

# JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM FY02

July 1, 2001 to June 30, 2002



December 2002

Arizona Supreme Court  
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# JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM IN FY2001

July 1, 2001 to June 30, 2002

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# **JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM IN FY2002**

July 1, 2001 to June 30, 2002

## **INTRODUCTION**

This is the ninth 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 automated juvenile court information management system that has been operational in Maricopa County Juvenile Court for more than 20 years, and statewide for nine full years. Each Juvenile Court actively participates in collecting and maintaining the data to ensure quality and accuracy.

This report provides an overview of the juveniles processed at various stages of the juvenile justice system statewide during fiscal year 2002. Selected breakdowns of an unduplicated juvenile count<sup>1</sup> are presented at the following stages: Referral; Detention; Diversion; Petition; Dispositions of Dismissed, Penalty Only, Standard Probation, Juvenile Intensive Probation Supervision, Arizona Department of Juvenile Corrections; and Juveniles Direct Filed in and Transferred to Adult Court.

The characteristics of juveniles at each of these stages are contained in this report.<sup>2</sup> 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>3</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, detained, diverted, petitioned, had at least one disposition from the court, and/or were direct filed in and/or transferred to adult court, at one point during FY02.

The number of juveniles processed in the juvenile justice system is influenced by several factors, including legislative actions, law enforcement and prosecutorial practices, and the number of juveniles ages 8 to 17 years old in the Arizona population. Through the year 2002, 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>4</sup>

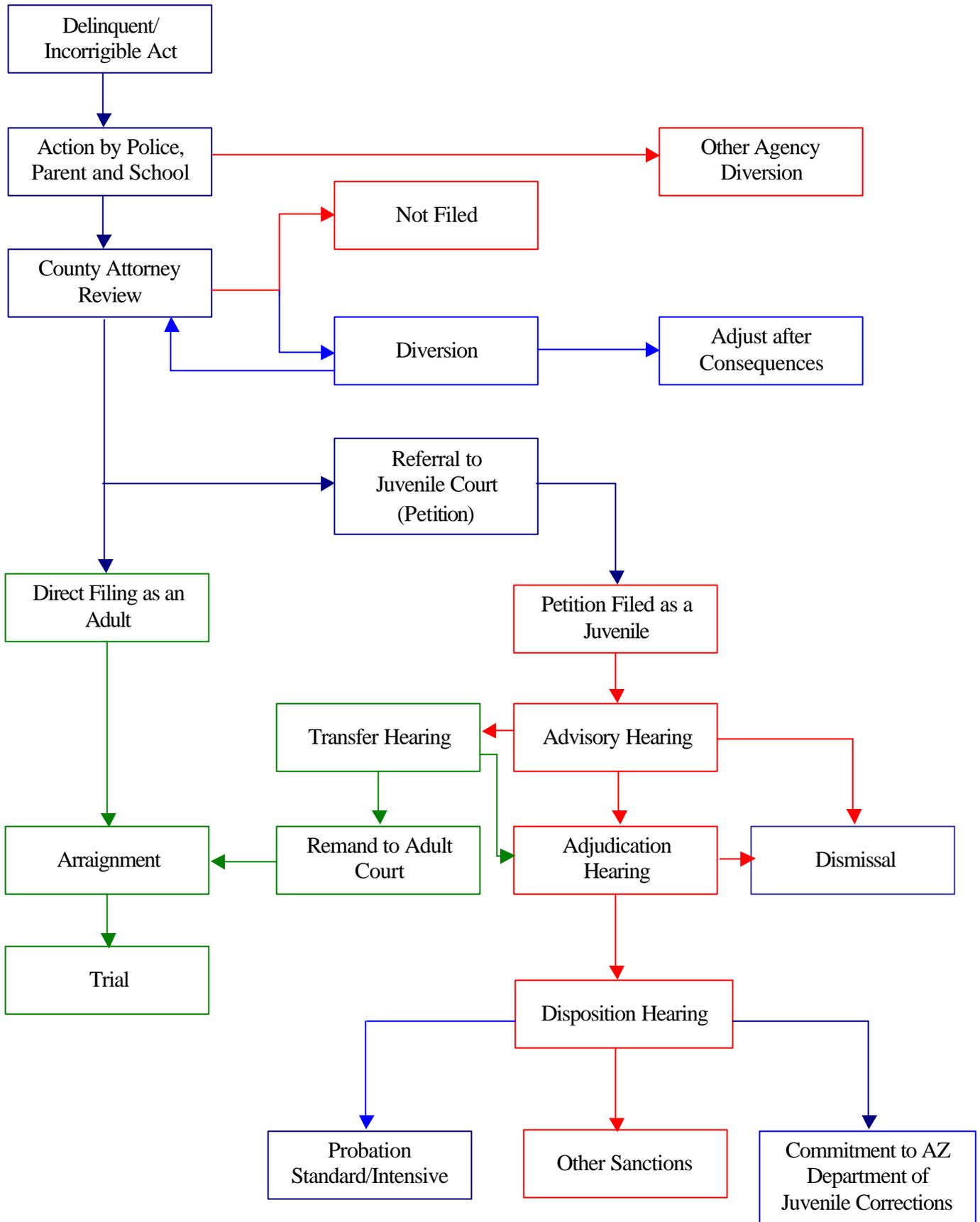
The flow chart of the juvenile justice system in this section of the report is followed by a chart entitled *Arizona Juvenile Court Activity* that illustrates selected stages within the juvenile justice system and the number of juveniles processed at each of these stages. In the *Arizona Juvenile Court 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 and more than one referral may have the same disposition, 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 by these juveniles at each stage.

Several graphs are included in this section to portray trends over the past six years. The first series of graphs shows data on referrals, juveniles referred, petitions filed and juveniles with petitions filed. Referrals may include more than one referral for a youth, whereas the juveniles referred figure shows 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 series of graphs 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. The last graph shows the pathways to adult court: judicial transfer, mandatory direct file, mandatory prior conviction direct file, chronic direct file, and discretionary direct file. Each pathway reflects the number of juveniles who were sent to adult court through that particular channel. While the number of juveniles in each pathway is unduplicated, a juvenile may appear in more than one pathway.

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>5</sup> Juveniles Processed FY98, FY99, FY00, FY01 and FY02 are available on the Internet at <http://www.supreme.state.az.us/jjsd/>.

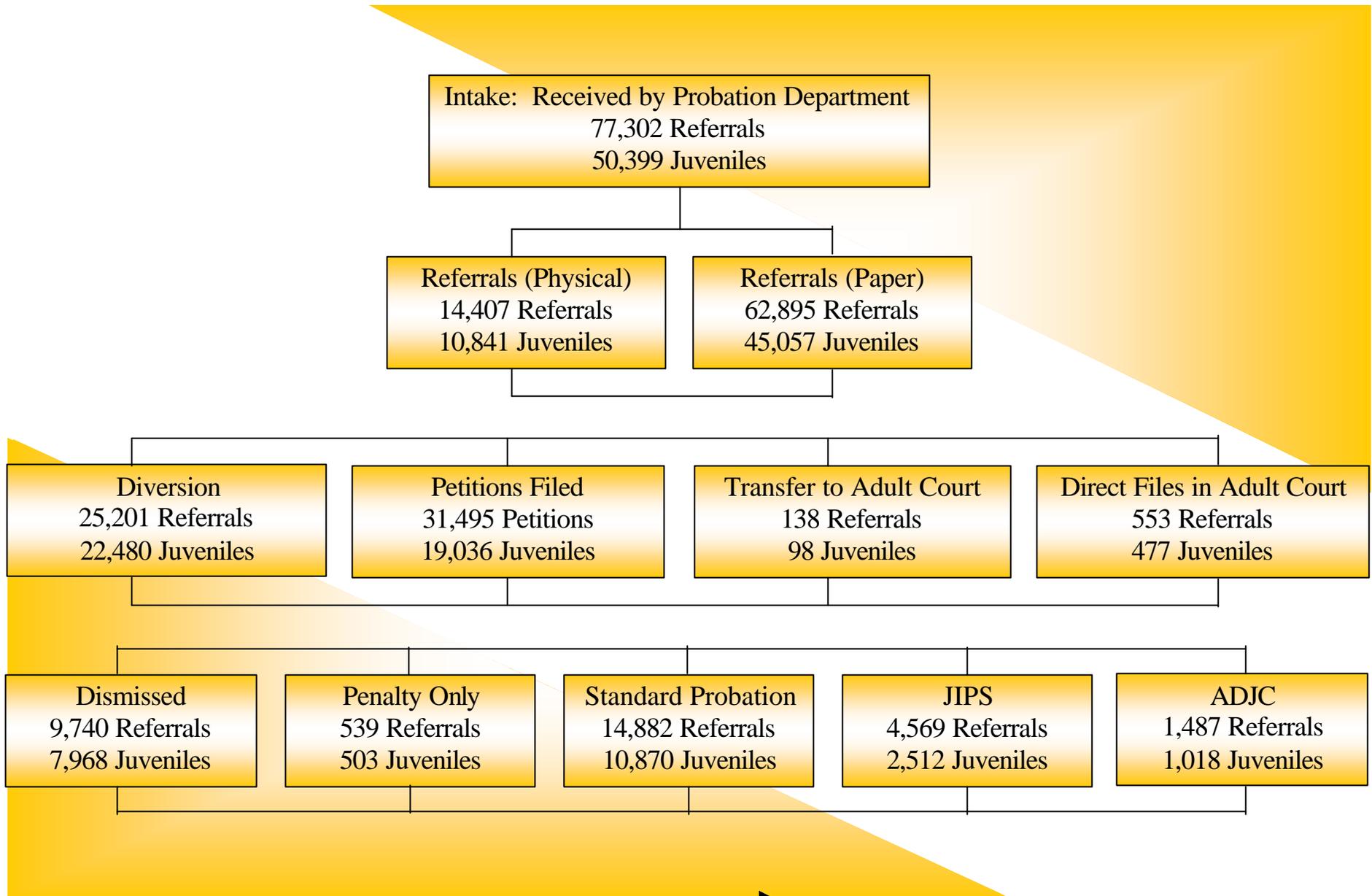
Analysis of data on juveniles processed in the Arizona court system is ongoing in order to identify the treatment needs of juveniles, to determine what works in meeting those needs and obtaining the best outcomes, to identify the most cost effective allocation of resources and to develop the most effective partnerships with local communities to provide for public safety and juvenile accountability. 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



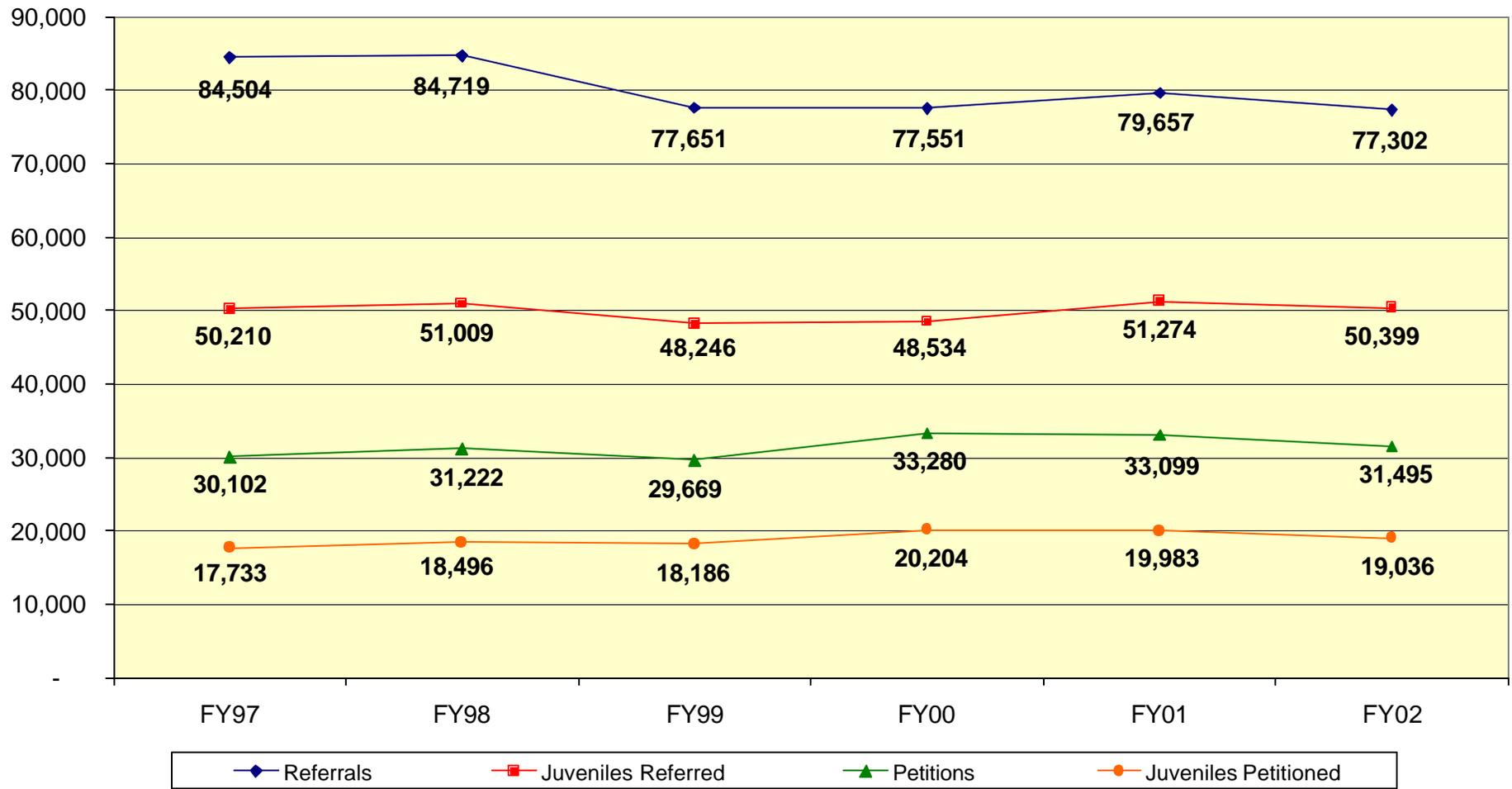
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# ARIZONA JUVENILE COURT ACTIVITY FY02



**Data Source:** Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division; Fifteen Juvenile Courts' Juvenile On-Line Tracking System (JOLTS), July 1, 2001 to June 30, 2002

