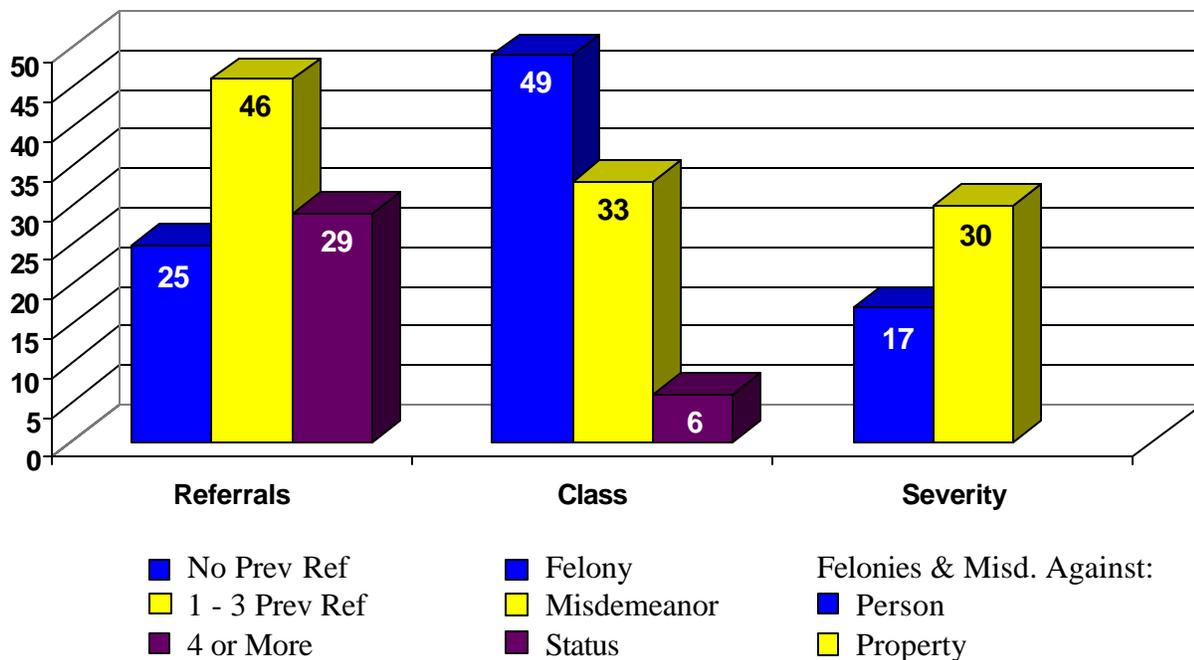


Number of Prior Referrals: Standard Probation FY00		
0	2,704	24.97%
1	1,965	18.14%
2	1,743	16.09%
3	1,298	11.99%
4	863	7.97%
5	591	5.46%
6	407	3.76%
7	330	3.05%
8 or more	929	8.58%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

Severity of Most Serious Offense: Standard Probation FY00		
Felonies Against Person	817	7.54%
Felonies Against Property	2,306	21.29%
Obstruction of Justice: Fel. & Misd.	1,896	17.51%
Misdemeanors Against Person	1,050	9.70%
Drugs: Fel. & Misd.	1,575	14.54%
Public Peace: Fel. & Misd.	1,397	12.90%
Misdemeanors Against Property	943	8.71%
Status Offenses	690	6.37%
Citations/Administrative	156	1.44%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Standard Probation FY00		
Felony	5,326	49.18%
Misdemeanor	3,573	32.99%
Administrative	1,020	9.42%
Status	695	6.42%
Other	216	1.99%
<b>TOTAL</b>	<b>10,830</b>	<b>100.00%</b>

Prior Referrals & Types of Offenses: Disposition Standard Probation FY 2000 (percent)



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## **JUVENILES WITH DISPOSITIONS OF JIPS IN FY00**

Juvenile Intensive Probation Supervision (JIPS) is a sentencing consequence used by the juvenile court judges for those youth who are in need of frequent supervision and a highly structured program. The program was enacted into law in 1987. The intent of this legislation was to create a program which would allow juvenile delinquents to remain at home, under supervision, rather than be placed in either a residential treatment facility or the Arizona Department of Juvenile Corrections (ADJC). Financial considerations weighed heavily in the formation of the program, as JIPS is a less costly alternative to ADJC or residential treatment.

JIPS differs from standard probation in the increased frequency of face to face contacts, the requirement to actively participate in 32 hours of structured activities per week, the liberty restrictions concerning unsupervised time out of the home, the frequency of drug testing on demand, and the lower caseload ratio. Additional information about the program is available in the JIPS Annual Report. The figures reported in the JIPS Annual Report may differ from those reported in Juveniles Processed because the JIPS Annual Report includes all juveniles whose cases were active during the fiscal year. The Juveniles Processed report includes only juveniles dispositioned to JIPS during the fiscal year.

Disposition or placement on JIPS is usually reserved for certain situations. Specifically, only juveniles who are adjudicated for delinquent acts or for violations of probation originating from a delinquent act are eligible for JIPS. The first type of youth placed in the program is one who would otherwise have been recommended for placement in an out-of-home institutional or residential setting. The second type of youth is one who, when considering the nature of the offense, their prior delinquent history, or risk to the community, have demonstrated a need for a highly structured, closely supervised program of probation emphasizing surveillance, education, work, and home detention. A third discreet category of youth placed on JIPS are those adjudicated for a second felony offense. In these cases, the Juvenile Court is limited to the three choices cited in A.R.S. § 8-341. These options are JIPS, ADJC or prosecution as an adult.

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*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Disposition of JIPS FY00</b>		
Apache	23	0.90%
Cochise	103	4.04%
Coconino	57	2.23%
Gila	50	1.96%
Graham	33	1.29%
Greenlee	12	0.47%
La Paz	7	0.27%
Maricopa	1,195	46.83%
Mohave	122	4.78%
Navajo	56	2.19%
Pima	360	14.11%
Pinal	123	4.82%
Santa Cruz	48	1.88%
Yavapai	118	4.62%
Yuma	245	9.60%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

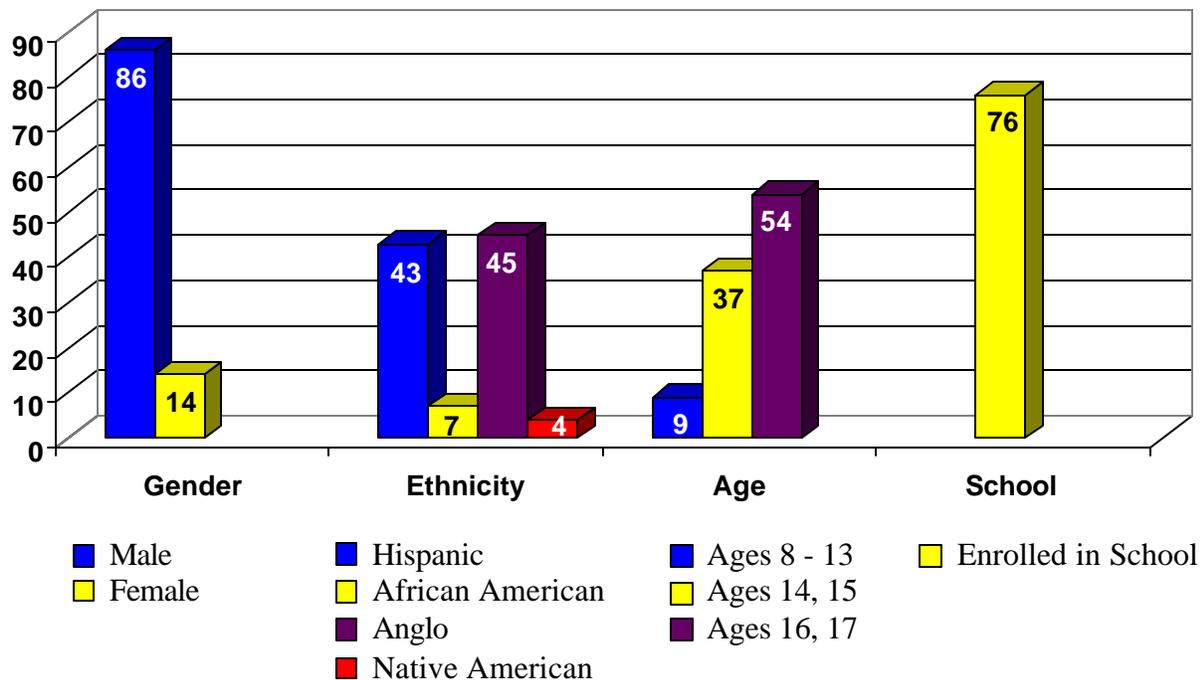
Gender: JIPS FY00		
Male	2,192	85.89%
Female	360	14.11%
Unknown	0	0.00%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Ethnicity: JIPS FY00		
Hispanic	1,099	43.06%
African American	182	7.13%
Anglo	1,154	45.22%
Native American	104	4.08%
Asian/Pacific Islander	7	0.27%
Other	6	0.24%
Unknown	0	0.00%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Age: JIPS FY00		
8	1	0.04%
9	1	0.04%
10	3	0.12%
11	9	0.35%
12	45	1.76%
13	174	6.82%
14	379	14.85%
15	555	21.75%
16	687	26.92%
17	694	27.19%
Unknown	4	0.16%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Education Status: JIPS FY00		
Enrolled	1,937	75.90%
Not Enrolled	310	12.15%
Expelled	16	0.63%
Suspended	15	0.59%
Withdrawn	25	0.98%
Graduated	2	0.08%
GED Program	4	0.16%
Unknown	243	9.52%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Demographic Characteristics: Disposition JIPS FY 2000 (percent)