### Referrals, Petitions Filed and Juveniles Referred and Petitioned Fiscal Years 1997 - 2002



**Referrals**



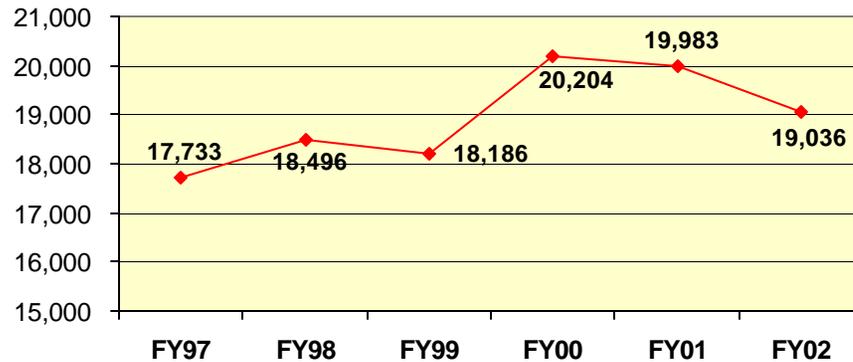
**Petitions**



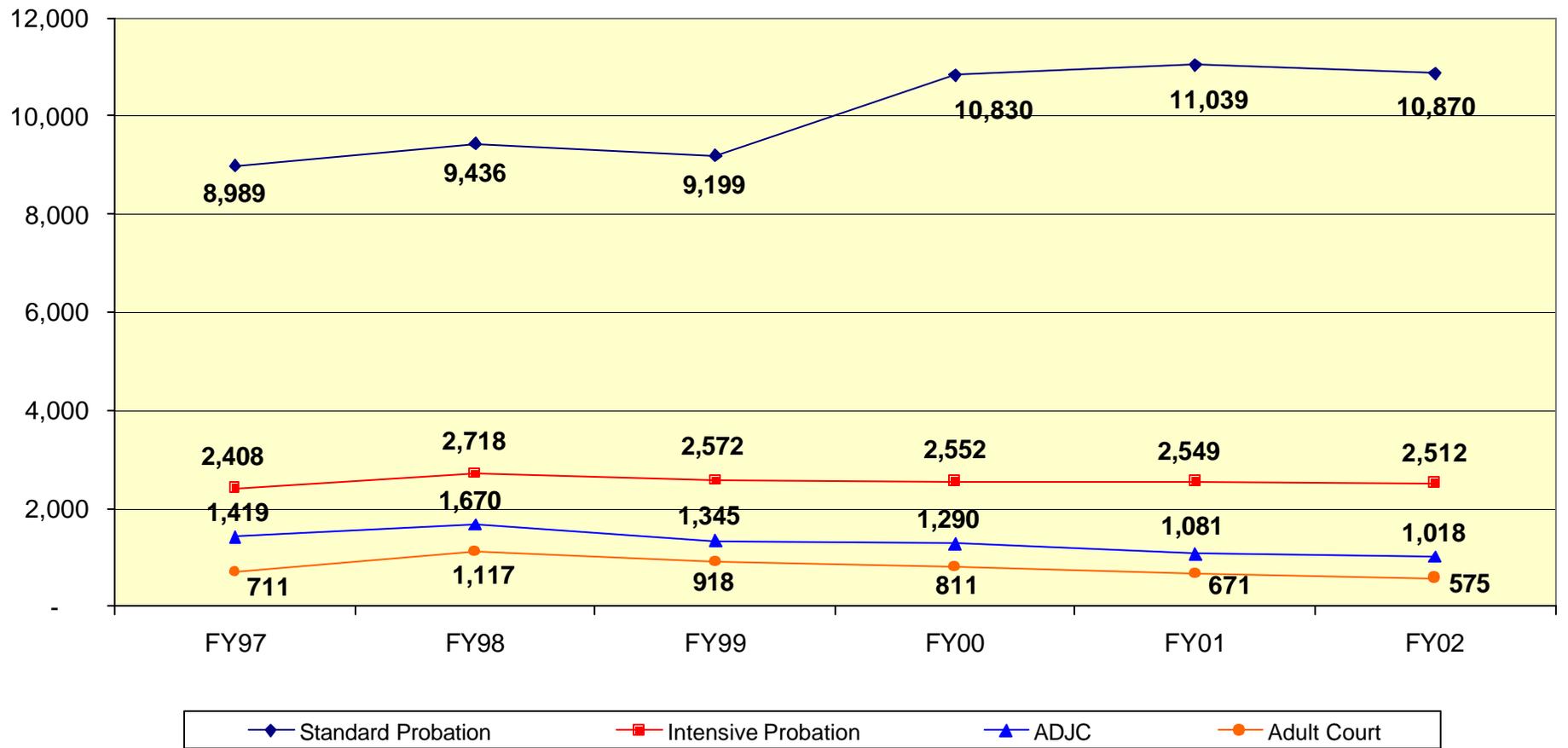
**Juveniles Referred**



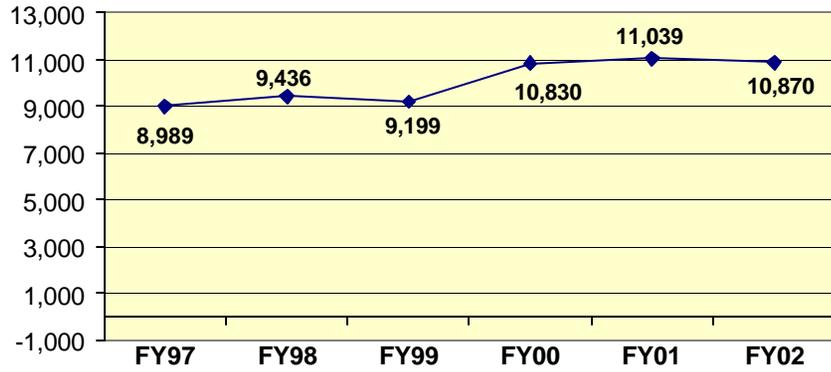
**Juveniles Petitioned**



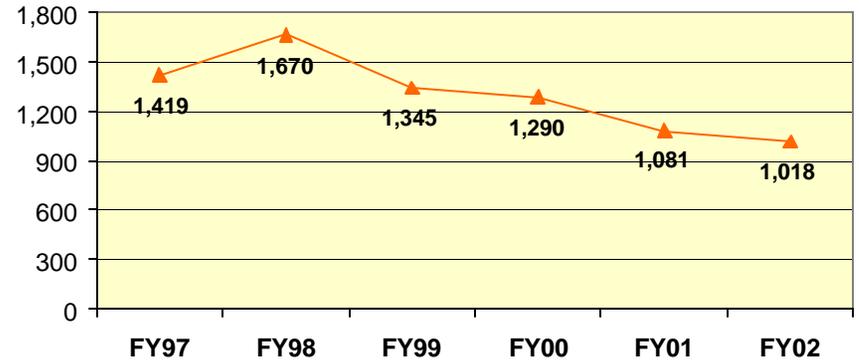
**The Number of Juveniles Dispositioned to Probation, Intensive Probation, ADJC and Adult Court  
Fiscal Years 1997 - 2002**



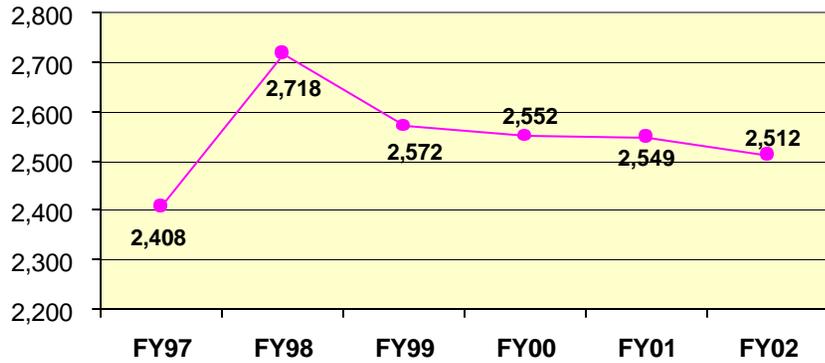
**Standard Probation**



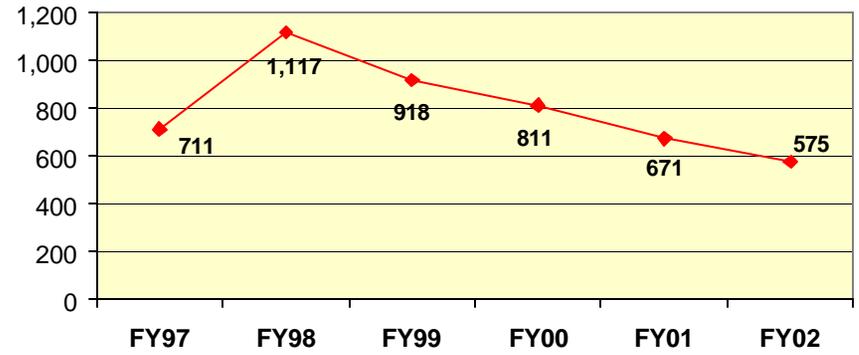
**ADJC**



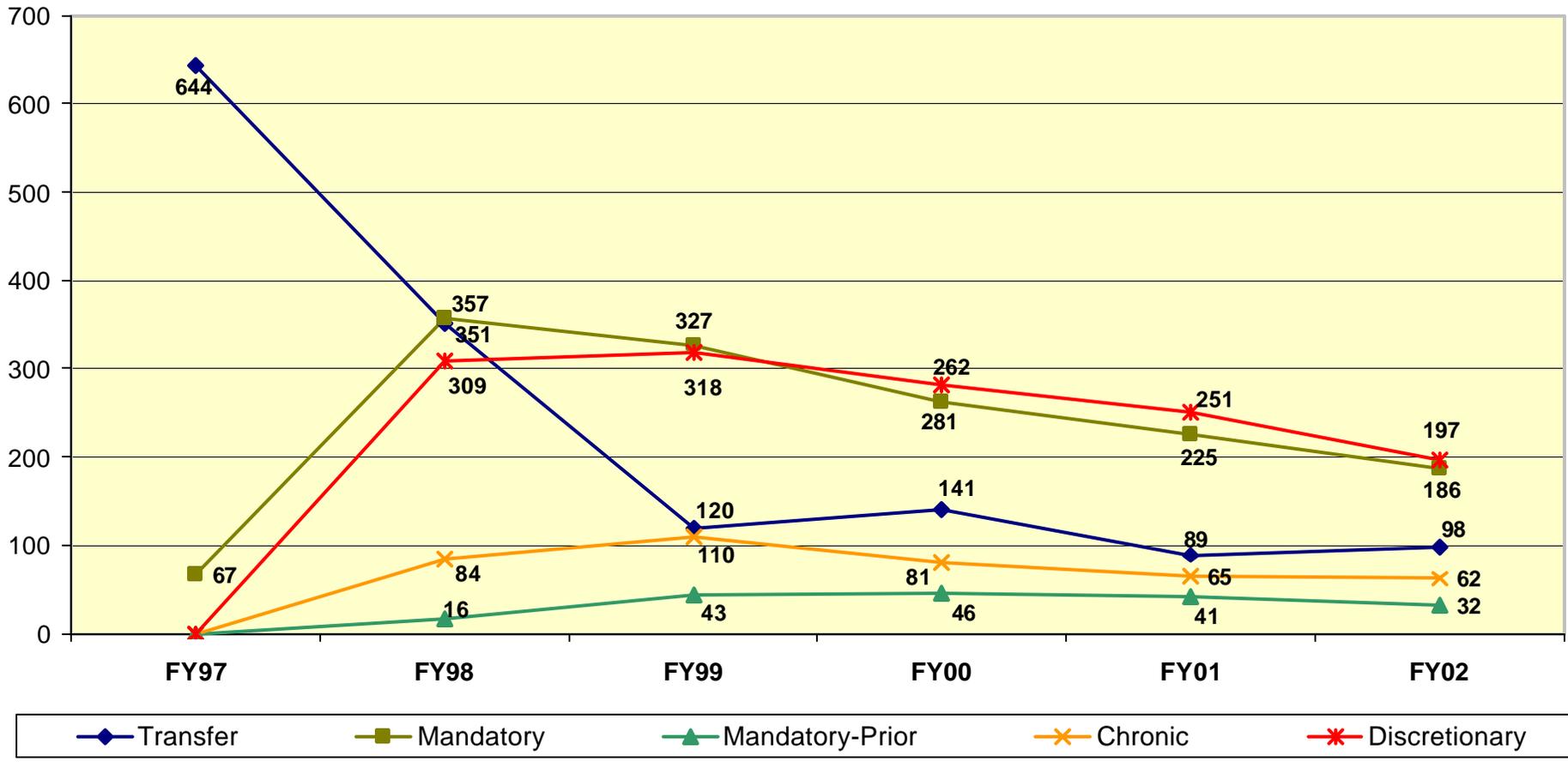
**Intensive Probation**



**Adult Court**



### Pathways for Juveniles Transferred and/or Direct Filed in Adult Court Fiscal Years 1997 - 2002<sup>6</sup>



## JUVENILES REFERRED TO THE ARIZONA SUPERIOR COURT SYSTEM IN FY02

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 FY02. The juveniles are those for whom a report was submitted to the Juvenile Court alleging that the youth committed a delinquent act or demonstrated incorrigible behavior.

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.*

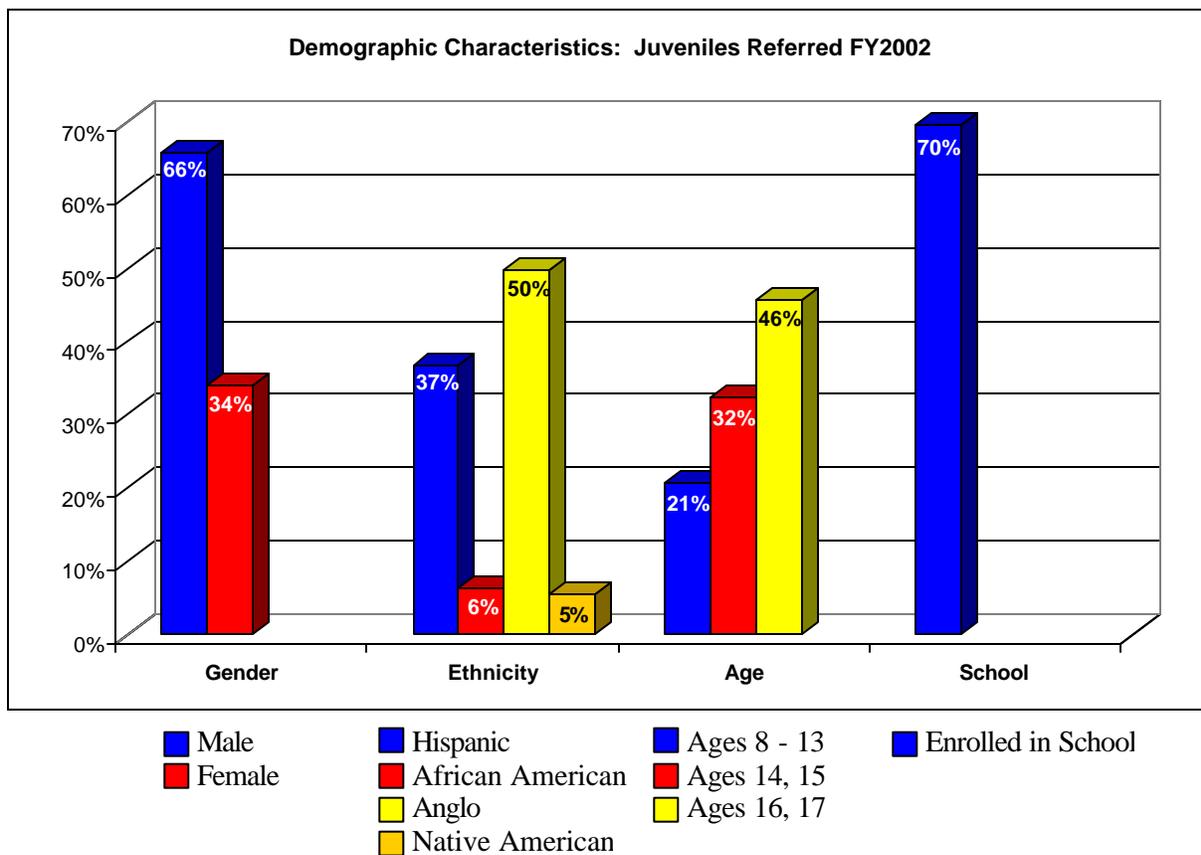
<b>County: Juveniles Referred FY02</b>		
Apache	276	0.55%
Cochise	1,496	2.97%
Coconino	1,790	3.55%
Gila	827	1.64%
Graham	493	0.98%
Greenlee	81	0.16%
La Paz	188	0.37%
Maricopa	25,414	50.43%
Mohave	2,196	4.36%
Navajo	1,195	2.37%
Pima	9,498	18.85%
Pinal	2,121	4.21%
Santa Cruz	699	1.39%
Yavapai	1,893	3.76%
Yuma	2,232	4.43%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>

Gender: Juveniles Referred FY02		
Male	33,205	65.88%
Female	17,194	34.12%
Unknown	0	0.00%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>

Ethnicity: Juveniles Referred FY02		
Hispanic	18,558	36.82%
African American	3,179	6.31%
Anglo	25,095	49.79%
Native American	2,736	5.43%
Asian/Pacific Islander	240	0.48%
Other	201	0.40%
Unknown	390	0.77%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>

Age: Juveniles Referred FY02		
8	285	0.57%
9	458	0.91%
10	770	1.53%
11	1,377	2.73%
12	2,706	5.37%
13	4,876	9.67%
14	7,053	13.99%
15	9,321	18.49%
16	10,640	21.11%
17	12,362	24.53%
Unknown	551	1.09%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>

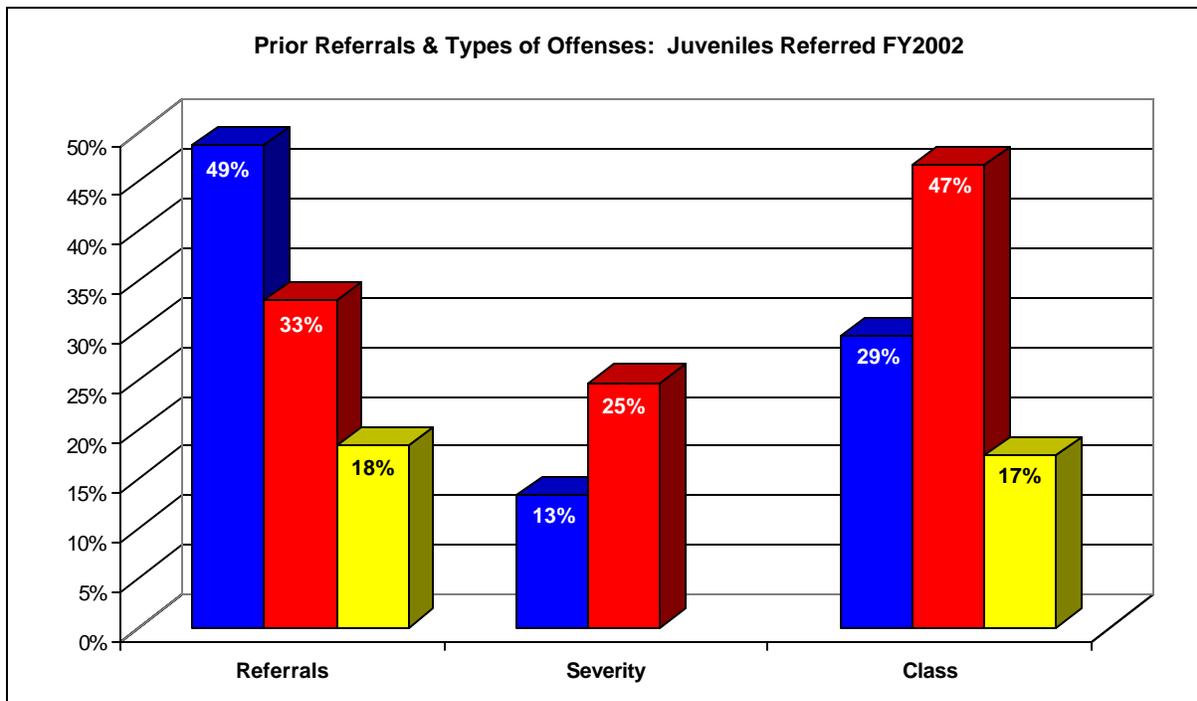
Education Status: Juveniles Referred FY02		
Enrolled	35,044	69.53%
Not Enrolled	3,764	7.47%
Expelled	80	0.16%
Suspended	96	0.19%
Withdrawn	148	0.29%
Graduated	63	0.13%
GED Program	40	0.08%
Unknown	11,164	22.15%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Referred FY02		
0	24,557	48.73%
1	8,982	17.82%
2	4,732	9.39%
3	2,903	5.76%
4	2,078	4.12%
5	1,538	3.05%
6	1,134	2.25%
7	935	1.86%
8 or more	3,540	7.02%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Referred FY02		
Felonies Against Person	2,401	4.76%
Felonies Against Property	5,618	11.15%
Obstruction of Justice: Fel. & Misd.	4,850	9.62%
Misdemeanors Against Person	4,329	8.59%
Drugs: Fel. & Misd.	4,874	9.67%
Public Peace: Fel. & Misd.	12,537	24.88%
Misdemeanors Against Property	6,799	13.49%
Status Offenses	8,729	17.32%
Citations/Administrative	262	0.52%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Referred FY02		
Felony	14,793	29.35%
Misdemeanor	23,504	46.64%
Administrative	2,805	5.57%
Status	8,737	17.34%
Other	560	1.11%
<b>TOTAL</b>	<b>50,399</b>	<b>100.00%</b>



■ No Prev. Ref.      Felonies & Misd. Against:      ■ Felony  
■ 1 - 3 Prev. Ref.      ■ Person                              ■ Misdemeanor  
■ 4 or More                      ■ Property                              ■ Status

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## **JUVENILES DETAINED BY THE JUVENILE COURT IN FY02**

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. Additionally, some counties have entered into contracts and/or agreements with federal agencies, tribal courts, or other state agencies to house juveniles. These juveniles are reflected in the data that follows.

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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.*

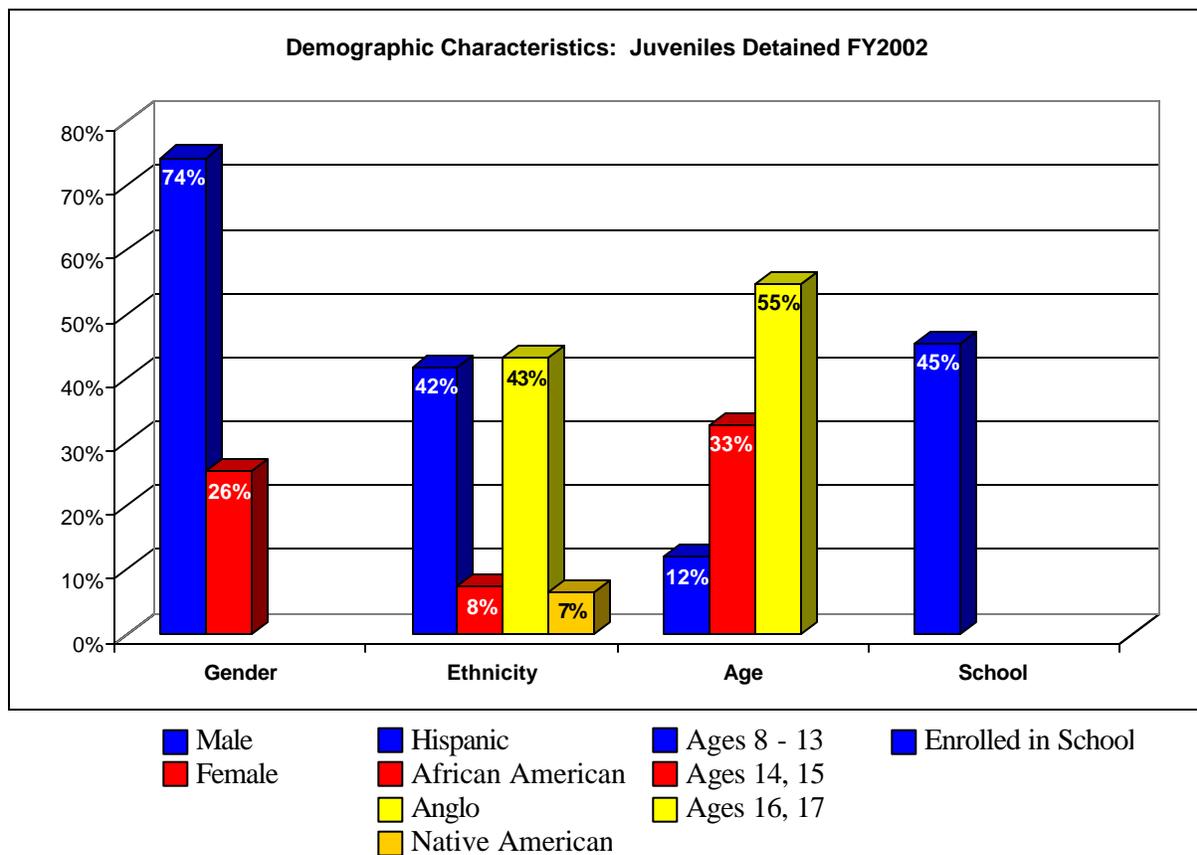
<b>County: Juveniles Detained FY02</b>		
Apache	119	0.87%
Cochise	332	2.43%
Coconino	453	3.32%
Gila	484	3.54%
Graham	189	1.38%
Greenlee	30	0.22%
La Paz	34	0.25%
Maricopa	6,577	48.15%
Mohave	395	2.89%
Navajo	343	2.51%
Pima	2,346	17.17%
Pinal	834	6.11%
Santa Cruz	264	1.93%
Yavapai	632	4.63%
Yuma	628	4.60%
<b>TOTAL</b>	<b>13,660</b>	<b>100.00%</b>

Gender: Juveniles Detained FY02		
Male	10,167	74.43%
Female	3,493	25.57%
Unknown	0	0.00%
<b>TOTAL</b>	<b>13,660</b>	<b>100.00%</b>

Ethnicity: Juveniles Detained FY02		
Hispanic	5,692	41.67%
African American	1,037	7.59%
Anglo	5,897	43.17%
Native American	895	6.55%
Asian/Pacific Islander	55	0.40%
Other	54	0.40%
Unknown	30	0.22%
<b>TOTAL</b>	<b>13,660</b>	<b>100.00%</b>

Age: Juveniles Detained FY02		
8	7	0.05%
9	22	0.16%
10	59	0.43%
11	170	1.24%
12	404	2.96%
13	983	7.20%
14	1,781	13.04%
15	2,676	19.59%
16	3,379	24.74%
17	4,099	30.01%
Unknown	80	0.59%
<b>TOTAL</b>	<b>13,660</b>	<b>100.00%</b>

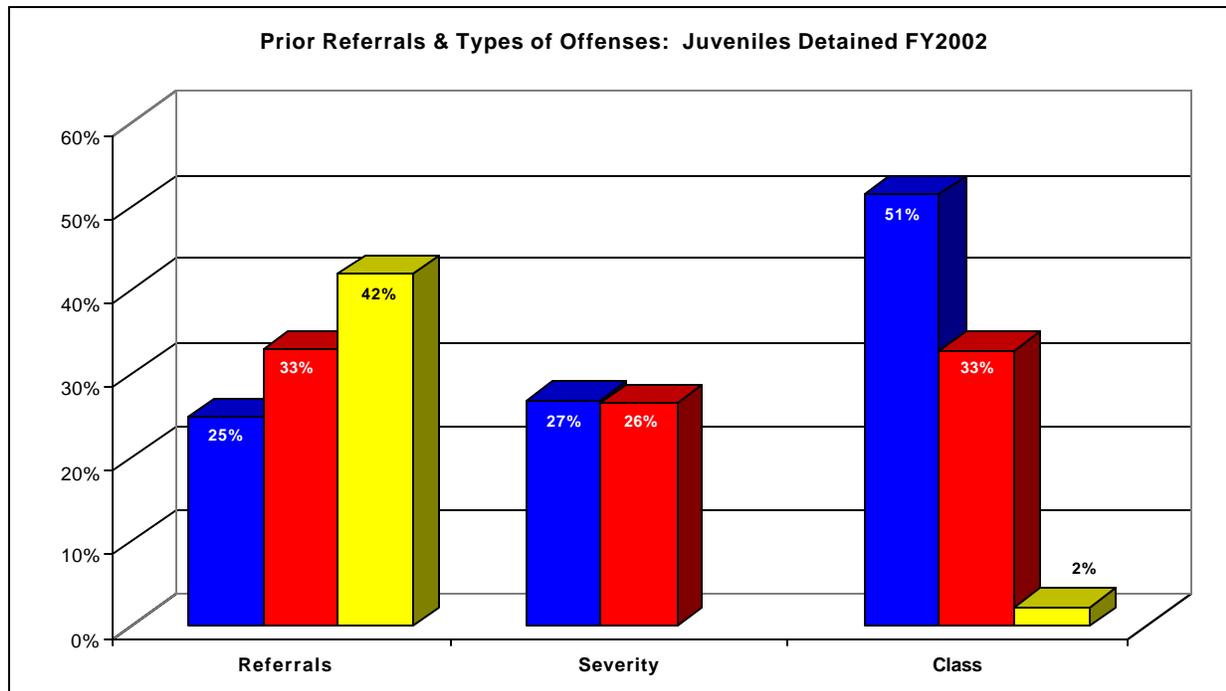
Education Status: Juveniles Detained FY02		
Enrolled	6,201	45.40%
Not Enrolled	1,365	9.99%
Expelled	37	0.27%
Suspended	55	0.40%
Withdrawn	54	0.40%
Graduated	19	0.14%
GED Program	17	0.12%
Unknown	5,912	43.28%
<b>TOTAL</b>	<b>13,660</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Detained FY02		
0	2,277	25.02%
1	1,267	13.92%
2	966	10.62%
3	767	8.43%
4	681	7.48%
5	530	5.82%
6	469	5.15%
7	375	4.12%
8 or more	1,767	19.42%
<b>TOTAL</b>	<b>*9,099</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Detained FY02		
Felonies Against Person	1,165	12.80%
Felonies Against Property	1,878	20.64%
Obstruction of Justice: Fel. & Misd.	1,669	18.34%
Misdemeanors Against Person	1,287	14.14%
Drugs: Fel. & Misd.	1,037	11.40%
Public Peace: Fel. & Misd.	1,187	13.05%
Misdemeanors Against Property	532	5.85%
Status Offenses	209	2.30%
Citations/Administrative	135	1.48%
<b>TOTAL</b>	<b>*9,099</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Detained FY02		
Felony	4,676	51.39%
Misdemeanor	2,992	32.88%
Administrative	1,171	12.87%
Status	208	2.29%
Other	52	0.57%
<b>TOTAL</b>	<b>*9,099</b>	<b>100.00%</b>



■ No Prev. Ref.      Felonies & Misd. Against:      ■ Felony  
■ 1 - 3 Prev. Ref.      ■ Person      ■ Misdemeanor  
■ 4 or More      ■ Property      ■ Status

\*Not all juveniles are detained as a result of the current referral. They can also be detained as court holds, on warrant, for another jurisdiction, or as a probation consequence. Therefore, tables related to referrals reflect 9,099 of the 13,660 juveniles detained.

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## JUVENILES DIVERTED IN FY02

Diversion is a process which allows a juvenile to avoid formal court processing and to have the referral alleging an 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. A 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.

A.R.S. § 8-321 provides the statutory authority and requirements for determining which juveniles can be diverted and the conditions that must be met. The major requirements of A.R.S. § 8-321 are briefly summarized as follows:

1. The county attorney decides which juveniles accused of committing an incorrigible or delinquent act to divert 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.
2. 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.
3. 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:
  - a. Participation in unpaid community service work.
  - b. Participation in a counseling program, which is designed to strengthen family relationships and to prevent repetitive juvenile delinquency.
  - c. Participation in an education program, approved by the court, which has as its goal the prevention of further delinquent behavior.
  - d. 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.