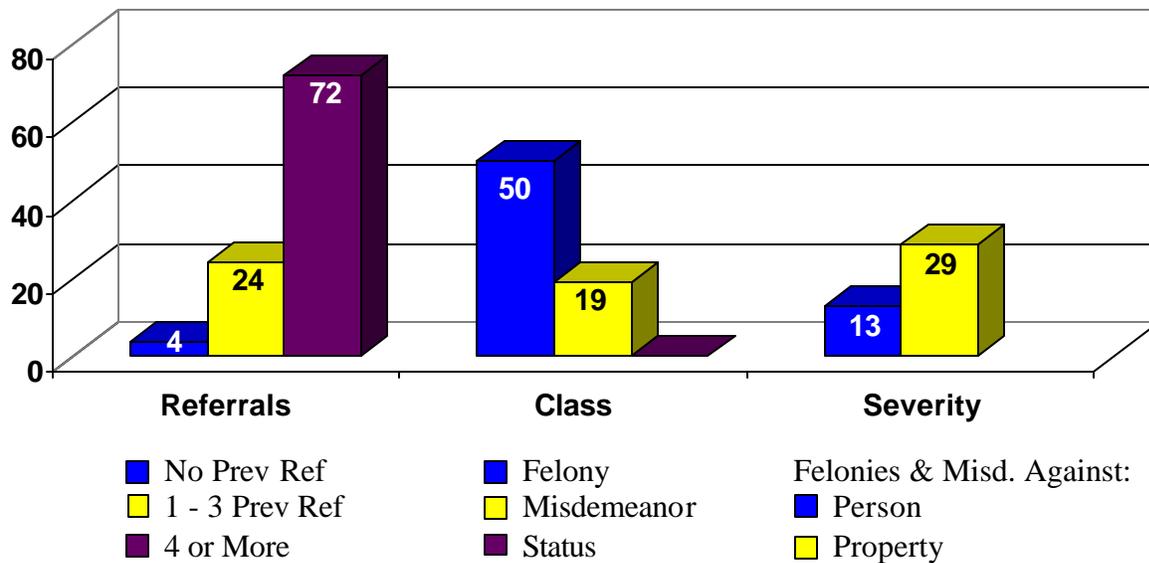


Number of Prior Referrals: JIPS FY00		
0	105	4.11%
1	147	5.76%
2	209	8.19%
3	246	9.64%
4	266	10.42%
5	265	10.38%
6	252	9.87%
7	206	8.07%
8 or more	856	33.54%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Severity of Most Serious Offense: JIPS FY00		
Felonies Against Person	220	8.62%
Felonies Against Property	681	26.68%
Obstruction of Justice: Fel. & Misd.	1,115	43.69%
Misdemeanors Against Person	117	4.58%
Drugs: Fel. & Misd.	184	7.21%
Public Peace: Fel. & Misd.	152	5.96%
Misdemeanors Against Property	70	2.74%
Status Offenses	4	0.16%
Citations/Administrative	9	0.35%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: JIPS FY00		
Felony	1,277	50.04%
Misdemeanor	479	18.77%
Administrative	782	30.64%
Status	4	0.16%
Other	10	0.39%
<b>TOTAL</b>	<b>2,552</b>	<b>100.00%</b>

Prior Referrals & Types of Offenses: Disposition JIPS FY 2000 (percent)



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## JUVENILES WITH DISPOSITIONS TO ADJC IN FY00

In 1995 the process of committing juveniles to the Arizona Department of Juvenile Corrections (ADJC) was substantially changed. Arizona Revised Statutes § 8-246(C), as amended, mandate: 1) the use of risk and needs assessment to determine appropriate disposition of juveniles; 2) development of commitment guidelines for use by juvenile court judges for dispositions of juveniles to ADJC; and 3) development of length of stay guidelines consistent with treatment and public safety concerns.

The primary purpose of the commitment guidelines is to clearly prescribe factors the court must consider, in addition to other facts relevant, when committing youth to the care and custody of ADJC. These guidelines are offense-based and also take into account the juvenile's history of delinquency. The legislative intent is that commitment to ADJC should be reserved for those juveniles whom the court believes need treatment in secure care for the protection of the public. The guidelines are not applicable for juveniles who are transferred to adult court for prosecution and sentencing<sup>6</sup>.

The guidelines identify the following offenders for commitment to ADJC:

1. **Serious Offenders:** One who is adjudicated for a "serious" offense as set forth in A.R.S. § 13-604: 1st degree murder, 2nd degree murder, manslaughter, aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument, sexual assault, any dangerous crime against children\*, arson of an occupied structure, armed robbery, burglary in the 1st degree, kidnapping, or sexual conduct with a minor under fifteen years of age.

\*A "dangerous crime against children" is defined as any of the following committed against a minor under fifteen years of age: molestation, sexual conduct with a minor, commercial sexual exploitation, child abuse, kidnapping, sexual abuse, taking a child for prostitution, involving or using minors in drug offenses.

2. **Violent Offenders:** One who is adjudicated for intentionally inflicting physical injury on a victim or who discharges, uses or exhibits in a threatening manner any deadly weapon in the commission of an offense, or who, based upon present or past behavior, and in the opinion of expert(s), exhibits a propensity toward violence and requires secure care.
3. **Repetitive Offenders:** One who is adjudicated on prior and separate occasions for at least two felony offenses within a two year period, or adjudicated on at least five prior and separate occasions for misdemeanor offenses within a two year period or who is adjudicated for any offense committed while on parole from ADJC.
4. **Serious Drug Offenders:** One who is adjudicated for an offense involving the sale of a narcotic or dangerous drug.

5. **Probation Violators:** Any person who has been placed on probation for a serious, violent, repetitive, or a serious drug offense who subsequently violates a condition of probation.

The guidelines specifically exclude commitment of:

1. **Nuisance Offenders:** Juveniles who commit only incorrigible offenses, non-repetitive misdemeanor offenders, and juveniles committing only technical probation violations while on probation for something other than a violent, serious, repetitive or serious drug offense should not be considered for commitment. A nuisance offender also includes the juvenile who refuses to follow anyone's rules or structure, yet does not commit offenses that would make him/her eligible for commitment under the criteria set forth in guidelines 1 through 5 above.
2. **Mentally Ill/Emotionally Handicapped Offenders:** The mentally ill/emotionally handicapped offender is a juvenile who has a clearly identified mental illness or emotional disorder and who is mainly considered to be a danger to himself or herself, and does not meet any of the criteria for commitment as set forth in guidelines 1 through 5 above.

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Disposition ADJC FY00</b>		
Apache	12	0.93%
Cochise	44	3.41%
Coconino	20	1.55%
Gila	16	1.24%
Graham	12	0.93%
Greenlee	0	0.00%
La Paz	3	0.23%
Maricopa	569	44.11%
Mohave	42	3.26%
Navajo	20	1.55%
Pima	361	27.98%
Pinal	94	7.29%
Santa Cruz	16	1.24%
Yavapai	28	2.17%
Yuma	53	4.11%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

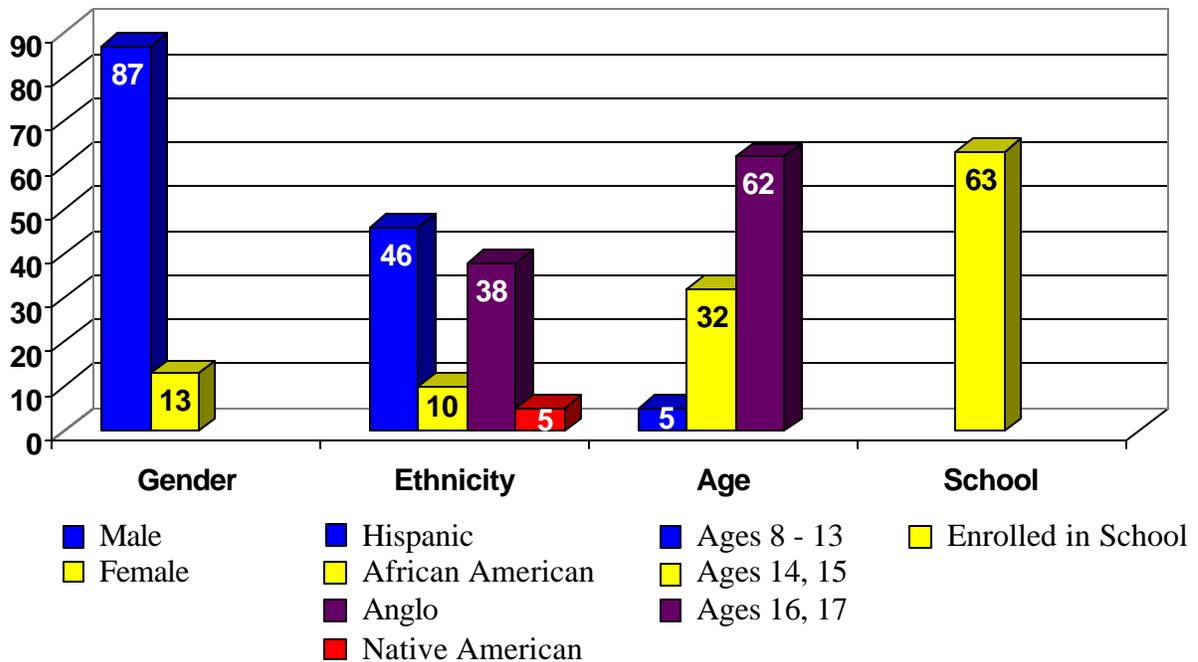
Gender: Disposition ADJC FY00		
Male	1,123	87.05%
Female	167	12.95%
Unknown	0	0.00%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Ethnicity: Disposition ADJC FY00		
Hispanic	592	45.89%
African American	133	10.31%
Anglo	488	37.83%
Native American	70	5.43%
Asian/Pacific Islander	4	0.31%
Other	3	0.23%
Unknown	0	0.00%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Age: Disposition ADJC FY00		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	13	1.01%
13	56	4.34%
14	141	10.93%
15	278	21.55%
16	391	30.31%
17	411	31.86%
Unknown	0	0.00%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Education Status: Disposition ADJC FY00		
Enrolled	807	62.56%
Not Enrolled	296	22.95%
Expelled	14	1.09%
Suspended	14	1.09%
Withdrawn	26	2.02%
Graduated	1	0.08%
GED Program	2	0.16%
Unknown	130	10.08%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Demographic Characteristics: Disposition ADJC FY 2000 (percent)

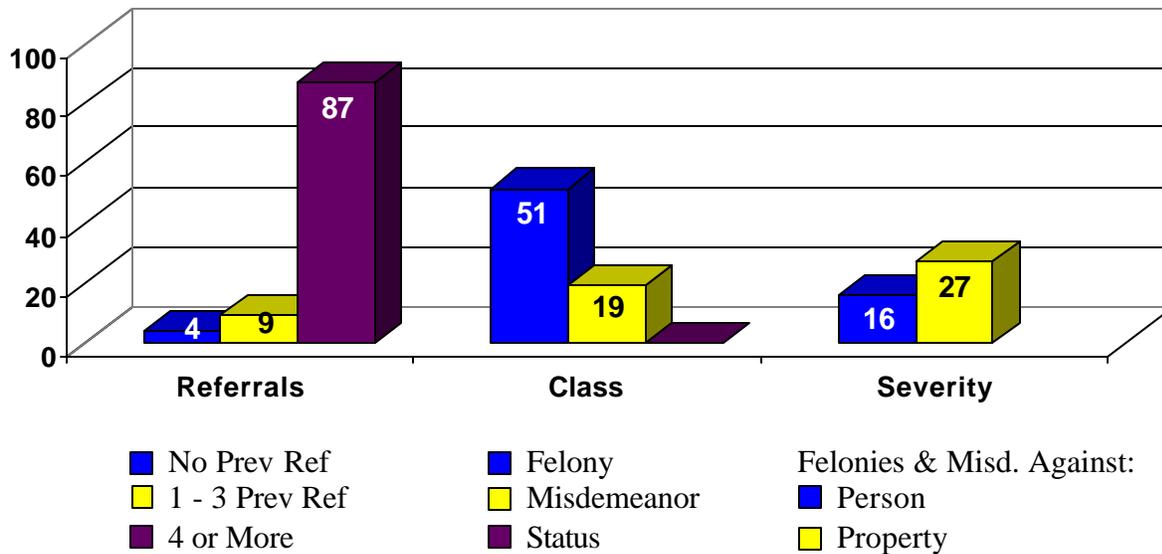


Number of Prior Referrals: Disposition ADJC FY00		
0	47	3.64%
1	25	1.94%
2	35	2.71%
3	56	4.34%
4	64	4.96%
5	72	5.58%
6	94	7.29%
7	102	7.91%
8 or more	795	61.63%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition ADJC FY00		
Felonies Against Person	140	10.85%
Felonies Against Property	308	23.88%
Obstruction of Justice: Fel. & Misd.	548	42.48%
Misdemeanors Against Person	72	5.58%
Drugs: Fel. & Misd.	93	7.21%
Public Peace: Fel. & Misd.	83	6.43%
Misdemeanors Against Property	44	3.41%
Status Offenses	0	0.00%
Citations/Administrative	2	0.16%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition ADJC FY00		
Felony	655	50.78%
Misdemeanor	244	18.91%
Administrative	389	30.16%
Status	0	0.00%
Other	2	0.16%
<b>TOTAL</b>	<b>1,290</b>	<b>100.00%</b>

Prior Referrals & Types of Offenses: Disposition ADJC FY 2000 (percent)



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## **JUVENILES DIRECT FILED IN AND TRANSFERRED TO ADULT COURT IN FY00**

Statutory provisions specify circumstances for trying juveniles as if they were adults in criminal court. Juveniles may be either direct filed in or transferred to adult court. The provisions are summarized below, with more detail in the two sections that follow. This section provides an overview of these two groups of youth.

### **Juveniles Direct Filed in Adult Court Juveniles Transferred to Adult Court**

The circumstances for trying juveniles as if they were adults are presented here as pathways to adult court. Essentially, five pathways have been identified. They are briefly described below. The numbers of youth who were filed in adult court through one of these pathways are presented on the next page. Since the Direct Filed section and the transfer section include all dispositions specific to those sections, the tables in this section may include duplicates<sup>1</sup>.

#### **Pathways to Adult Court**

- ▶ **Mandatory:** Juveniles ages 15, 16, or 17 who commit a specified violent crime must be filed in adult court.
- ▶ **Mandatory Prior:** Juveniles previously convicted in adult court must be returned to adult court for any subsequent crimes or violations of probation.
- ▶ **Chronic:** Juveniles ages 15, 16 or 17 who have two prior felony adjudications in juvenile court and are arrested for a third felony must go to adult court.
- ▶ **Discretion of County Attorney:** Juveniles who are 14 and a chronic offender or are 14 or older and commit one of a list of specified offenses may be filed in adult court.
- ▶ **Transfer:** Juveniles who do not meet the above criteria may still be transferred by the juvenile court depending on a number of factors such as the type and severity of the offense and the juvenile's record and previous history. The county attorney may request an order of the juvenile court, transferring jurisdiction to the criminal division of the Superior Court for prosecution of any juvenile charged with a felony.

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<b>Pathways for Juveniles Filed in Adult Court FY00</b>		
<b>Pathways</b>	<b>Number of Juveniles</b>	<b>% of Total</b>
Transfer	147	19.29%
Mandatory	251	32.94%
Mandatory - Prior	47	6.17%
Chronic	80	10.50%
Discretionary	237	31.10%
<b>TOTAL</b>	<b>762</b>	<b>100.00%</b>

<b>County: Direct Filed in and Transferred to Adult Court FY00</b>		
Apache	1	0.13%
Cochise	8	1.05%
Coconino	11	1.44%
Gila	14	1.84%
Graham	15	1.97%
Greenlee	0	0.00%
La Paz	2	0.26%
Maricopa	477	62.60%
Mohave	17	2.23%
Navajo	10	1.31%
Pima	137	17.98%
Pinal	38	4.99%
Santa Cruz	3	0.40%
Yavapai	18	2.36%
Yuma	11	1.44%
<b>TOTAL</b>	<b>762</b>	<b>100.00%</b>

## JUVENILES DIRECT FILED IN ADULT COURT IN FY00

The fiscal year beginning July 1, 1997 brought dramatic changes to the Juvenile Justice System due to the passage of Proposition 102 in November 1996 and the subsequent enabling legislation effective July 21, 1997. Among the provisions of the constitutional amendment was the prosecution as an adult of any juvenile age 15 or older accused of murder, forcible sexual assault, armed robbery or other violent offenses. Direct filings of juveniles in adult court in FY97 were restricted to juveniles who were charged with murder, forcible sexual assault and armed robbery. The addition of filings of juveniles in adult court for “other violent offenses” is based on the definitions contained in the enabling legislation, Senate Bill 1446.

Arizona Revised Statutes § 13-501 mandates that the “county attorney shall bring criminal prosecution against a juvenile in the same manner as an adult if the juvenile is fifteen, sixteen, or seventeen years of age and is accused of any of the following offenses”:

1. First degree murder;
2. Second degree murder;
3. Forcible sexual assault;
4. Armed robbery;
5. Any other violent offenses, defined as aggravated assault A.R.S. § 13-1204 A.1., aggravated assault with a deadly weapon A.R.S. § 13-1204 A.2., drive by shooting, and discharging a firearm at a structure;
6. A felony offense committed by a chronic offender, defined as a juvenile who has two prior and separate adjudications;
7. Any offense that is properly joined to the above offenses.

These offense categories are used to define pathways to (or filings in) adult court referred to as **Mandatory** (1 through 5 and 7) and **Chronic** (6).

Furthermore, the county attorney has the discretion to bring criminal prosecution against fourteen (14) year old juveniles accused of the offenses enumerated above. Criminal prosecution may also be brought against juveniles fourteen or older who have been accused of class 1 or class 2 felonies or of selected class 3, 4, 5, and 6 felonies. These are referred to as **Discretionary** filings. In addition criminal prosecution may be brought against any juvenile with a prior conviction in adult court. These are referred to as **Mandatory Prior Conviction** filings.