- e. 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.
  - f. Payment of restitution to the victim of the delinquent act.
  - g. Payment of a monetary assessment.
4. 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.
  5. 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.
  6. 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.

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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.*

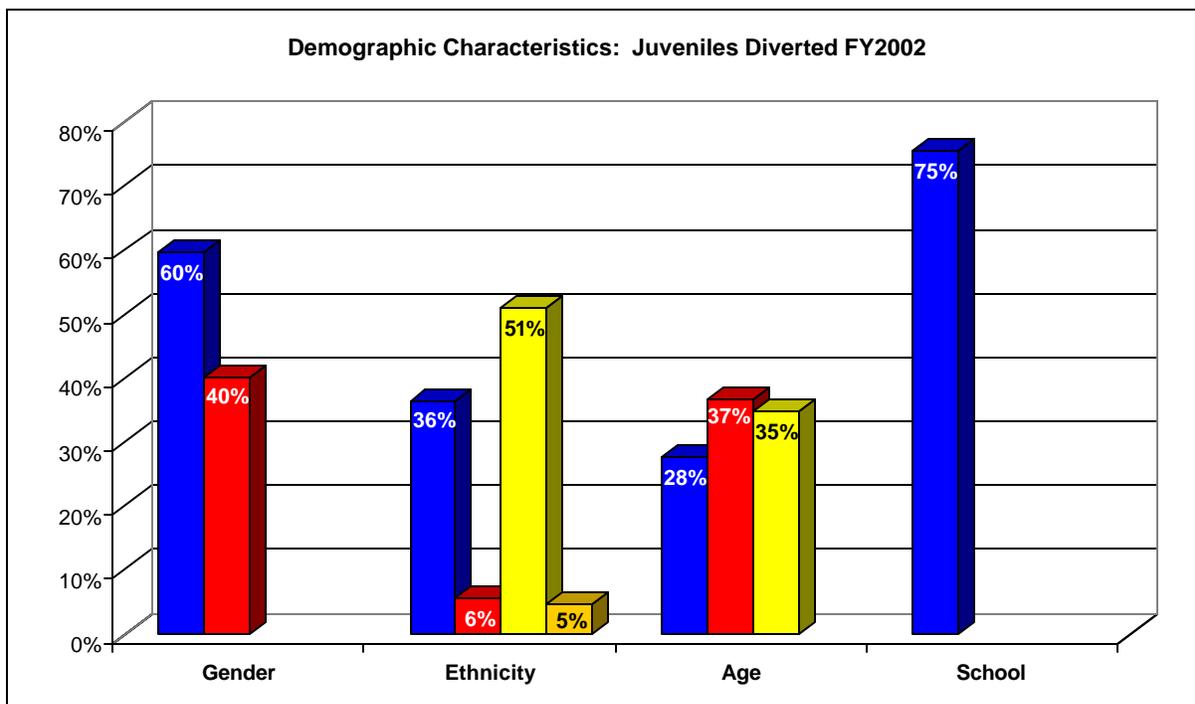
<b>County: Juveniles Diverted FY02</b>		
Apache	77	0.34%
Cochise	940	4.18%
Coconino	854	3.80%
Gila	378	1.68%
Graham	182	0.81%
Greenlee	16	0.07%
La Paz	108	0.48%
Maricopa	11,189	49.77%
Mohave	684	3.04%
Navajo	315	1.40%
Pima	4,741	21.09%
Pinal	881	3.92%
Santa Cruz	168	0.75%
Yavapai	939	4.18%
Yuma	1,008	4.48%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

Gender: Juveniles Diverted FY02		
Male	13,435	59.76%
Female	9,045	40.24%
Unknown	0	0.00%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

Ethnicity: Juveniles Diverted FY02		
Hispanic	8,197	36.46%
African American	1,243	5.53%
Anglo	11,474	51.04%
Native American	1,093	4.86%
Asian/Pacific Islander	123	0.55%
Other	108	0.48%
Unknown	242	1.08%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

Age: Juveniles Diverted FY02		
8	169	0.75%
9	272	1.21%
10	474	2.11%
11	843	3.75%
12	1,660	7.38%
13	2,807	12.49%
14	3,812	16.96%
15	4,455	19.82%
16	4,196	18.67%
17	3,641	16.20%
Unknown	151	0.67%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

Education Status: Juveniles Diverted FY02		
Enrolled	16,962	75.45%
Not Enrolled	497	2.21%
Expelled	16	0.07%
Suspended	26	0.12%
Withdrawn	23	0.10%
Graduated	12	0.05%
GED Program	8	0.04%
Unknown	4,936	21.96%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

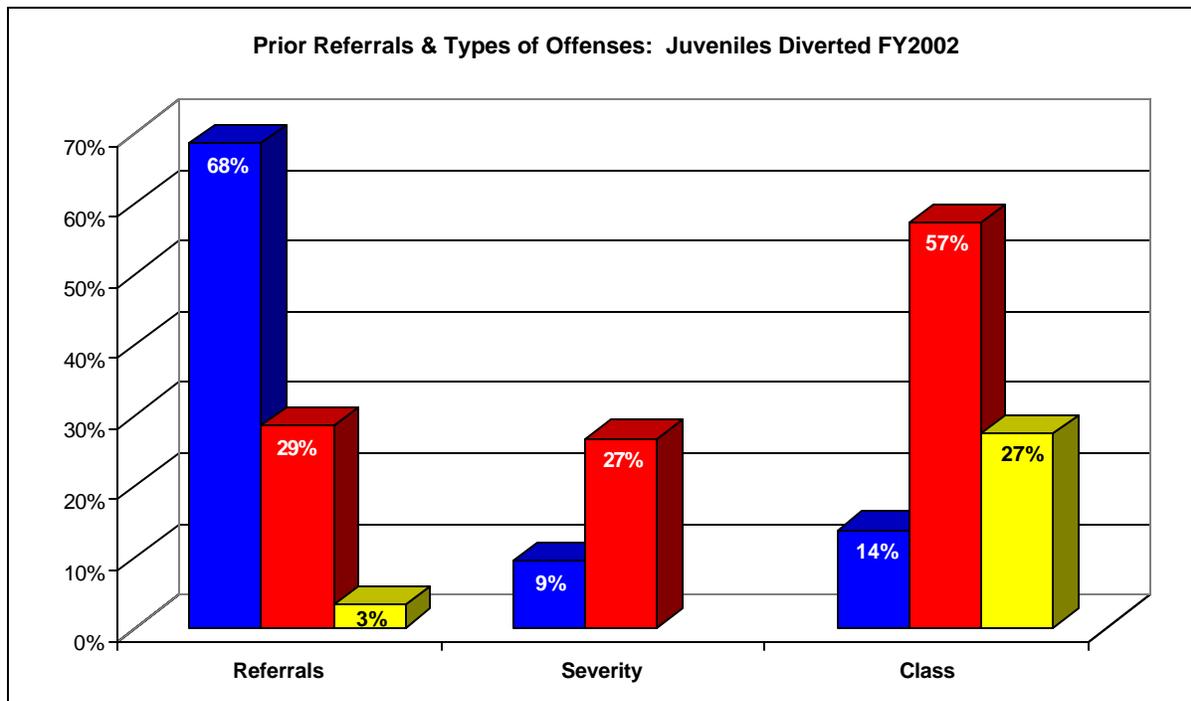


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Juveniles Diverted FY02		
0	15,357	68.31%
1	4,529	20.15%
2	1,397	6.21%
3	498	2.22%
4	227	1.01%
5	135	0.60%
6	83	0.37%
7	58	0.26%
8 or more	196	0.87%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Diverted FY02		
Felonies Against Person	163	0.73%
Felonies Against Property	789	3.51%
Obstruction of Justice: Fel. & Misd.	122	0.54%
Misdemeanors Against Person	1,941	8.63%
Drugs: Fel. & Misd.	1,937	8.62%
Public Peace: Fel. & Misd.	6,170	27.45%
Misdemeanors Against Property	5,212	23.19%
Status Offenses	6,143	27.33%
Citations/Administrative	3	0.01%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Diverted FY02		
Felony	3,102	13.80%
Misdemeanor	12,851	57.17%
Administrative	332	1.48%
Status	6,143	27.33%
Other	52	0.23%
<b>TOTAL</b>	<b>22,480</b>	<b>100.00%</b>



<span style="color: blue;">■</span> No Prev. Ref.	<span style="color: blue;">■</span> Felonies & Misd. Against:	<span style="color: blue;">■</span> Felony
<span style="color: red;">■</span> 1 - 3 Prev. Ref.	<span style="color: red;">■</span> Person	<span style="color: red;">■</span> Misdemeanor
<span style="color: yellow;">■</span> 4 or More	<span style="color: red;">■</span> Property	<span style="color: yellow;">■</span> Status

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## JUVENILES WITH PETITIONS FILED IN FY02

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.

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's Annual Reports.

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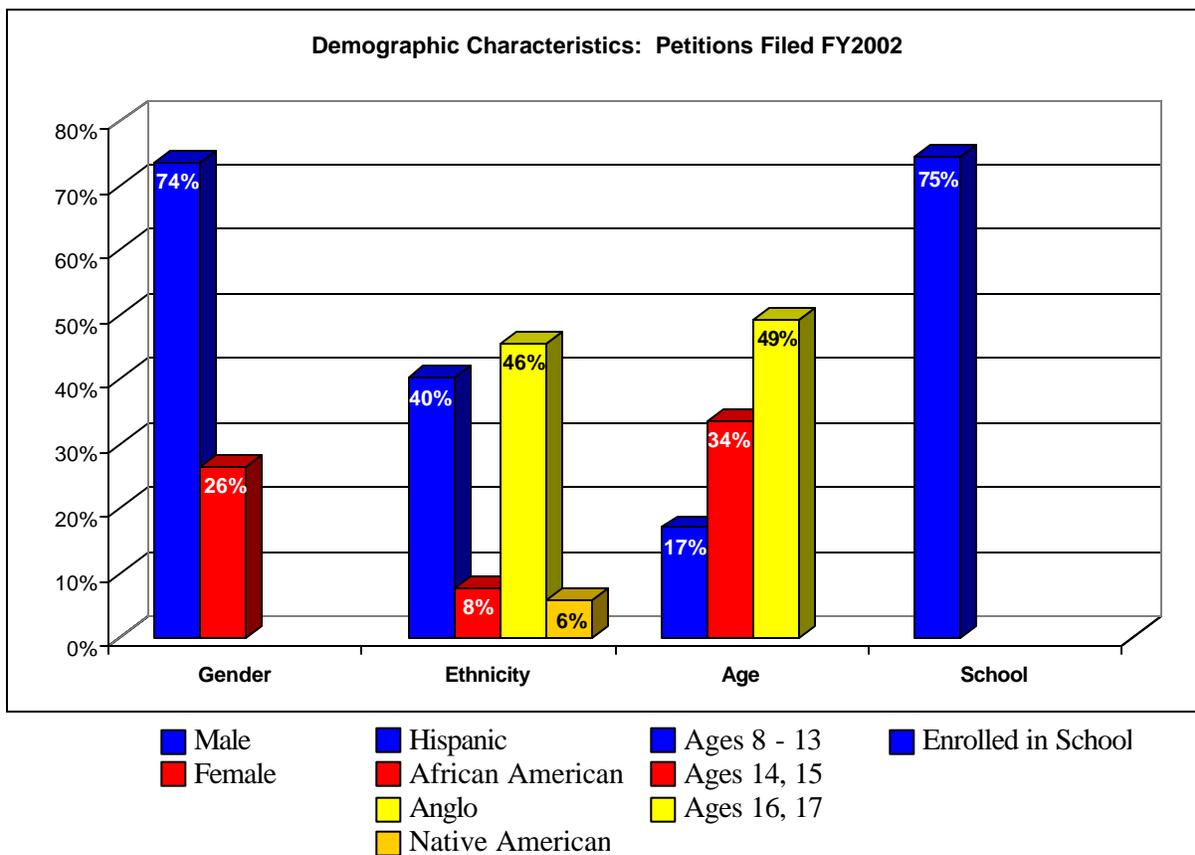
<b>County: Petitions Filed FY02</b>		
Apache	108	0.57%
Cochise	432	2.27%
Coconino	641	3.37%
Gila	364	1.91%
Graham	276	1.45%
Greenlee	44	0.23%
La Paz	45	0.24%
Maricopa	9,464	49.72%
Mohave	560	2.94%
Navajo	430	2.26%
Pima	3,364	17.67%
Pinal	1,072	5.63%
Santa Cruz	371	1.95%
Yavapai	758	3.98%
Yuma	1,107	5.82%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>

Gender: Petitions Filed FY02		
Male	14,000	73.54%
Female	5,036	26.46%
Unknown	0	0.00%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>

Ethnicity: Petitions Filed FY02		
Hispanic	7,659	40.23%
African American	1,454	7.64%
Anglo	8,662	45.50%
Native American	1,081	5.68%
Asian/Pacific Islander	77	0.40%
Other	60	0.32%
Unknown	43	0.23%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>

Age: Petitions Filed FY02		
8	39	0.20%
9	89	0.47%
10	205	1.08%
11	396	2.08%
12	789	4.14%
13	1,720	9.04%
14	2,642	13.88%
15	3,760	19.75%
16	4,579	24.05%
17	4,780	25.11%
Unknown	37	0.19%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>

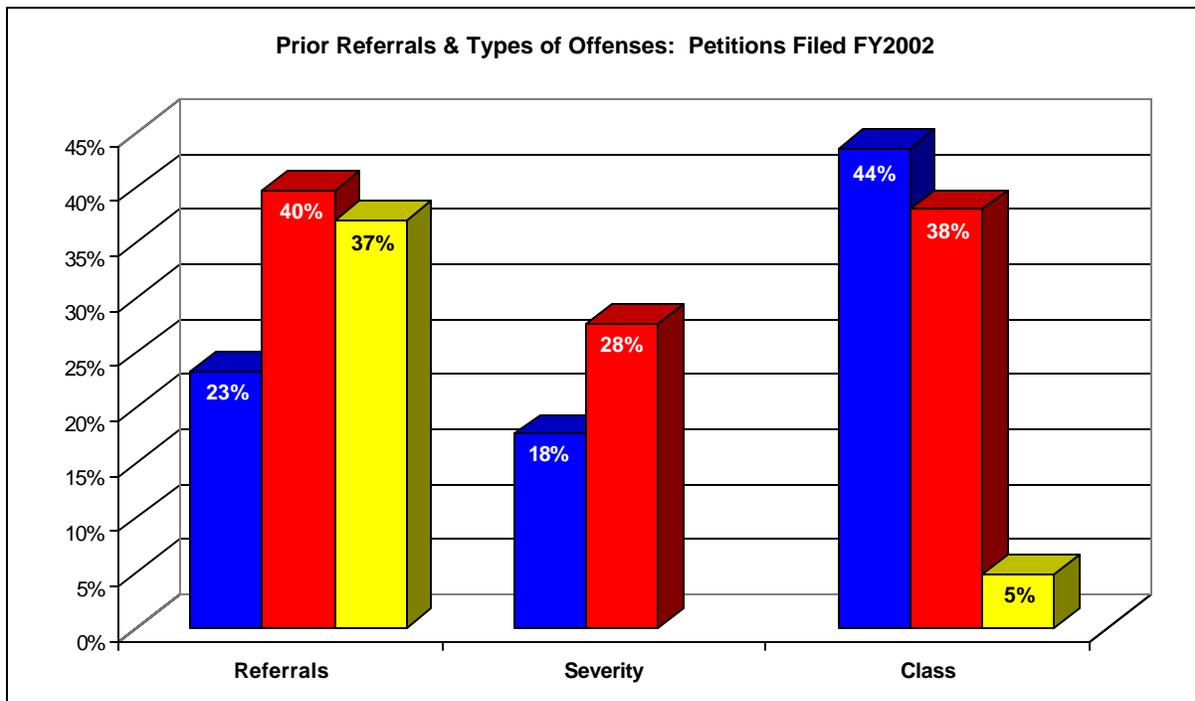
Education Status: Petitions Filed FY02		
Enrolled	14,192	74.55%
Not Enrolled	2,056	10.80%
Expelled	54	0.28%
Suspended	62	0.33%
Withdrawn	80	0.42%
Graduated	18	0.09%
GED Program	21	0.11%
Unknown	2,553	13.41%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>



Number of Prior Referrals: Petitions Filed FY02		
0	4,431	23.28%
1	3,114	16.36%
2	2,486	13.06%
3	1,960	10.30%
4	1,550	8.14%
5	1,148	6.03%
6	889	4.67%
7	768	4.03%
8 or more	2,690	14.13%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>

Severity of Most Serious Offense: Petitions Filed FY02		
Felonies Against Person	1,358	7.13%
Felonies Against Property	3,744	19.67%
Obstruction of Justice: Fel. & Misd.	4,661	24.49%
Misdemeanors Against Person	1,998	10.50%
Drugs: Fel. & Misd.	2,230	11.71%
Public Peace: Fel. & Misd.	2,564	13.47%
Misdemeanors Against Property	1,515	7.96%
Status Offenses	922	4.84%
Citations/Administrative	44	0.23%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Petitions Filed FY02		
Felony	8,281	43.50%
Misdemeanor	7,245	38.06%
Administrative	2,569	13.50%
Status	927	4.87%
Other	14	0.07%
<b>TOTAL</b>	<b>19,036</b>	<b>100.00%</b>



■ No Prev. Ref.      Felonies & Misd. Against:      ■ Felony  
■ 1 - 3 Prev. Ref.      ■ Person                              ■ Misdemeanor  
■ 4 or More                      ■ Property                              ■ Status

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## JUVENILES WITH DISPOSITIONS OF DISMISSED IN FY02

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.