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*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Direct Filed in Adult Court FY00</b>		
Apache	0	0.00%
Cochise	7	1.14%
Coconino	11	1.79%
Gila	7	1.14%
Graham	12	1.95%
Greenlee	0	0.00%
La Paz	2	0.33%
Maricopa	393	63.90%
Mohave	9	1.46%
Navajo	6	0.98%
Pima	117	19.02%
Pinal	32	5.20%
Santa Cruz	3	0.49%
Yavapai	10	1.63%
Yuma	6	0.98%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

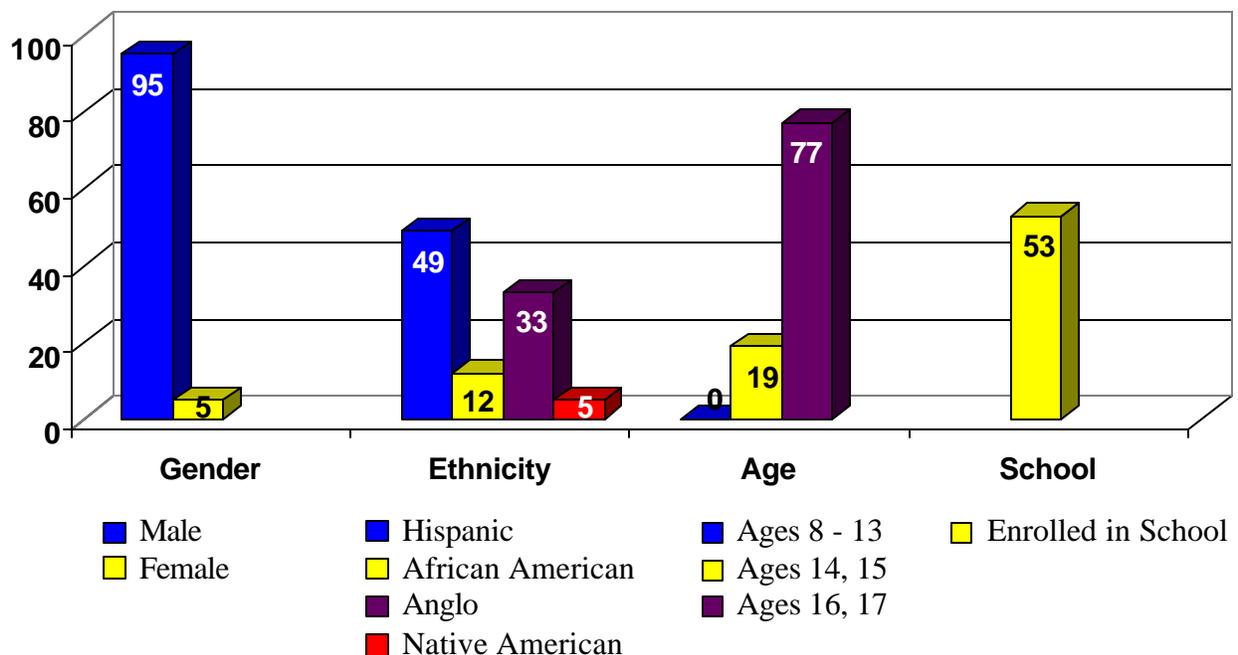
Gender: Direct Filed FY00		
Male	584	94.96%
Female	31	5.04%
Unknown	0	0.00%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

Ethnicity: Direct Filed FY00		
Hispanic	301	48.94%
African American	72	11.71%
Anglo	200	32.52%
Native American	31	5.04%
Asian/Pacific Islander	3	0.49%
Other	0	0.00%
Unknown	8	1.30%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

Age: Direct Filed FY00		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	0	0.00%
13	0	0.00%
14	28	4.55%
15	88	14.31%
16	188	30.57%
17	288	46.83%
Unknown	23	3.74%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

Education Status: Direct Filed FY00		
Enrolled	326	53.01%
Not Enrolled	155	25.20%
Expelled	4	0.65%
Suspended	1	0.16%
Withdrawn	5	0.81%
Graduated	2	0.33%
GED Program	1	0.16%
Unknown	121	19.67%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

**Demographic Characteristics: Direct Filed in Adult Court FY 2000 (percent)**

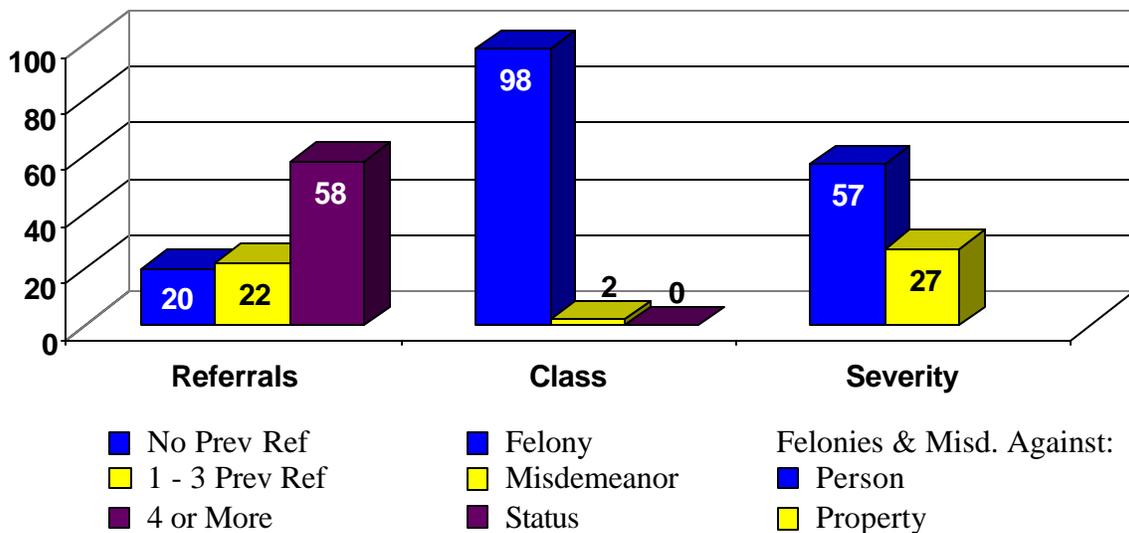


Number of Prior Referrals: Direct Filed FY00		
0	125	20.33%
1	55	8.94%
2	46	7.48%
3	35	5.69%
4	42	6.83%
5	41	6.67%
6	34	5.53%
7	26	4.23%
8 or more	211	34.31%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

Severity of Most Serious Offense: Direct Filed FY00		
Felonies Against Person	346	56.26%
Felonies Against Property	162	26.34%
Obstruction of Justice: Fel. & Misd.	5	0.81%
Misdemeanors Against Person	3	0.49%
Drugs: Fel. & Misd.	74	12.03%
Public Peace: Fel. & Misd.	22	3.58%
Misdemeanors Against Property	3	0.49%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Direct Filed FY00		
Felony	601	97.72%
Misdemeanor	14	2.28%
Administrative	0	0.00%
Status	0	0.00%
Other	0	0.00%
<b>TOTAL</b>	<b>615</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Direct Filed in Adult Court FY 2000 (percent)**



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## **JUVENILES TRANSFERRED TO ADULT COURT IN FY00**

Prior to FY97 and the passage of Proposition 102, the sole pathway to adult court for juveniles was through the judicial transfer process. The implementation of Senate Bill (SB) 1446 initiated the shift from judicial transfers to direct filing in adult court by the county attorney as the primary pathway to adult court. In SB 1446, there were also changes to the process whereby juveniles are transferred to adult court, as reflected in A.R.S. § 8-327. This statute determines the procedures for the state to request a transfer to adult court and the factors a judge must consider in the decision to transfer. Previously the transfer process was based on the Rules of Procedure of Juvenile Court (deferred transfers may no longer be granted). These provisions were effective July 21, 1997, shortly after the beginning of FY98.

An order to transfer is based on findings of a preponderance of evidence of probable cause that: the offense was committed, the juvenile committed the offense, and a transfer would best serve public safety. The determination of whether public safety would be served is based on the following factors as stated in A.R.S. § 8-327 D:

1. The seriousness of the offense involved
2. The record and previous history of the juvenile, including previous contacts with the courts and law enforcement, previous periods of any court ordered probation and the results of that probation
3. Any previous commitments of the juvenile to juvenile residential placements and secure institutions
4. If the juvenile was previously committed to the department of juvenile corrections for a felony offense
5. If the juvenile committed another felony offense while the juvenile was a ward of the department of juvenile corrections
6. If the juvenile committed the alleged offense while participating in, assisting, promoting or furthering the interests of a criminal street gang, a criminal syndicate or a racketeering enterprise
7. The views of the victim of the offense
8. If the degree of the juvenile's participation in the offense was relatively minor but not so minor as to constitute a defense to prosecution
9. The juvenile's mental and emotional condition
10. The likelihood of the juvenile's reasonable rehabilitation through the use of services and facilities that are currently available to the juvenile court

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*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Transferred to Adult Court FY00</b>		
Apache	1	0.68%
Cochise	1	0.68%
Coconino	0	0.00%
Gila	7	4.76%
Graham	3	2.04%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	84	57.14%
Mohave	8	5.44%
Navajo	4	2.72%
Pima	20	13.61%
Pinal	6	4.08%
Santa Cruz	0	0.00%
Yavapai	8	5.44%
Yuma	5	3.40%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