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 a 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). That data that follow reflect only court dismissals.

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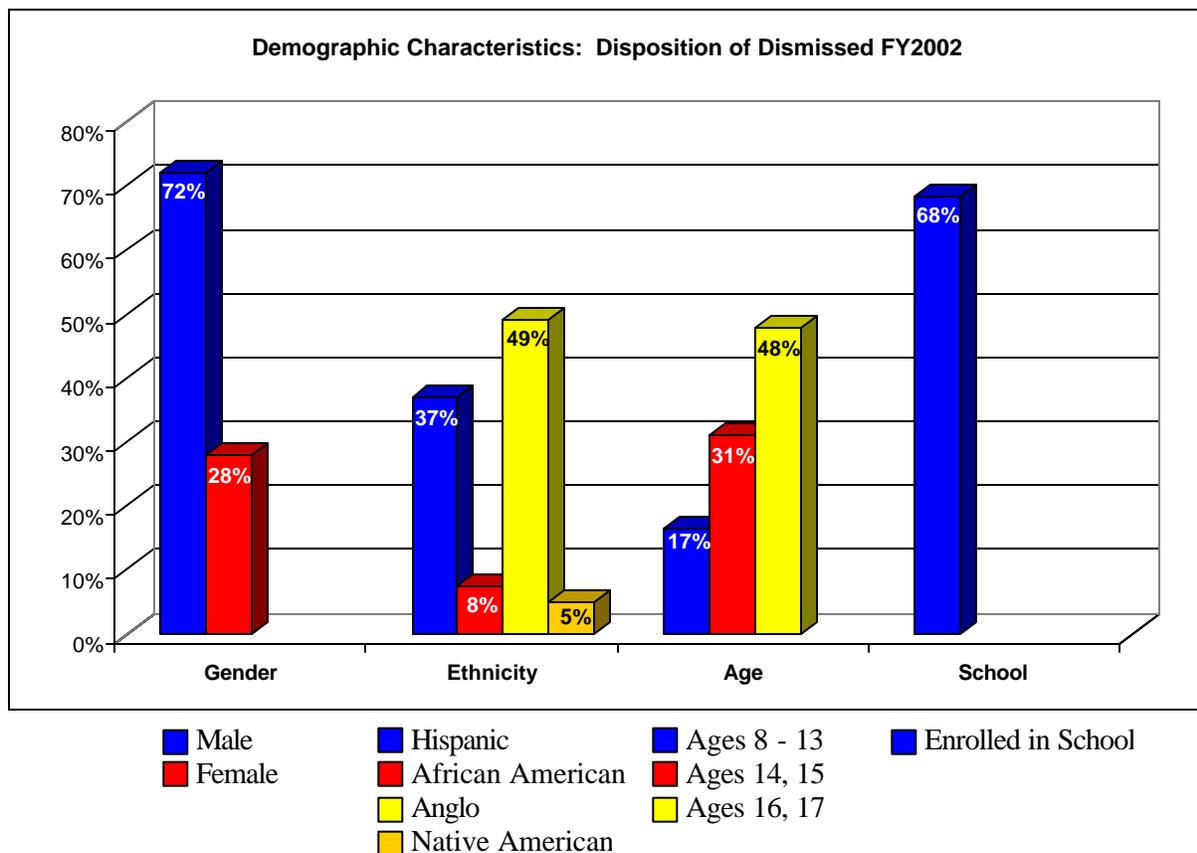
<b>County: Disposition of Dismissed FY02</b>		
Apache	65	0.82%
Cochise	192	2.41%
Coconino	170	2.13%
Gila	107	1.34%
Graham	61	0.77%
Greenlee	27	0.34%
La Paz	57	0.72%
Maricopa	4,475	56.16%
Mohave	186	2.33%
Navajo	141	1.77%
Pima	1,323	16.60%
Pinal	438	5.50%
Santa Cruz	188	2.36%
Yavapai	219	2.75%
Yuma	319	4.00%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>

Gender: Disposition of Dismissed FY02		
Male	5,745	72.10%
Female	2,223	27.90%
Unknown	0	0.00%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>

Ethnicity: Disposition of Dismissed FY02		
Hispanic	2,961	37.16%
African American	604	7.58%
Anglo	3,922	49.22%
Native American	394	4.94%
Asian/Pacific Islander	34	0.43%
Other	29	0.36%
Unknown	24	0.30%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>

Age: Disposition of Dismissed FY02		
8	13	0.16%
9	53	0.67%
10	98	1.23%
11	177	2.22%
12	311	3.90%
13	672	8.43%
14	1,024	12.85%
15	1,443	18.11%
16	1,776	22.29%
17	2,030	25.48%
Unknown	371	4.66%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>

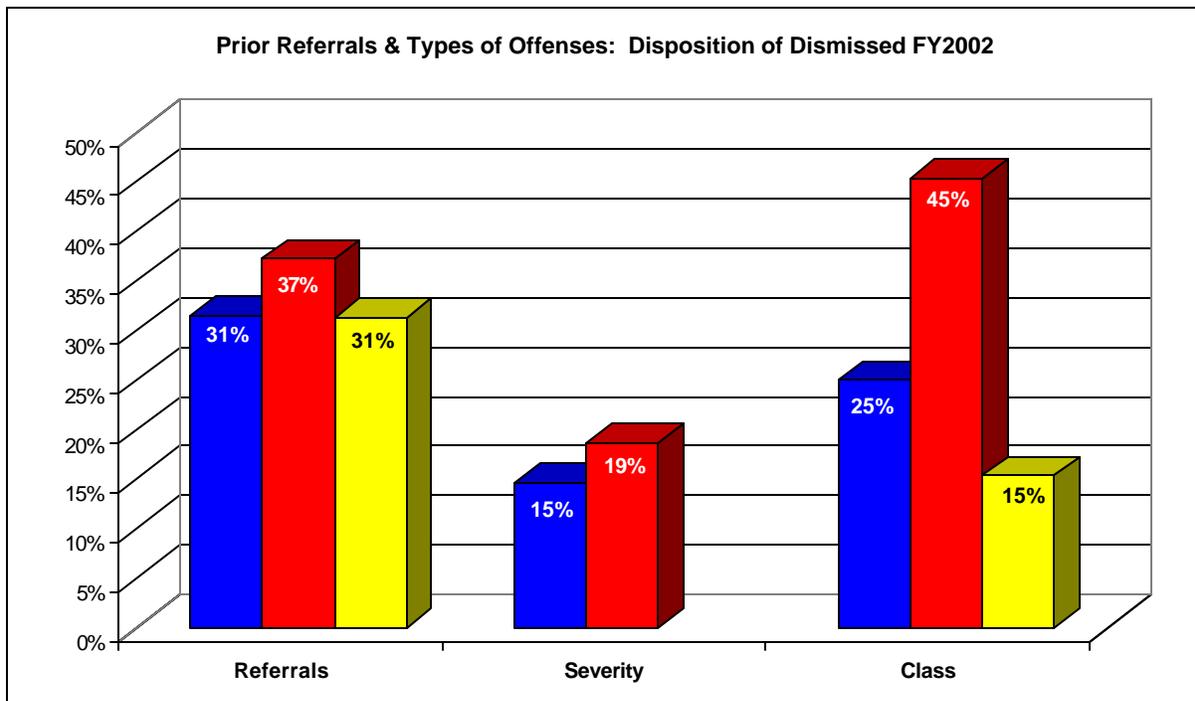
Education Status: Disposition of Dismissed FY02		
Enrolled	5,448	68.37%
Not Enrolled	745	9.35%
Expelled	14	0.18%
Suspended	25	0.31%
Withdrawn	37	0.46%
Graduated	6	0.08%
GED Program	9	0.11%
Unknown	1,684	21.13%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>



Number of Prior Referrals: Disposition of Dismissed FY02		
0	2,509	31.49%
1	1,319	16.55%
2	949	11.91%
3	697	8.75%
4	559	7.02%
5	426	5.35%
6	318	3.99%
7	270	3.39%
8 or more	921	11.56%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of Dismissed FY02		
Felonies Against Person	326	4.09%
Felonies Against Property	758	9.51%
Obstruction of Justice: Fel. & Misd.	1,362	17.09%
Misdemeanors Against Person	841	10.55%
Drugs: Fel. & Misd.	639	8.02%
Public Peace: Fel. & Misd.	2,080	26.10%
Misdemeanors Against Property	731	9.17%
Status Offenses	1,218	15.29%
Citations/Administrative	13	0.16%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of Dismissed FY02		
Felony	1,992	25.00%
Misdemeanor	3,616	45.38%
Administrative	1,057	13.27%
Status	1,220	15.31%
Other	83	1.04%
<b>TOTAL</b>	<b>7,968</b>	<b>100.00%</b>



<span style="color: blue;">■</span> No Prev. Ref.	<span style="color: blue;">■</span> Felonies & Misd. Against:	<span style="color: blue;">■</span> Felony
<span style="color: red;">■</span> 1 - 3 Prev. Ref.	<span style="color: blue;">■</span> Person	<span style="color: red;">■</span> Misdemeanor
<span style="color: yellow;">■</span> 4 or More	<span style="color: red;">■</span> Property	<span style="color: yellow;">■</span> Status

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## JUVENILES WITH DISPOSITIONS OF PENALTY ONLY IN FY02

Adjudicated juveniles may receive a disposition of penalty only. 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.

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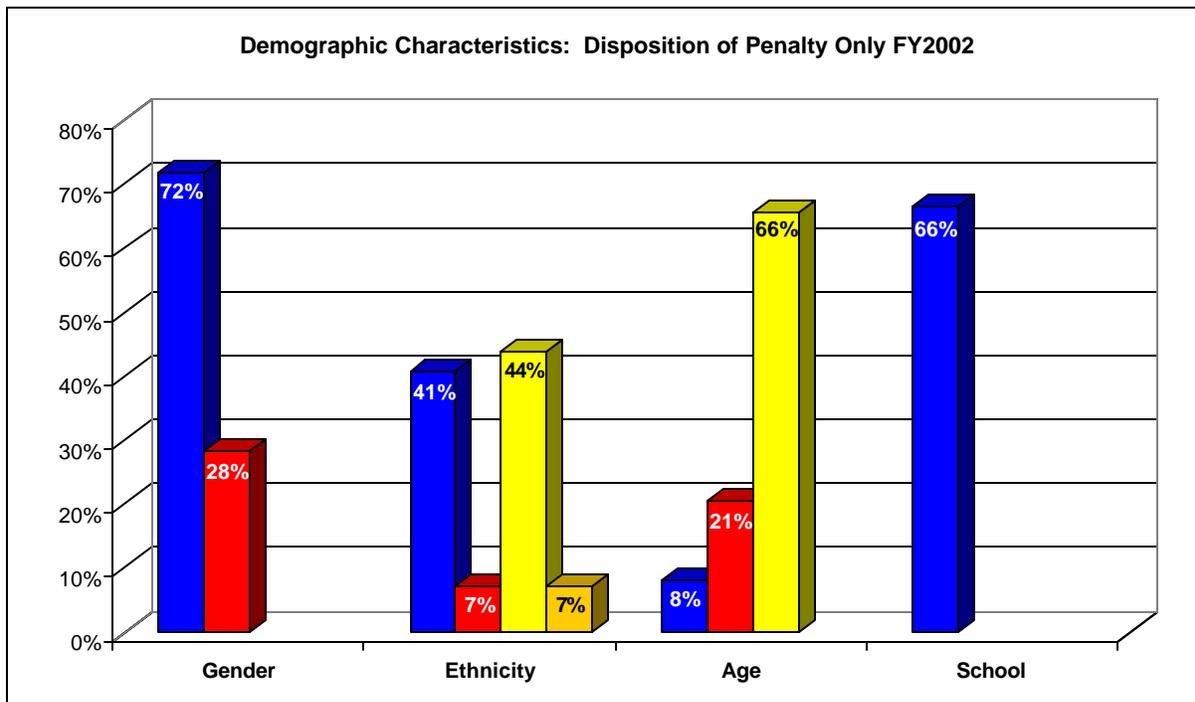
<b>County: Disposition of Penalty Only FY02</b>		
Apache	1	0.20%
Cochise	25	4.97%
Coconino	46	9.15%
Gila	5	0.99%
Graham	3	0.60%
Greenlee	1	0.20%
La Paz	1	0.20%
Maricopa	273	54.27%
Mohave	0	0.00%
Navajo	8	1.59%
Pima	60	11.93%
Pinal	42	8.35%
Santa Cruz	10	1.99%
Yavapai	4	0.80%
Yuma	24	4.77%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

Gender: Disposition of Penalty Only FY02		
Male	361	71.77%
Female	142	28.23%
Unknown	0	0.00%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

Ethnicity: Disposition of Penalty Only FY02		
Hispanic	205	40.76%
African American	36	7.16%
Anglo	221	43.94%
Native American	37	7.36%
Asian/Pacific Islander	0	0.00%
Other	3	0.60%
Unknown	1	0.20%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

Age: Disposition of Penalty Only FY02		
8	0	0.00%
9	1	0.20%
10	3	0.60%
11	1	0.20%
12	7	1.39%
13	29	5.77%
14	37	7.36%
15	67	13.32%
16	71	14.12%
17	259	51.49%
Unknown	28	5.57%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

Education Status: Disposition of Penalty Only FY02		
Enrolled	334	66.40%
Not Enrolled	74	14.71%
Expelled	2	0.40%
Suspended	3	0.60%
Withdrawn	2	0.40%
Graduated	1	0.20%
GED Program	2	0.40%
Unknown	85	16.90%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