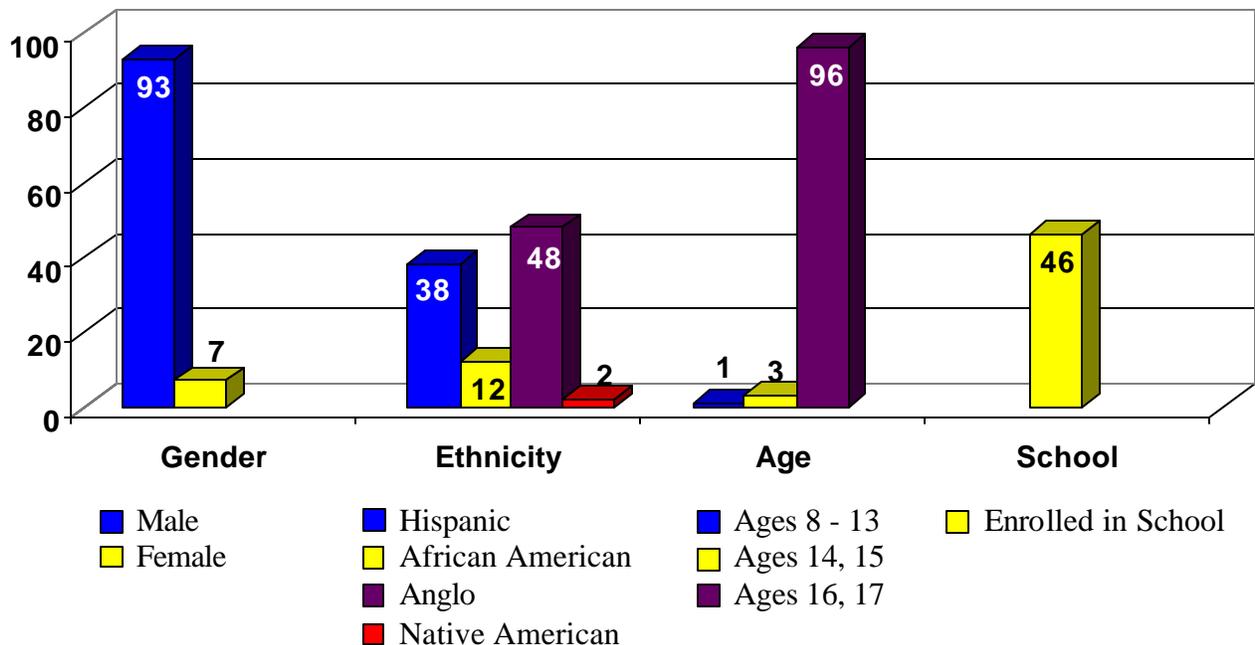
Gender: Transferred FY00		
Male	136	92.52%
Female	11	7.48%
Unknown	0	0.00%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

Ethnicity: Transferred FY00		
Hispanic	56	38.10%
African American	17	11.56%
Anglo	71	48.30%
Native American	3	2.04%
Asian/Pacific Islander	0	0.00%
Other	0	0.00%
Unknown	0	0.00%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

Age: Transferred FY00		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	0	0.00%
13	1	0.68%
14	1	0.68%
15	3	2.04%
16	25	17.01%
17	116	78.91%
Unknown	1	0.68%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

Education Status: Transferred FY00		
Enrolled	68	46.26%
Not Enrolled	41	27.89%
Expelled	1	0.68%
Suspended	1	0.68%
Withdrawn	4	2.72%
Graduated	3	2.04%
GED Program	0	0.00%
Unknown	29	19.73%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

**Demographic Characteristics: Transferred to Adult Court FY 2000 (percent)**

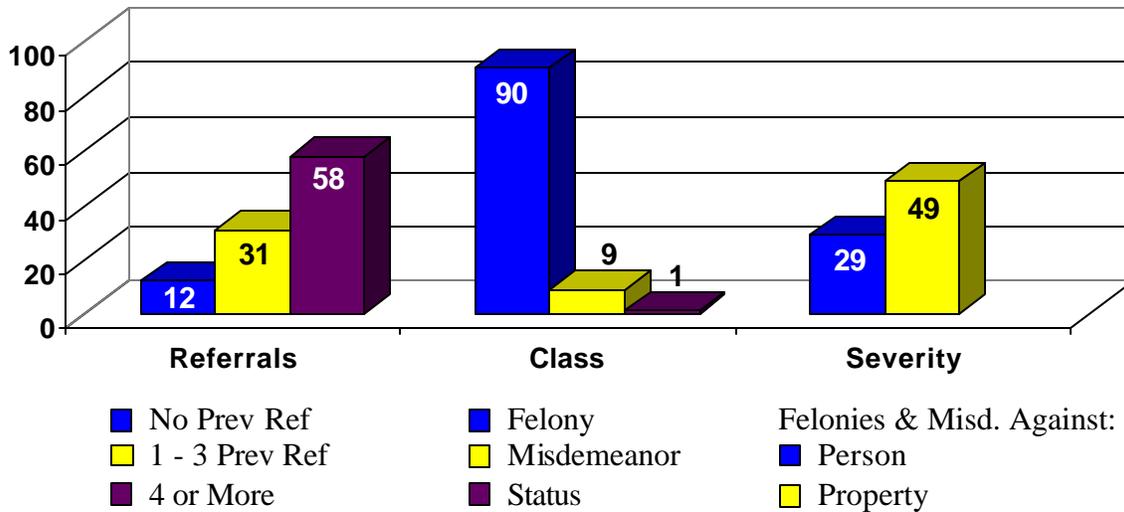


Number of Prior Referrals: Transferred FY00		
0	17	11.56%
1	14	9.52%
2	21	14.29%
3	10	6.80%
4	9	6.12%
5	10	6.80%
6	6	4.08%
7	8	5.44%
8 or more	52	35.37%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

Severity of Most Serious Offense: Transferred FY00		
Felonies Against Person	40	27.21%
Felonies Against Property	72	48.98%
Obstruction of Justice: Fel. & Misd.	2	1.36%
Misdemeanors Against Person	2	1.36%
Drugs: Fel. & Misd.	9	6.12%
Public Peace: Fel. & Misd.	21	14.29%
Misdemeanors Against Property	0	0.00%
Status Offenses	1	0.68%
Citations/Administrative	0	0.00%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Transferred FY00		
Felony	132	89.80%
Misdemeanor	13	8.84%
Administrative	0	0.00%
Status	1	0.68%
Other	1	0.68%
<b>TOTAL</b>	<b>147</b>	<b>100.00%</b>

**Prior Referrals & Types of Offenses: Transferred to Adult Court FY 2000 (percent)**



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## **JUVENILES DETAINED BY THE JUVENILE COURT IN FY00**

Juvenile detention is the temporary and secure custody of juveniles under the jurisdiction of the Juvenile Court who require a restricted environment for their own protection and the safety of the community. Responsibility for maintaining a juvenile detention center that is separate and apart from an adult jail or lockup is vested with the counties.

Juvenile detention provides a range of services which supports the juvenile's physical, emotional, educational and social development. Supportive services minimally include: education, recreation, counseling, nutrition, medical and health services, reading, visitation, communication and continuous supervision. Juvenile detention also provides for a system of clinical observation and assessment.

In Arizona, a juvenile may be detained for the following reasons:

1. If there is probable cause to believe that the juvenile committed the acts alleged in the petition, and there is reasonable cause to believe:
  - a. That otherwise the juvenile would not be present at any hearing;
  - b. That the juvenile is likely to commit an offense injurious to himself or others;
  - c. That the juvenile must be held for another jurisdiction; or
  - d. That the interests of the juvenile or the public require custodial protection.
2. As a condition of probation.

Thirteen of the fifteen counties in Arizona maintain a juvenile secure care facility. Juveniles from two counties are transported to other jurisdictions when the need for secure custody is determined by the Court. These juveniles appear in their county's data as well as in the data of the county in which they were detained.

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*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

<b>County: Detained FY00</b>		
Apache	150	1.15%
Cochise	340	2.60%
Coconino	610	4.67%
Gila	399	3.05%
Graham	86	0.66%
Greenlee	102	0.78%
La Paz	24	0.18%
Maricopa	6,503	49.74%
Mohave	362	2.77%
Navajo	352	2.69%
Pima	1,890	14.46%
Pinal	810	6.20%
Santa Cruz	253	1.93%
Yavapai	596	4.56%
Yuma	598	4.57%
<b>TOTAL</b>	<b>13,075</b>	<b>100.00%</b>