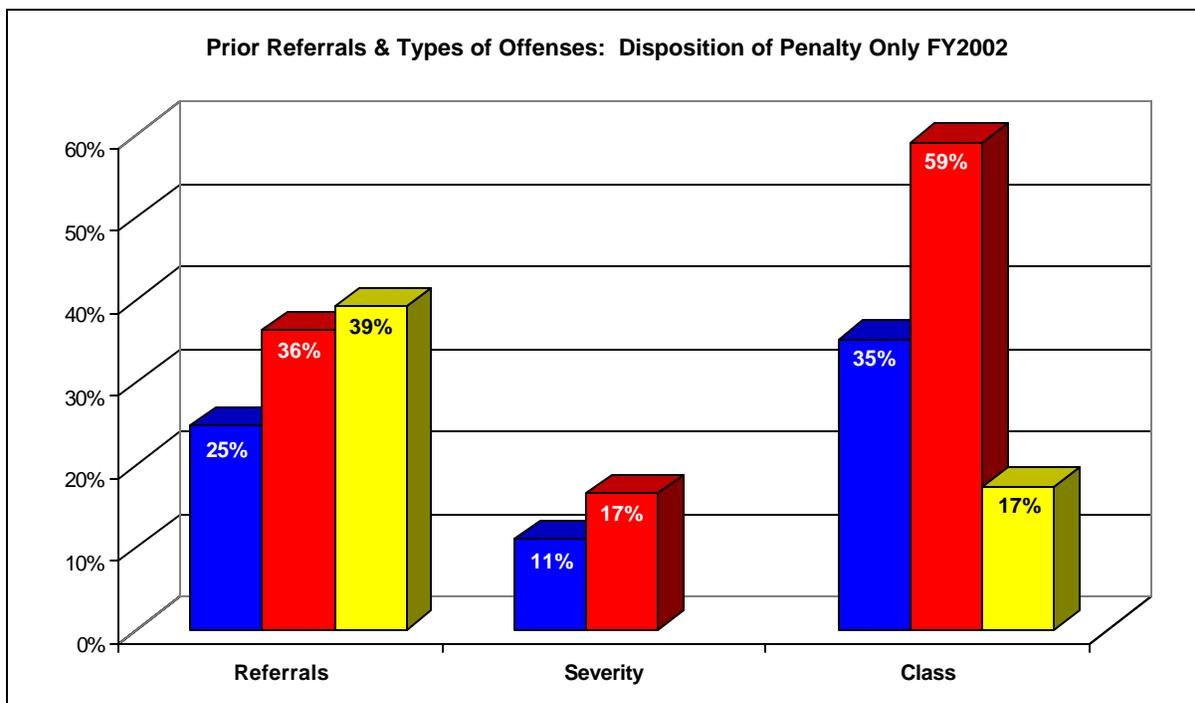


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Disposition of Penalty Only FY02		
0	124	24.65%
1	81	16.10%
2	54	10.74%
3	47	9.34%
4	38	7.55%
5	20	3.98%
6	26	5.17%
7	19	3.78%
8 or more	94	18.69%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of Penalty Only FY02		
Felonies Against Person	18	3.58%
Felonies Against Property	30	5.96%
Obstruction of Justice: Fel. & Misd.	96	19.09%
Misdemeanors Against Person	37	7.36%
Drugs: Fel. & Misd.	53	10.54%
Public Peace: Fel. & Misd.	155	30.82%
Misdemeanors Against Property	53	10.54%
Status Offenses	58	11.53%
Citations/Administrative	3	0.60%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of Penalty Only FY02		
Felony	108	21.47%
Misdemeanor	240	47.71%
Administrative	93	18.49%
Status	58	11.53%
Other	4	0.80%
<b>TOTAL</b>	<b>503</b>	<b>100.00%</b>



■ No Prev. Ref.      Felonies & Misd. Against:      ■ Felony  
■ 1 - 3 Prev. Ref.      ■ Person                              ■ Misdemeanor  
■ 4 or More                      ■ Property                              ■ Status

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## **JUVENILES WITH DISPOSITIONS OF STANDARD PROBATION IN FY02<sup>7</sup>**

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: protection of the community, the belief that youth can make positive changes in their behavior, fostering law-abiding behavior, restitution to victims and society for the wrongs committed against them, preservation of the best interest of the child, and stability of the family unit.

Juveniles placed on probation must comply with specific 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, community service hours, 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 or chooses to continue violating the law, the probation officer will refer the juvenile back to the court. The court may in turn impose more severe liberty restrictions, including detention, placement in the JIPS program or commitment to the Arizona Department of Juvenile Corrections.

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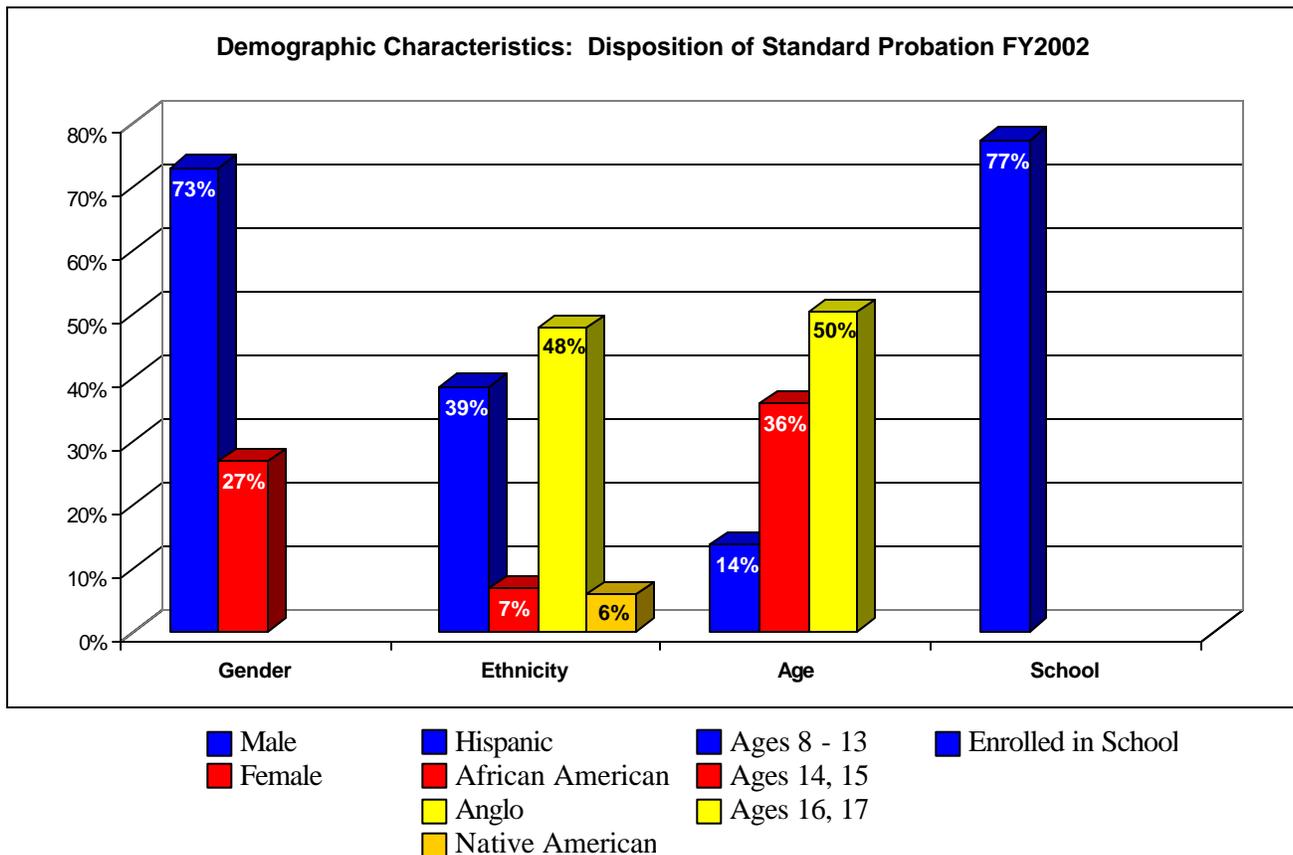
<b>County: Disposition of Standard Probation FY02</b>		
Apache	75	0.69%
Cochise	145	1.33%
Coconino	425	3.91%
Gila	208	1.91%
Graham	184	1.69%
Greenlee	35	0.32%
La Paz	23	0.21%
Maricopa	5,895	54.23%
Mohave	303	2.79%
Navajo	305	2.81%
Pima	1,893	17.41%
Pinal	299	2.75%
Santa Cruz	199	1.83%
Yavapai	340	3.13%
Yuma	541	4.98%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>

Gender: Disposition of Standard Probation FY02		
Male	7,942	73.06%
Female	2,928	26.94%
Unknown	0	0.00%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>

Ethnicity: Disposition of Standard Probation FY02		
Hispanic	4,202	38.66%
African American	737	6.78%
Anglo	5,199	47.83%
Native American	627	5.77%
Asian/Pacific Islander	51	0.47%
Other	33	0.30%
Unknown	21	0.19%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>

Age: Disposition of Standard Probation FY02		
8	3	0.03%
9	11	0.10%
10	40	0.37%
11	120	1.10%
12	349	3.21%
13	963	8.86%
14	1,594	14.66%
15	2,308	21.23%
16	2,601	23.93%
17	2,868	26.38%
Unknown	13	0.12%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>

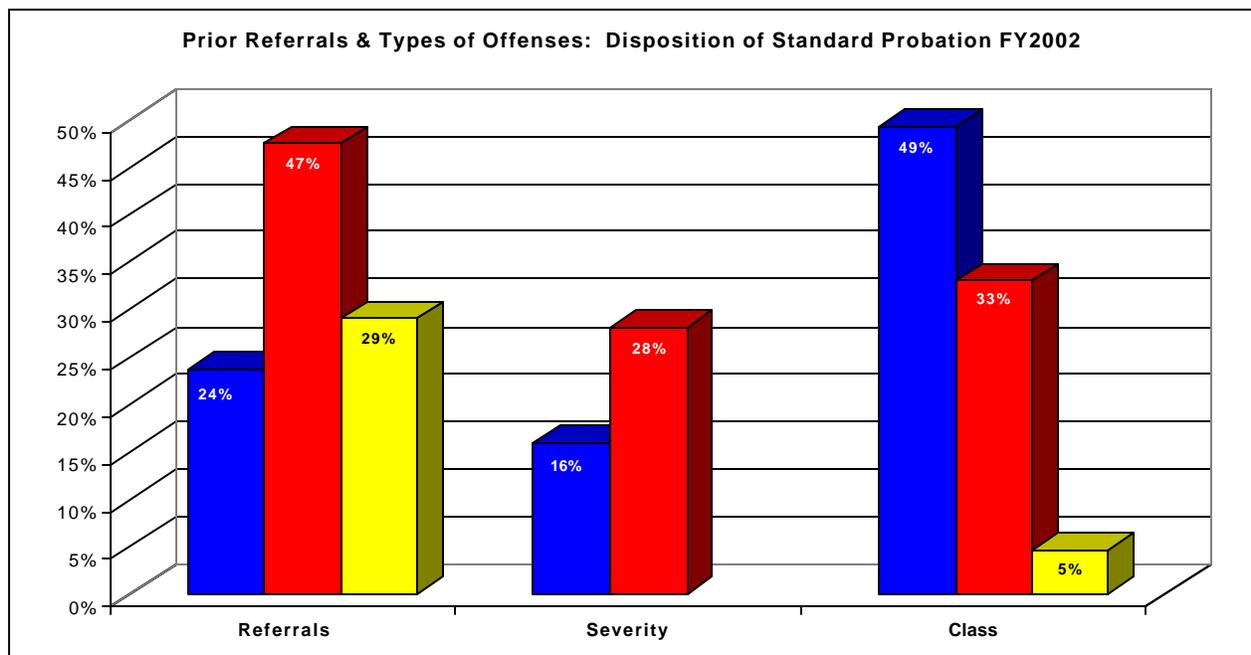
Education Status: Disposition of Standard Probation FY02		
Enrolled	8,417	77.43%
Not Enrolled	1,115	10.26%
Expelled	28	0.26%
Suspended	41	0.38%
Withdrawn	48	0.44%
Graduated	8	0.07%
GED Program	8	0.07%
Unknown	1,205	11.09%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>



Number of Prior Referrals: Disposition of Standard Probation FY02		
0	2,568	23.62%
1	2,083	19.16%
2	1,738	15.99%
3	1,334	12.27%
4	921	8.47%
5	669	6.15%
6	432	3.97%
7	318	2.93%
8 or more	807	7.42%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of Standard Probation FY02		
Felonies Against Person	773	7.11%
Felonies Against Property	2,160	19.87%
Obstruction of Justice: Fel. & Misd.	2,191	20.16%
Misdemeanors Against Person	954	8.78%
Drugs: Fel. & Misd.	1,735	15.96%
Public Peace: Fel. & Misd.	1,513	13.92%
Misdemeanors Against Property	883	8.12%
Status Offenses	506	4.66%
Citations/Administrative	155	1.43%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of Standard Probation FY02		
Felony	5,355	49.26%
Misdemeanor	3,599	33.11%
Administrative	1,254	11.54%
Status	506	4.66%
Other	156	1.44%
<b>TOTAL</b>	<b>10,870</b>	<b>100.00%</b>



■ No Prev. Ref.      Felonies & Misd. Against:      ■ Felony  
■ 1 - 3 Prev. Ref.      ■ Person      ■ Misdemeanor  
■ 4 or More      ■ Property      ■ Status

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## **JUVENILES WITH DISPOSITIONS OF JIPS IN FY02<sup>7</sup>**

Juvenile Intensive Probation Supervision (JIPS) is a sentencing consequence used by the juvenile court judges for those youth who are in need of a higher level of 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 increased supervision and structure 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 than ADJC or residential treatment.