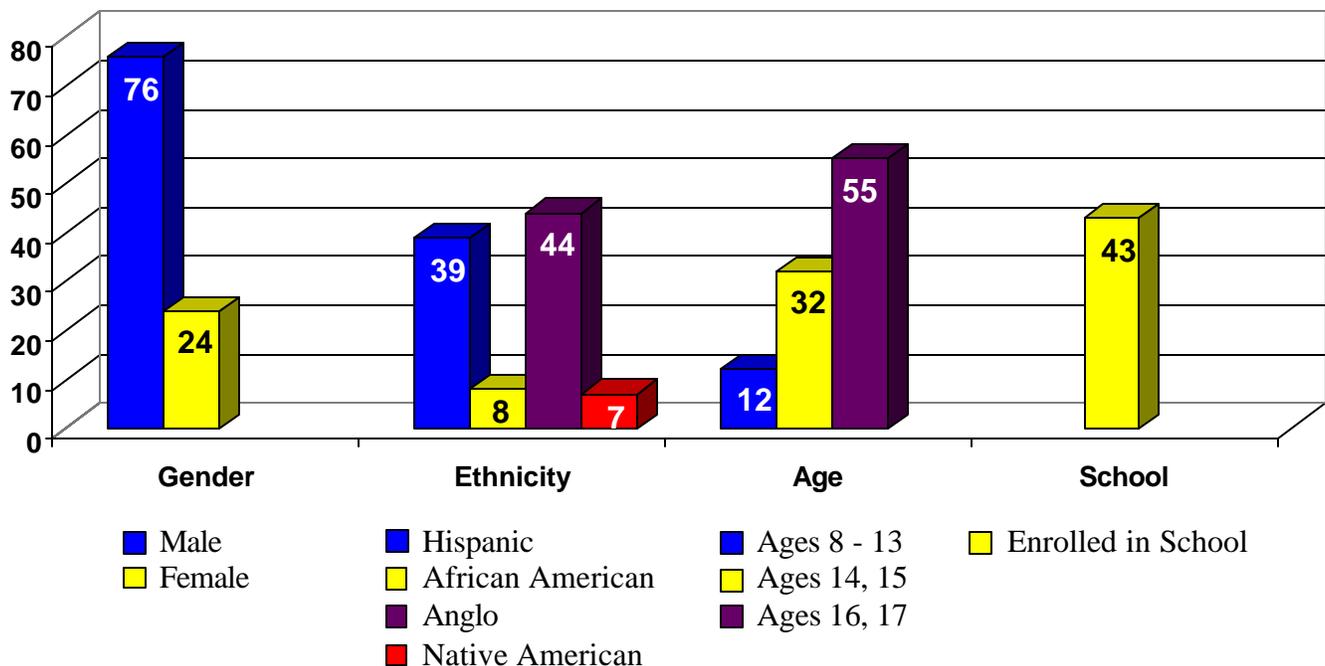
Gender: Detained FY00		
Male	9,903	75.74%
Female	3,171	24.25%
Unknown	1	0.01%
<b>TOTAL</b>	<b>13,075</b>	<b>100.00%</b>

Ethnicity: Detained FY00		
Hispanic	5,119	39.15%
African American	1,066	8.15%
Anglo	5,782	44.22%
Native American	925	7.07%
Asian/Pacific Islander	79	0.60%
Other	72	0.55%
Unknown	32	0.24%
<b>TOTAL</b>	<b>13,075</b>	<b>100.00%</b>

Age: Detained FY00		
8	6	0.05%
9	35	0.27%
10	64	0.49%
11	158	1.21%
12	418	3.20%
13	949	7.26%
14	1,803	13.79%
15	2,421	18.52%
16	3,151	24.10%
17	4,001	30.60%
Unknown	69	0.53%
<b>TOTAL</b>	<b>13,075</b>	<b>100.00%</b>

Education Status: Detained FY00		
Enrolled	5,650	43.21%
Not Enrolled	1,085	8.30%
Expelled	65	0.50%
Suspended	49	0.37%
Withdrawn	129	0.99%
Graduated	16	0.12%
GED Program	16	0.12%
Unknown	6,065	46.39%
<b>TOTAL</b>	<b>13,075</b>	<b>100.00%</b>

Demographic Characteristics: Detained FY 2000 (percent)

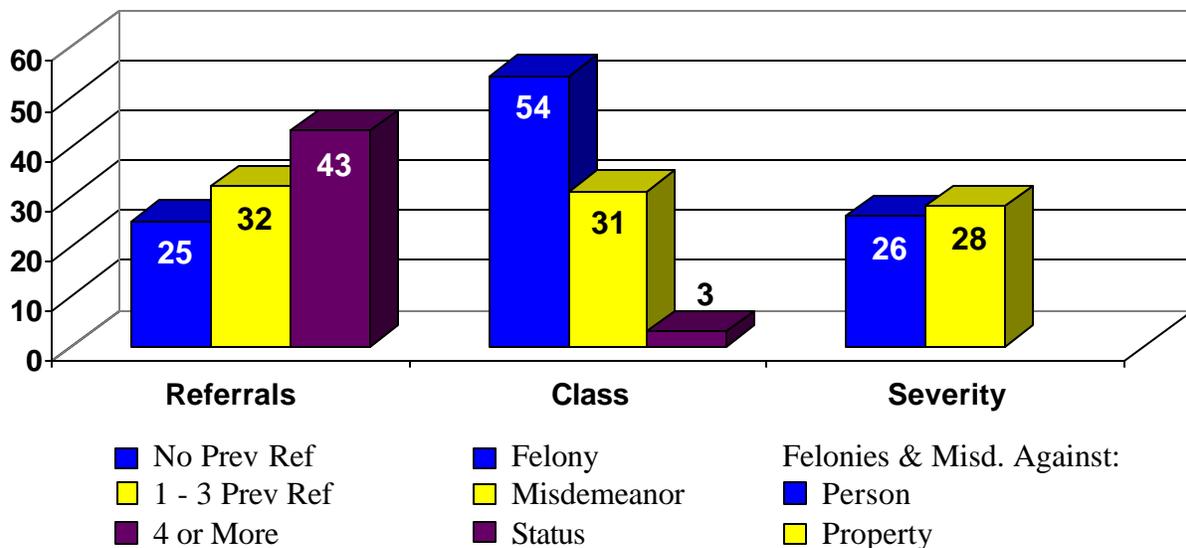


Number of Prior Referrals: Detained FY00		
0	2,232	25.34%
1	1,184	13.44%
2	908	10.31%
3	725	8.23%
4	563	6.39%
5	508	5.77%
6	432	4.90%
7	363	4.12%
8 or more	1,893	21.49%
<b>TOTAL</b>	<b>*8,808</b>	<b>100.00%</b>

Severity of Most Serious Offense: Detained FY00		
Felonies Against Person	1,214	13.78%
Felonies Against Property	1,933	21.95%
Obstruction of Justice: Fel. & Misd.	1,491	16.93%
Misdemeanors Against Person	1,095	12.43%
Drugs: Fel. & Misd.	1,047	11.89%
Public Peace: Fel. & Misd.	1,159	13.16%
Misdemeanors Against Property	492	5.59%
Status Offenses	259	2.94%
Citations/Administrative	118	1.34%
<b>TOTAL</b>	<b>*8,808</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Detained FY00		
Felony	4,744	53.86%
Misdemeanor	2,743	31.14%
Administrative	1,018	11.56%
Status	257	2.92%
Other	46	0.52%
<b>TOTAL</b>	<b>*8,808</b>	<b>100.00%</b>

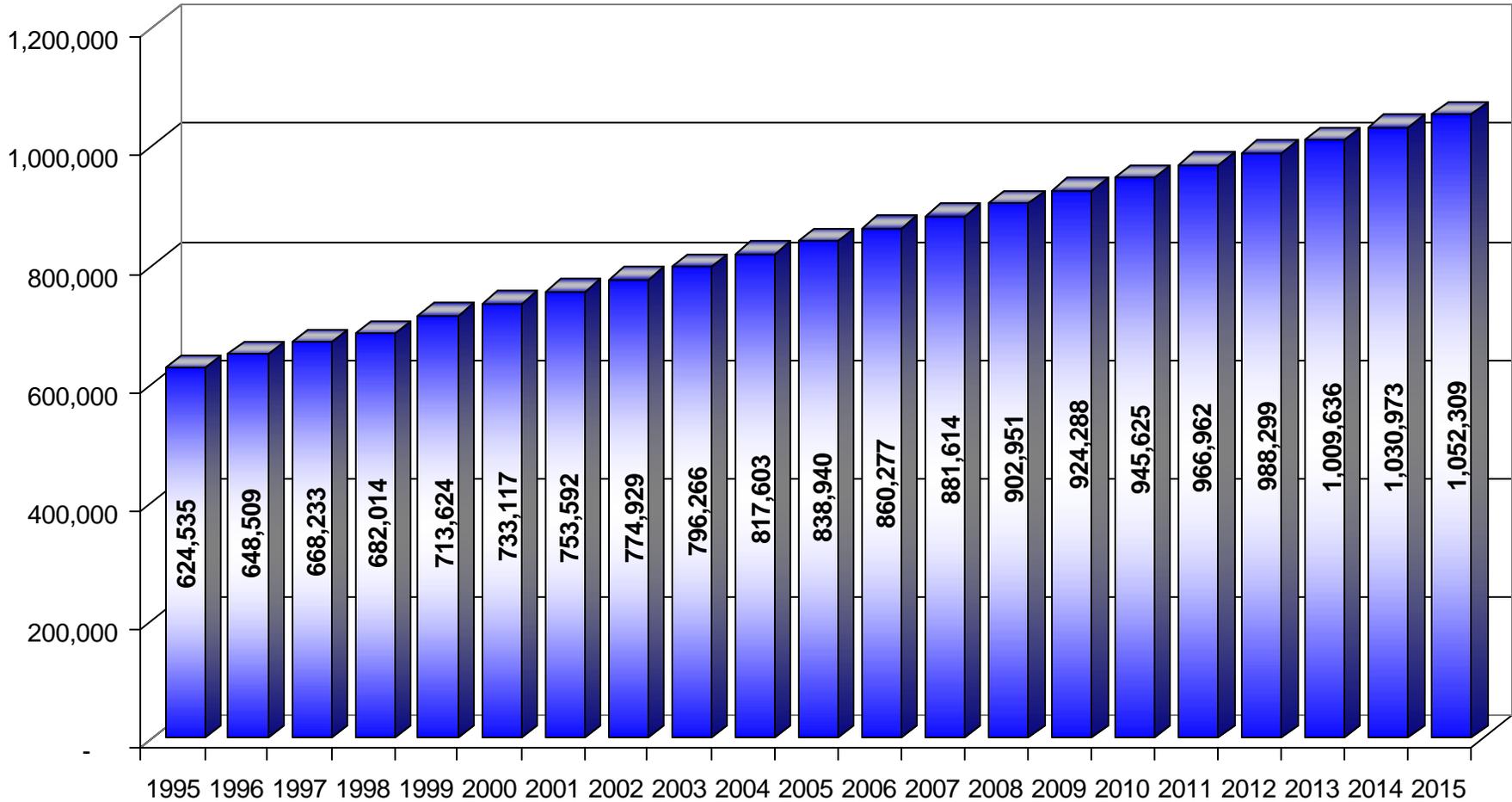
**Prior Referrals & Types of Offenses: Detained FY 2000 (percent)**



\*Not all juveniles are detained as a result of the current referral. They can also be detained as court holds, on warrant, being held for another jurisdiction, or as a probation consequence. Therefore, tables related to referrals reflect 8,808 of the 13,075 juveniles detained.

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# ARIZONA JUVENILE POPULATION ESTIMATES AND PROJECTIONS: AGES 8 - 17 1995 - 2010

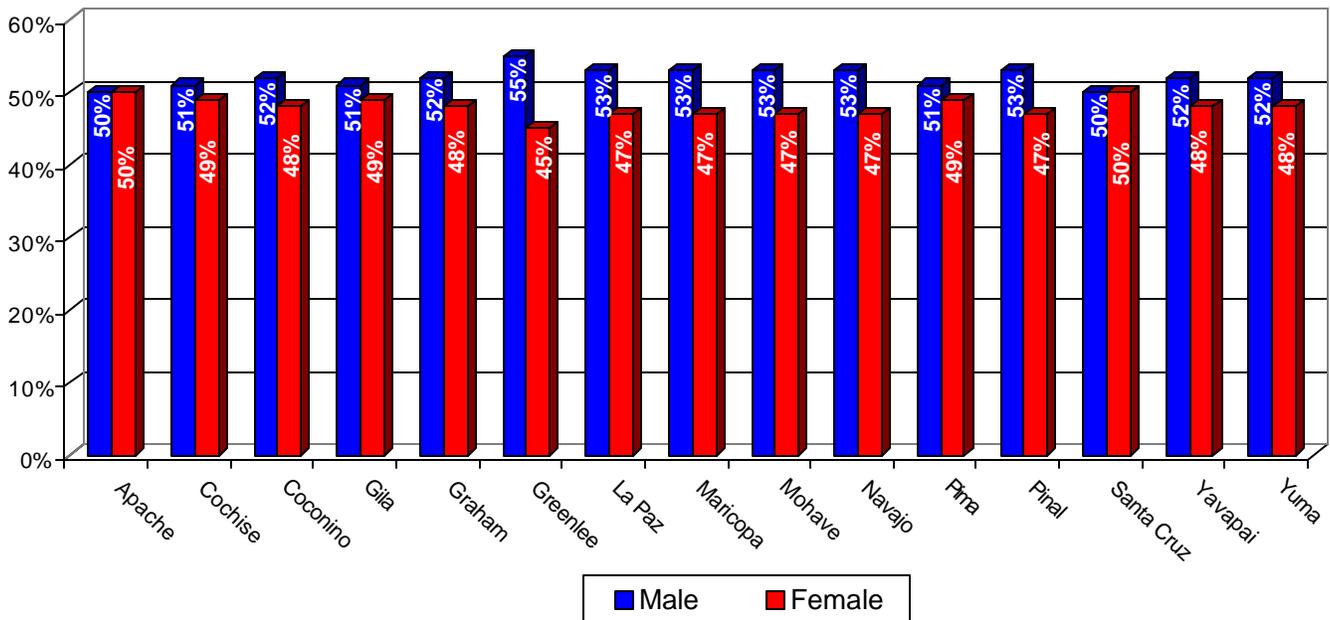


1995 - 2000 Population Estimates: Arizona Department of Economic Security, Research Administration, Population Statistics Unit.

2001 - 2015 Population Projections: Constructed using Linear Regression Model by AOC/JJSD.

Arizona County Population FY 2000 - Gender Estimates by Percent (ages 8 - 17)					
	Male		Female		TOTAL
	#	%	#	%	
Apache	7,738	50%	7,636	50%	15,374
Cochise	9,766	51%	9,332	49%	19,098
Coconino	10,059	52%	9,205	48%	19,264
Gila	4,011	51%	3,812	49%	7,823
Graham	3,521	52%	3,264	48%	6,785
Greenlee	1,042	55%	858	45%	1,900
La Paz	1,294	53%	1,127	47%	2,421
Maricopa	229,869	53%	201,817	47%	431,686
Mohave	9,456	53%	8,403	47%	17,859
Navajo	9,850	53%	8,832	47%	18,682
Pima	59,401	51%	57,177	49%	116,578
Pinal	13,857	53%	12,510	47%	26,367
Santa Cruz	3,531	50%	3,485	50%	7,016
Yavapai	10,426	52%	9,449	48%	19,875
Yuma	11,562	52%	10,827	48%	22,389
<b>TOTAL</b>	<b>385,383</b>		<b>347,734</b>		<b>733,117</b>

Arizona County Population FY 2000  
Gender Estimates by Percent (ages 8 - 17)



Arizona County Population Estimates FY00: Arizona Department of Economic Security, Research Administration, Population Statistics Unit.

## NOTES

1. The number of juveniles in each stage is an unduplicated count. Juveniles at each stage are counted once. A juvenile could be counted twice if assigned two different dispositions. If a juvenile was diverted and later placed on probation for a new offense in the same year, the juvenile would be counted twice, once for diversion and once for probation. The only exception to the unduplicated count are the tables "Pathways for Juveniles Filed in Adult Court" and "County: Direct Filed and Transferred to Adult Court FY00". In these tables, if a juvenile is direct filed and transferred, the juvenile would be counted twice, once for any transfers and once for any direct files.
2. Specific definitions of each severity category include, but are not limited to:

Felonies against person - Aggravated assault, arson of occupied structure, child molesting, child prostitution, child abuse, criminal syndicate, custodial interference, drive-by shooting, intimidating by gang, kidnapping, endangerment, incest, leaving accident, manslaughter, murder, negligent homicide, robbery, sexual abuse, sexual assault, sexual conduct with minor.

Felonies against property - Aggravated criminal damage, criminal damage, shoplifting, arson of unoccupied structure, armed burglary, burglary, computer fraud, fraud, embezzlement, extortion, forgery, unauthorized use of vehicle, organized crime, failure to return rental property, trafficking, possession of stolen property, stolen vehicle, theft.

Obstruction of justice (felonies and misdemeanors) - Contempt of court, escape, unlawful or felony flight, failure to appear, hindering prosecution, influence witness, obstruction, perjury, parole or probation violation, resisting arrest.

Misdemeanor against person - Assault, simple assault, domestic violence, endangerment, threatening intimidation, lewd and lascivious acts, unlawful imprisonment.

Drugs (Felonies and Misdemeanors) - Possession, sale, use, transportation, or manufacture of any illegal drug (dangerous, narcotic, toxic substance, inhalant hallucinogen, or prescription) or drug paraphernalia, involving a minor in a drug offense.

Public Peace (Felonies and Misdemeanors) - Aggravated DUI, alcohol under age consumption, carry concealed weapon, child neglect, commercial sex, contributing delinquency of minor, crime against nature, cruelty to animals, disorderly conduct, disturbing the peace, DUI, eavesdropping, false reporting, failure to stop, failure to appear, firework violation, gambling/gaming, harassment, indecent exposure, obscenity, prostitution, reckless burning, reckless driving, riot, public sexual indecency, speeding, traffic offenses, trespassing, criminal trespassing, unlawful assembly, weapons offenses, discharge firearm.

Misdemeanors against property - Criminal damage, issue bad check, shoplifting, and theft.

Status Offenses - Curfew, incorrigible, liquor possession, runaway, tobacco possession, truancy.

Citations/Administrative - Court hold, courtesy hold, immigration, sovereignty, traffic, warrant.

3. Population data have been provided by the Department of Economic Security, Research Administration, and Population Statistics Unit. The “Blue Wave” population graph has been updated reflecting population estimates through 2000.
4. For further information, see:

Bartsch, David and Noriega, Donna. *Juvenile Justice Treatment Evaluation Pilot Project Outcomes Report*. Phoenix, AZ: Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division, July 1999.

Deloitte Consulting. *Arizona Juvenile Justice Evaluation*. Sacramento, California: A Report Prepared for the Arizona State Legislature Juvenile Justice Committee, December, 1988.

Gottfredson, Don M. and Gottfredson, Stephen D. *Empirical Evaluation of the Progressively Increasing Consequences Act Program*. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, September, 1995.

LeCroy, Craig W., Ashford, Jose B., Krysik, J., and Milligan, K. B. *Initial Evaluation of Treatment Services for Juveniles Receiving Treatment in Arizona from January 1, 1994 to June 30, 1994*. Phoenix, AZ. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, May 1997.