JIPS differs from standard probation in the increased frequency of face to face contacts between the juvenile and the JIPS officer, 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.*

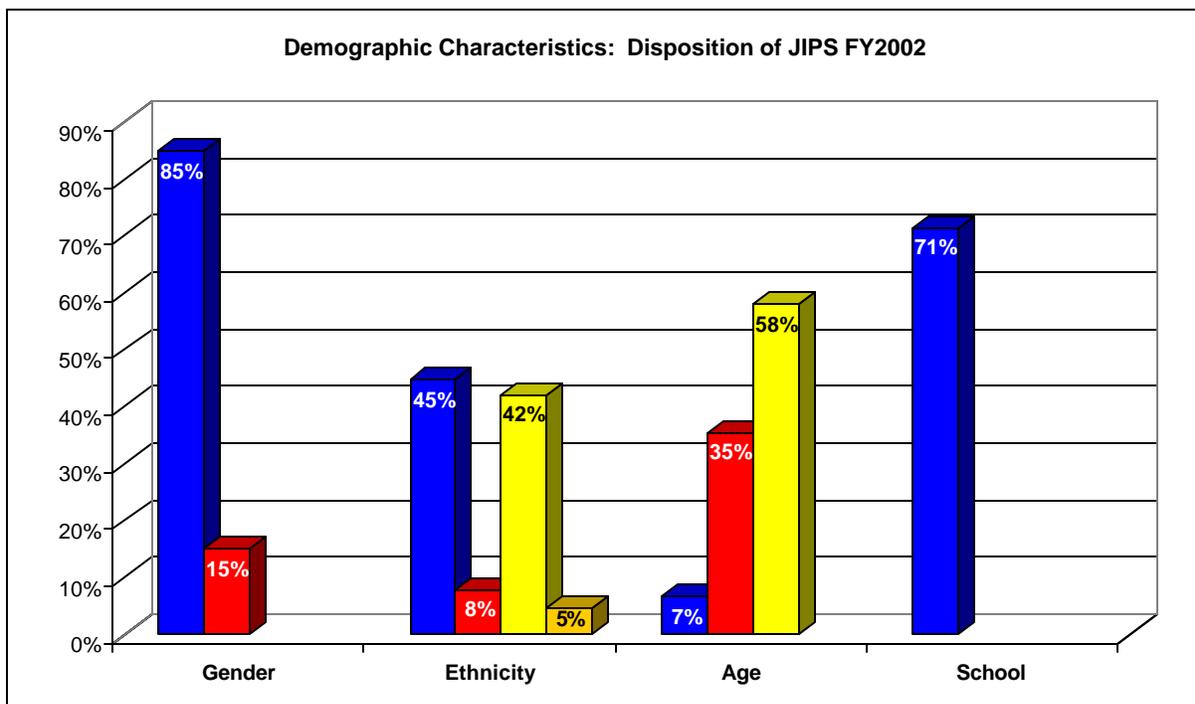
<b>County: Disposition of JIPS FY02</b>		
Apache	17	0.68%
Cochise	96	3.82%
Coconino	72	2.87%
Gila	42	1.67%
Graham	31	1.23%
Greenlee	19	0.76%
La Paz	4	0.16%
Maricopa	1,143	45.50%
Mohave	109	4.34%
Navajo	68	2.71%
Pima	382	15.21%
Pinal	126	5.02%
Santa Cruz	43	1.71%
Yavapai	131	5.21%
Yuma	229	9.12%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

Gender: Disposition of JIPS FY02		
Male	2,135	84.99%
Female	377	15.01%
Unknown	0	0.00%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

Ethnicity: Disposition of JIPS FY02		
Hispanic	1,126	44.82%
African American	195	7.76%
Anglo	1,057	42.08%
Native American	117	4.66%
Asian/Pacific Islander	11	0.44%
Other	5	0.20%
Unknown	1	0.04%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

Age: Disposition of JIPS FY02		
8	0	0.00%
9	0	0.00%
10	2	0.08%
11	13	0.52%
12	32	1.27%
13	120	4.78%
14	341	13.57%
15	545	21.70%
16	745	29.66%
17	710	28.26%
Unknown	4	0.16%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

Education Status: Disposition of JIPS FY02		
Enrolled	1,791	71.30%
Not Enrolled	473	18.83%
Expelled	18	0.72%
Suspended	18	0.72%
Withdrawn	16	0.64%
Graduated	3	0.12%
GED Program	8	0.32%
Unknown	185	7.36%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

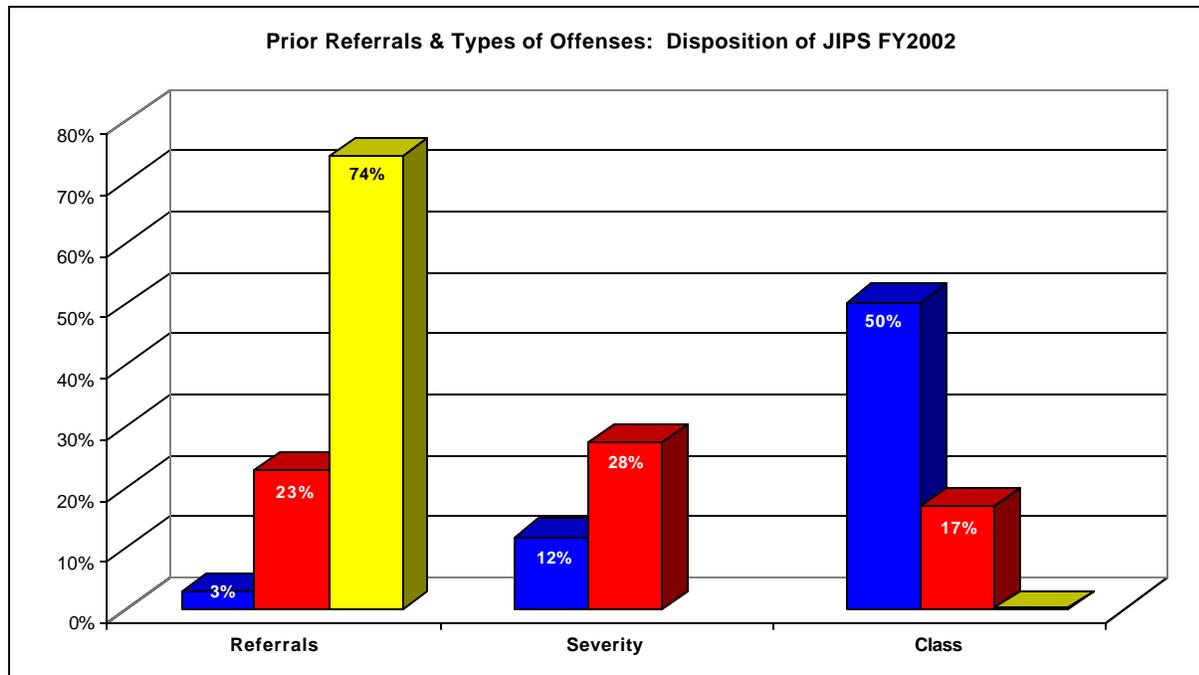


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Disposition of JIPS FY02		
0	74	2.95%
1	133	5.29%
2	193	7.68%
3	245	9.75%
4	293	11.66%
5	272	10.83%
6	240	9.55%
7	237	9.43%
8 or more	825	32.84%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of JIPS FY02		
Felonies Against Person	219	8.72%
Felonies Against Property	633	25.20%
Obstruction of Justice: Fel. & Misd.	1,161	46.22%
Misdemeanors Against Person	83	3.30%
Drugs: Fel. & Misd.	205	8.16%
Public Peace: Fel. & Misd.	138	5.49%
Misdemeanors Against Property	58	2.31%
Status Offenses	5	0.20%
Citations/Administrative	10	0.40%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of JIPS FY02		
Felony	1,268	50.48%
Misdemeanor	425	16.92%
Administrative	804	32.01%
Status	5	0.20%
Other	10	0.40%
<b>TOTAL</b>	<b>2,512</b>	<b>100.00%</b>



■ No Prev. Ref.      Felonies & Misd. Against:      ■ Felony  
■ 1 - 3 Prev. Ref.      ■ Person      ■ Misdemeanor  
■ 4 or More      ■ Property      ■ Status

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## JUVENILES WITH DISPOSITIONS TO ADJC IN FY02

Disposition of a juvenile to the Arizona Department of Juvenile Corrections (ADJC) is governed by statute and the Arizona Judicial Code of Administration. Arizona Revised Statutes § 8-342 (A) provides: “A child under the age of eight years shall not be committed to the department of juvenile corrections nor shall a dependent or incorrigible child be awarded to the department of juvenile corrections.” Arizona Revised Statutes § 8-246(C), as amended, mandates: 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 prescribe factors the court must consider, in addition to other relevant facts, when committing youth to the care and custody of ADJC. The legislative intent is that commitment to ADJC should be reserved for those juveniles whom the court believes need treatment in a secure care facility for the protection of the public.

The commitment guidelines as revised and adopted in July, 2001 and documented in the Arizona Code of Judicial Administration Part 6, Chapter 3, Section 6-304 are as follows:

1. When considering the commitment of a juvenile to the care and custody of ADJC, the juvenile court shall:
  - a. Only commit those juveniles who are adjudicated for a delinquent act and whom the court believes require placement in a secure care facility for the protection of the community;
  - b. Consider commitment to ADJC as a final opportunity for rehabilitation of the juvenile, as well as a way of holding the juvenile accountable for a serious delinquent act or acts;
  - c. Give special consideration to the nature of the offense, the level of risk the juvenile poses to the community, and whether appropriate less restrictive alternatives to commitment exist within the community; and
  - d. Clearly identify, in the commitment order, the offense or offenses for which the juvenile is being committed and any other relevant factors that the court determines as reasons to consider the juvenile a risk to the community.
2. The juvenile court shall not consider juveniles for commitment to ADJC when charged with an incorrigible offense(s) or a violation of a court order while under protective supervision for an incorrigible offense.

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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.*

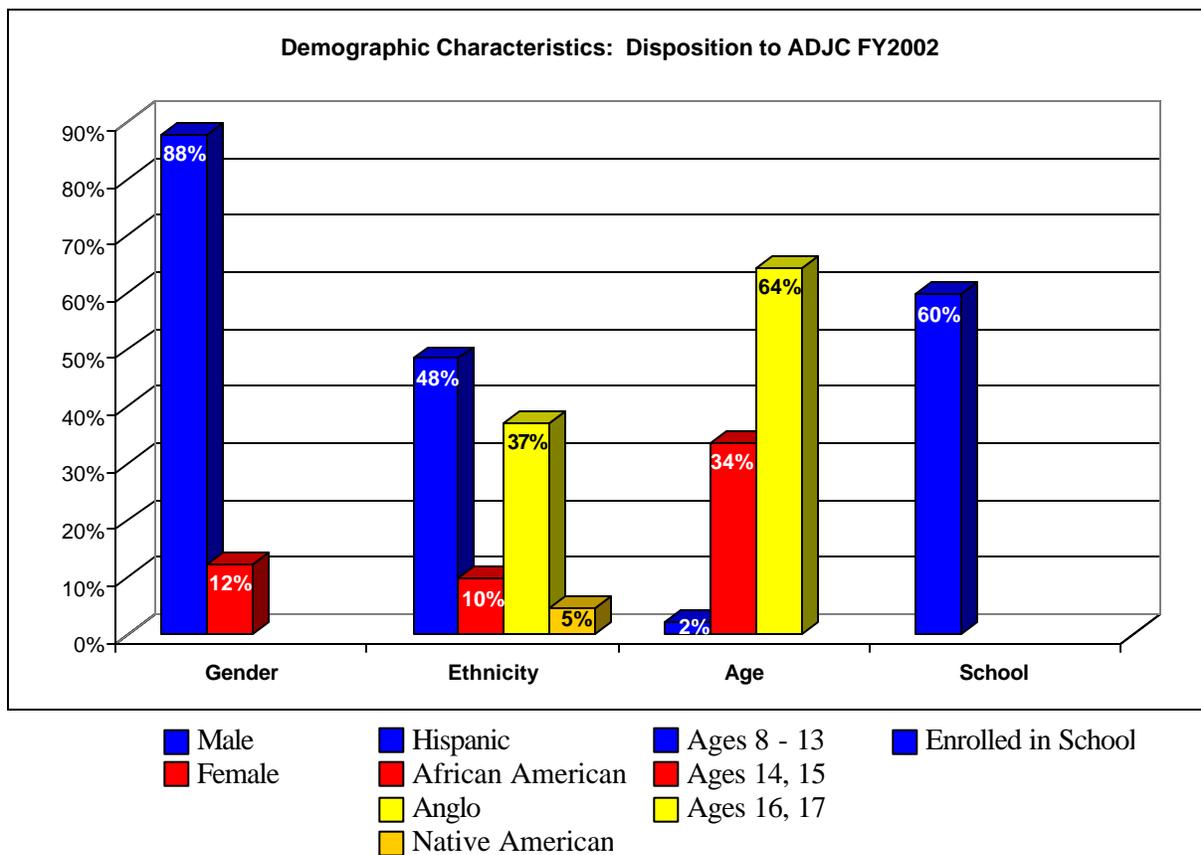
<b>County: Disposition to ADJC FY02</b>		
Apache	6	0.59%
Cochise	26	2.55%
Coconino	19	1.87%
Gila	12	1.18%
Graham	10	0.98%
Greenlee	1	0.10%
La Paz	1	0.10%
Maricopa	403	39.59%
Mohave	32	3.14%
Navajo	19	1.87%
Pima	306	30.06%
Pinal	66	6.48%
Santa Cruz	12	1.18%
Yavapai	47	4.62%
Yuma	58	5.70%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>

Gender: Disposition to ADJC FY02		
Male	893	87.72%
Female	125	12.28%
Unknown	0	0.00%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>

Ethnicity: Disposition to ADJC FY02		
Hispanic	493	48.43%
African American	99	9.72%
Anglo	378	37.13%
Native American	46	4.52%
Asian/Pacific Islander	1	0.10%
Other	1	0.10%
Unknown	0	0.00%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>

Age: Disposition to ADJC FY02		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	2	0.20%
13	19	1.87%
14	114	11.20%
15	228	22.40%
16	320	31.43%
17	335	32.91%
Unknown	0	0.00%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>

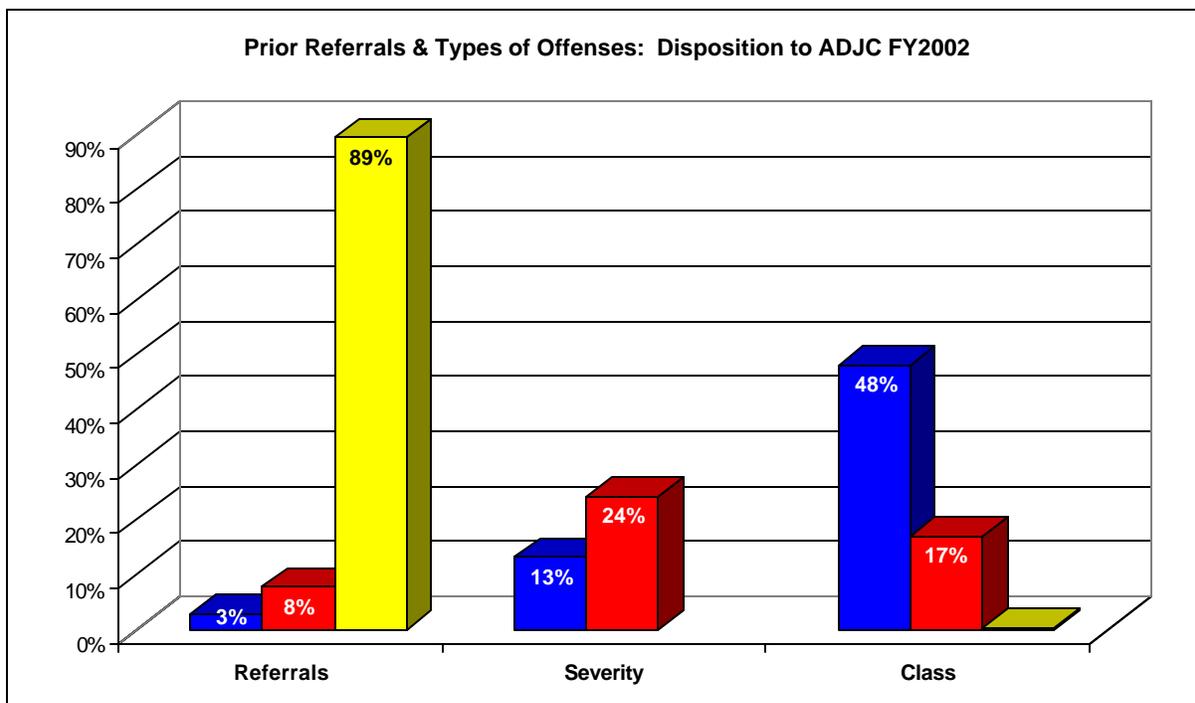
Education Status: Disposition to ADJC FY02		
Enrolled	610	59.92%
Not Enrolled	263	25.83%
Expelled	9	0.88%
Suspended	7	0.69%
Withdrawn	14	1.38%
Graduated	2	0.20%
GED Program	5	0.49%
Unknown	108	10.61%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>