LeCroy, Craig W., Krysik, Judy, and Palumbo, Dennis. *Empirical Validation of the Arizona Risk/Needs Instrument and Assessment Process*. Phoenix, AZ. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, December, 1998.

McNulty, Elizabeth W. and Russell, J. Neil. *Juvenile Commitment Guidelines Departure Research Project*. Phoenix, AZ: Administrative Office of the Courts, Juvenile Justice Services Division, September, 1995.

McNulty, Elizabeth W. *Juvenile Transfer Study: Juveniles Transferred to Adult Court 1994*. Phoenix, AZ: Administrative Office of the Courts, Juvenile Justice Services Division, February 1996.

Salk, Elliot. *Treatment Evaluation Pilot Project Final Report*. Phoenix, AZ: A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, June 1999.

Vicki Romero & Associates, Inc. *Survey of Arizona Juvenile Justice Service Providers: Final Report*. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, August 1995.

5. Maricopa County's increase in petitions and dismissed dispositions is a result of the county attorney allowing the juvenile probation department to process many citations as diversion complaints to minimize the effect on the court's schedule. If a juvenile completed the consequences assigned by a probation officer, the citation (which in effect is a petition) was dismissed.
6. Because of further changes in recent years regarding automatic transfer of certain juvenile offenders to Adult Court for prosecution, most serious, violent offenders as defined in the guidelines are no longer eligible for commitment to ADJC. New Commitment Guidelines, which are less prescriptive, are currently under consideration for adoption and implementation.

## **GLOSSARY OF JUVENILE JUSTICE TERMS**

**ADJUDICATION HEARING:** In the juvenile court, the adjudication hearing is the proceeding in which a juvenile is found to be a delinquent, incorrigible or dependent youth. The hearing is relatively formal and is attended by the judicial officer, county attorney, defense attorney and the juvenile. Normally, the parents/guardians and a juvenile probation officer also attend, along with any victims or witnesses required. The adjudication hearing is sometimes compared to the trial process in adult court, without the jury. In some respects, an "adjudication" for a delinquent offense is the juvenile court's equivalent of a "criminal conviction" in adult court.

**ADULT COURT:** Adult court has been defined in statute as the appropriate justice court, municipal court or criminal division of Superior Court with jurisdiction to hear offenses committed by juveniles. The new law specifies that juveniles who commit certain offenses, are chronic felony offenders, or have historical prior convictions, must be prosecuted in the adult court and if convicted, are subject to adult sentencing laws.

**ADULT PROBATION:** Adult probation is a function of the judicial branch of government, and has as its primary responsibility, the community-based supervision of adults convicted of criminal offenses, who are not sentenced to prison. Juveniles prosecuted as adults and who are placed on probation, are placed on adult probation.

**ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS (ADJC):** The ADJC is operated by the executive branch and is the juvenile counterpart of the Department of Corrections. ADJC operates facilities and programs primarily aimed at more serious juvenile offenders, ages 12 - 17, committed to their care and custody by the juvenile courts. ADJC operates secure correctional facilities, community-based after care programs, and juvenile parole.

**CHRONIC FELONY OFFENDER:** A chronic felony offender is statutorily defined as a juvenile who on two prior separate occasions was adjudicated delinquent for an offense that would have been comparable to a felony offense had the juvenile been prosecuted as an adult, and who commits a third felony offense. The county attorney is required by statute to bring criminal prosecution in adult court against all juveniles 15 years of age or older, who are charged with committing a third felony offense. The state must prove that the juvenile is a chronic offender. The county attorney has discretion to also indict 14-year-old juveniles as chronic felony offenders and to prosecute them as adults.

**COMMUNITY-BASED ALTERNATIVE PROGRAM (CBAP):** As used in Senate Bill 1446 and the new juvenile statutes, Community-Based Alternative Programs are not specifically defined. However, the term "CBAP" has been used generally in reference to citizen boards established throughout local communities by county attorneys and/or juvenile courts. In cases where the county attorney has authorized "diversion," the juvenile and his parent(s) or guardian(s) may be referred to a CBAP, where the panel of citizens will review the offense, question the juvenile and issue a consequence. The fundamental intent of this type of Community-Based Alternative Program is to increase citizen involvement in the juvenile justice process.

**COMMUNITY SERVICE:** When used as a "diversion" consequence, community service is unpaid work performed by a juvenile who admits to the delinquency or incorrigible charges and is eligible to have his/her prosecution "diverted" by the county attorney. Community service may also be a condition of juvenile probation. Community service work may involve such things as graffiti abatement, litter cleanup or any other public or private community assistance project under the supervision of the county attorney or juvenile court.

**COMPLAINT:** By statute, a complaint is a written statement or report normally prepared by a law enforcement officer and submitted under oath to the Juvenile Court or the Superior Court, alleging that a juvenile has violated the law. It is also called a "delinquency complaint" or "written referral" (paper referral).

**DELINQUENT JUVENILE:** A delinquent juvenile is simply a juvenile who commits an illegal offense. If the same offense had been committed by an adult, the offense would be a criminal act.

**DETENTION:** Juvenile detention is specifically defined as the temporary confinement of a juvenile in a physically restricting facility, surrounded by a locked and physically restrictive secure barrier, with restricted ingress and egress. Juveniles are typically held in detention pending court hearings for purposes of public protection, their own protection or as a consequence for their misbehavior.

**DISCRETIONARY FILINGS:** The statutes permit the county attorney to bring criminal prosecution in adult court if the juvenile is 14 years of age or older and is accused of the serious, chronic and violent offenses enumerated in the law that warrant mandatory adult prosecution for juveniles 15 years of age or older. Essentially, county attorneys have full discretion in these instances to file a petition in juvenile court or to seek adult prosecution.

**DISPOSITION HEARING:** A disposition hearing is conducted following the adjudication hearing to determine the most appropriate punishment or intervention for the juvenile. This hearing is comparable to a "sentencing hearing" in the adult criminal court. Simply stated, "disposition" refers to the process by which the juvenile court judge decides what to do with the juvenile.

**DIVERSION:** Diversion is a process by which formal court action (prosecution) is averted. The diversion process is an opportunity for youth to admit their misdeeds and to accept the consequences without going through a formal adjudication and disposition process. By statute, the county attorney has sole discretion to divert prosecution for juveniles accused of committing any incorrigible or delinquent offense.

**INCORRIGIBLE YOUTH:** Juveniles who commit offenses which would not be considered crimes if they were committed by adults are called status offenders (incorrigible youth). Typically, incorrigible youth are juveniles who refuse to obey the reasonable and proper directions of their parents or guardians. Juveniles who are habitually truant from school, run away from home, or violate curfew are considered to be incorrigible.

**INTAKE:** Intake occurs when a youth is referred to the juvenile probation department with a delinquent or incorrigible charge. Intake staff determine if a youth is eligible for diversion, per the county attorney's criteria, or whether the juvenile must be referred to the county attorney for possible prosecution. Intake officers meet with the juveniles and their parents, coordinate diversion consequences and issue reports to the court and county attorney.

**JUVENILE INTENSIVE PROBATION SUPERVISION (JIPS):** Arizona Revised Statutes (A.R.S. § 8-351) defines JIPS as "a program.....of highly structured and closely supervised juvenile probation.....which emphasizes surveillance, treatment, work, education and home detention." A primary purpose of JIPS is to reduce the commitments to the Arizona Department of Juvenile Corrections (ADJC) and other institutional or out-of-home placements. The statutes require that all juveniles adjudicated for a second felony offense must be placed on JIPS, committed to ADJC, or sent to adult court.

**MANDATORY OFFENSES:** The statutes mandate that certain serious, violent and chronic offenses, when committed by juveniles of a certain age, must be prosecuted in the adult criminal division of Superior Court. These "mandatory offenses" coincide with the crimes now enumerated in the State Constitution, as amended through the provisions of Proposition 102 and approved by Arizona voters at the 1996 general election.

**PAROLE:** This term refers only to those juveniles who have been committed to ADJC and are then placed on juvenile "parole" upon their release. Juvenile parole is normally considered to be "conditional liberty." Parole is an executive branch function.

**PETITION:** A "petition" is a legal document filed in the juvenile court alleging that a juvenile is a delinquent, incorrigible, or a dependent child and requesting that the court assume jurisdiction over the youth. The petition initiates the formal court hearing process of the juvenile court. The petition is prepared by the county attorney, who determines what charges to bring against the juvenile.

**REFERRALS:** Referrals can be made by police, parents, school officials, probation officers or other agencies or individuals requesting that the juvenile court assume jurisdiction over the juvenile's conduct. Referrals can be "paper referrals" issued as citations or police reports or "physical referrals" as in an actual arrest and custody by law enforcement. Juveniles may have multiple referrals during any given year or over an extended period of time between the ages of 8-17. Multiple referrals typically signal high risk, even when the referrals are for numerous incorrigible, or relatively minor offenses.

**STANDARD PROBATION:** A program for the supervision of juveniles placed on probation by the court. These juveniles are under the care and control of the court and are supervised by probation officers.

**TRANSFER HEARING:** A transfer hearing is held when the county attorney requests that the juvenile court consider transferring its jurisdiction of the juvenile to the adult criminal division of Superior Court. The juvenile court judge may decide to waive or retain jurisdiction in such matters based on A.R.S. § 8-327, but must state on the official court record the reasons for the decision.