Number of Prior Referrals: Disposition to ADJC FY02		
0	29	2.85%
1	20	1.96%
2	24	2.36%
3	35	3.44%
4	52	5.11%
5	69	6.78%
6	78	7.66%
7	85	8.35%
8 or more	626	61.49%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition to ADJC FY02		
Felonies Against Person	95	9.33%
Felonies Against Property	216	21.22%
Obstruction of Justice: Fel. & Misd.	480	47.15%
Misdemeanors Against Person	40	3.93%
Drugs: Fel. & Misd.	80	7.86%
Public Peace: Fel. & Misd.	72	7.07%
Misdemeanors Against Property	30	2.95%
Status Offenses	3	0.29%
Citations/Administrative	2	0.20%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition to ADJC FY02		
Felony	489	48.04%
Misdemeanor	172	16.90%
Administrative	352	34.58%
Status	3	0.29%
Other	2	0.20%
<b>TOTAL</b>	<b>1,018</b>	<b>100.00%</b>



<span style="color: blue;">■</span> No Prev. Ref.	Felonies & Misd. Against:	<span style="color: blue;">■</span> Felony
<span style="color: red;">■</span> 1 - 3 Prev. Ref.	<span style="color: blue;">■</span> Person	<span style="color: red;">■</span> Misdemeanor
<span style="color: yellow;">■</span> 4 or More	<span style="color: red;">■</span> Property	<span style="color: yellow;">■</span> Status

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## **JUVENILES DIRECT FILED IN AND TRANSFERRED TO ADULT COURT IN FY02**

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 include duplicate counts.<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 chronic offenders 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 FY02</b>		
<b>Pathways</b>	<b>Number of Juveniles</b>	<b>% of Total</b>
Transfer	98	17.04%
Mandatory	186	32.35%
Mandatory - Prior	32	5.57%
Chronic	62	10.78%
Discretionary	197	34.26%
<b>TOTAL</b>	<b>*575</b>	<b>100.00%</b>

<b>County: Direct Filed in and Transferred to Adult Court FY02</b>		
Apache	0	0.00%
Cochise	5	0.87%
Coconino	11	1.91%
Gila	16	2.78%
Graham	1	0.17%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	347	60.35%
Mohave	14	2.43%
Navajo	9	1.57%
Pima	122	21.22%
Pinal	16	2.78%
Santa Cruz	9	1.57%
Yavapai	12	2.09%
Yuma	13	2.26%
<b>TOTAL</b>	<b>*575</b>	<b>100.00%</b>

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\*The number of juveniles in these tables are a duplicated count. A youth could be counted twice because of the possibility of being both direct filed and transferred to adult court during a single fiscal year.

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## JUVENILES DIRECT FILED IN ADULT COURT IN FY02

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 mandate 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 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.*

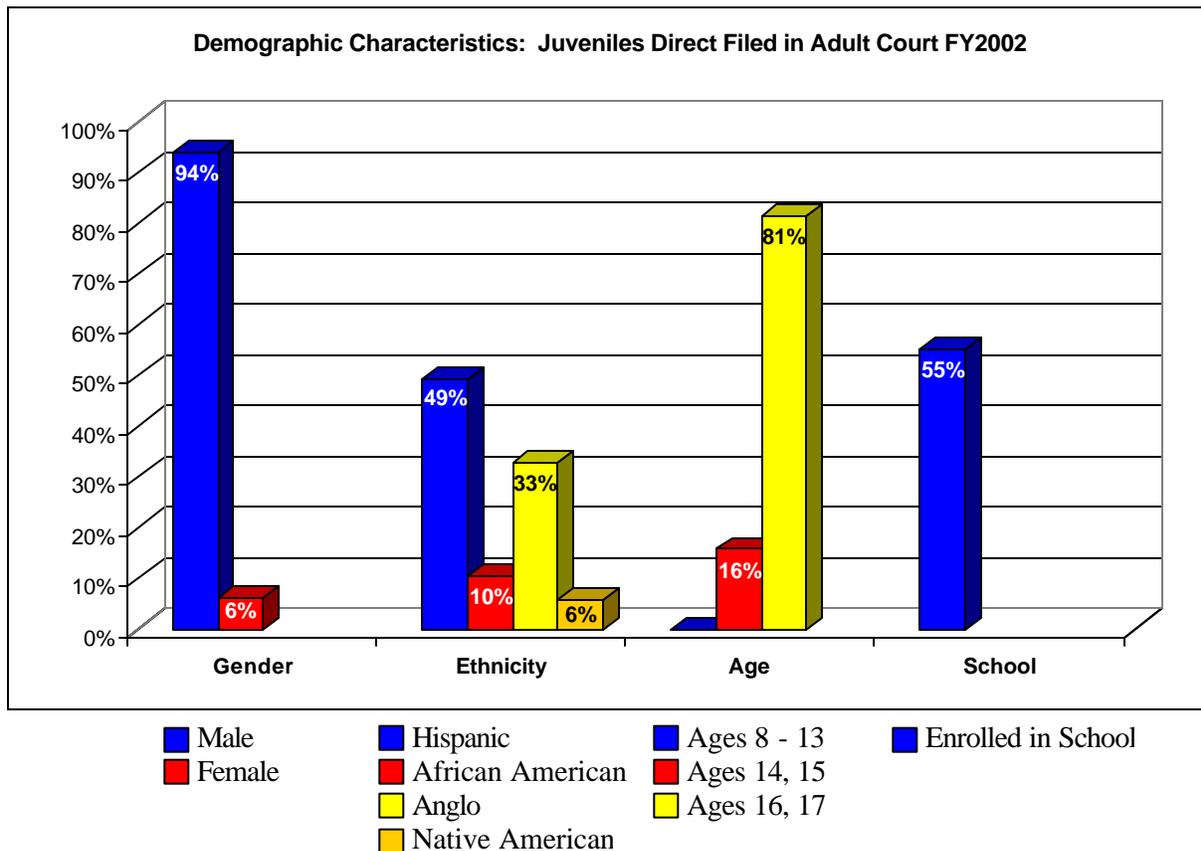
<b>County: Juveniles Direct Filed in Adult Court FY02</b>		
Apache	0	0.00%
Cochise	4	0.84%
Coconino	10	2.10%
Gila	1	0.21%
Graham	1	0.21%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	296	62.05%
Mohave	12	2.52%
Navajo	5	1.05%
Pima	112	23.48%
Pinal	14	2.94%
Santa Cruz	4	0.84%
Yavapai	5	1.05%
Yuma	13	2.73%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>

Gender: Juveniles Direct Filed FY02		
Male	447	93.71%
Female	30	6.29%
Unknown	0	0.00%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>

Ethnicity: Juveniles Direct Filed FY02		
Hispanic	235	49.27%
African American	49	10.27%
Anglo	157	32.91%
Native American	27	5.66%
Asian/Pacific Islander	2	0.42%
Other	1	0.21%
Unknown	6	1.26%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>

Age: Juveniles Direct Filed FY02		
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	17	3.56%
15	58	12.16%
16	129	27.04%
17	259	54.30%
Unknown	14	2.94%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>

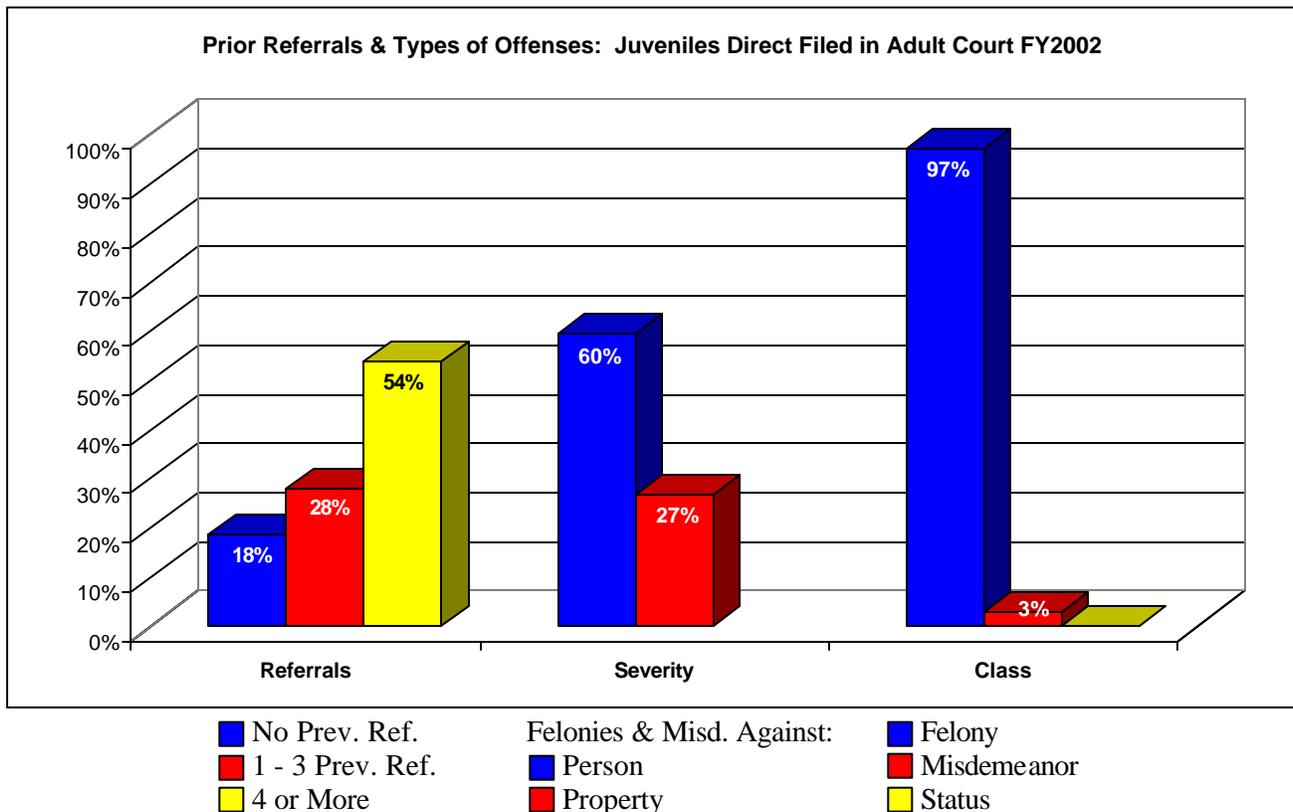
Education Status: Juveniles Direct Filed FY02		
Enrolled	263	55.14%
Not Enrolled	135	28.30%
Expelled	0	0.00%
Suspended	2	0.42%
Withdrawn	2	0.42%
Graduated	3	0.63%
GED Program	1	0.21%
Unknown	71	14.88%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Direct Filed FY02		
0	88	18.45%
1	58	12.16%
2	35	7.34%
3	40	8.39%
4	30	6.29%
5	26	5.45%
6	22	4.61%
7	25	5.24%
8 or more	153	32.08%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Direct Filed FY02		
Felonies Against Person	280	58.70%
Felonies Against Property	124	26.00%
Obstruction of Justice: Fel. & Misd.	5	1.05%
Misdemeanors Against Person	4	0.84%
Drugs: Fel. & Misd.	45	9.43%
Public Peace: Fel. & Misd.	16	3.35%
Misdemeanors Against Property	3	0.63%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Direct Filed FY02		
Felony	463	97.06%
Misdemeanor	14	2.94%
Administrative	0	0.00%
Status	0	0.00%
Other	0	0.00%
<b>TOTAL</b>	<b>477</b>	<b>100.00%</b>



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## JUVENILES TRANSFERRED TO ADULT COURT IN FY02

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. 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.

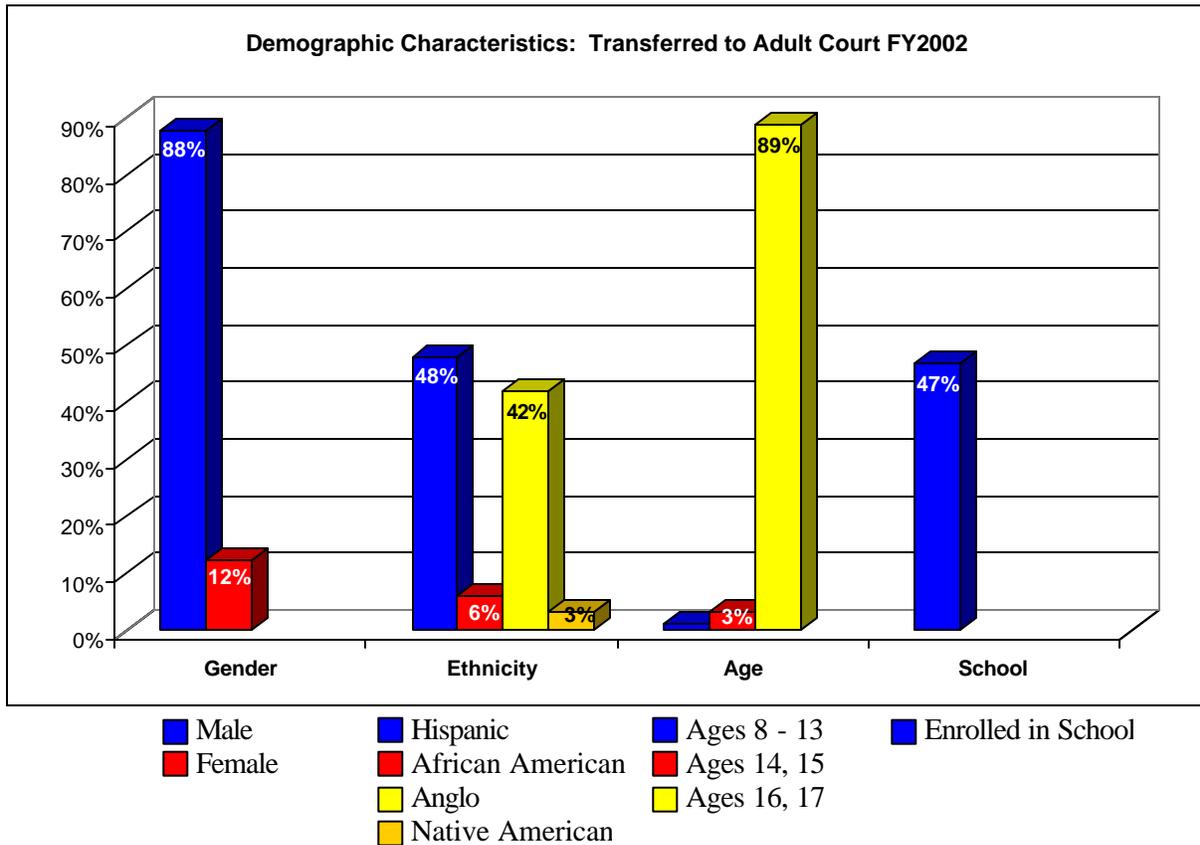
<b>County: Juveniles Transferred to Adult Court FY02</b>		
Apache	0	0.00%
Cochise	1	1.02%
Coconino	1	1.02%
Gila	15	15.31%
Graham	0	0.00%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	51	52.04%
Mohave	2	2.04%
Navajo	4	4.08%
Pima	10	10.20%
Pinal	2	2.04%
Santa Cruz	5	5.10%
Yavapai	7	7.14%
Yuma	0	0.00%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>

Gender: Juveniles Transferred FY02		
Male	86	87.76%
Female	12	12.24%
Unknown	0	0.00%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>

Ethnicity: Juveniles Transferred FY02		
Hispanic	47	47.96%
African American	6	6.12%
Anglo	41	41.84%
Native American	3	3.06%
Asian/Pacific Islander	1	1.02%
Other	0	0.00%
Unknown	0	0.00%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>

Age: Juveniles Transferred FY02		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	0	0.00%
13	1	1.02%
14	0	0.00%
15	3	3.06%
16	11	11.22%
17	76	77.55%
Unknown	7	7.14%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>

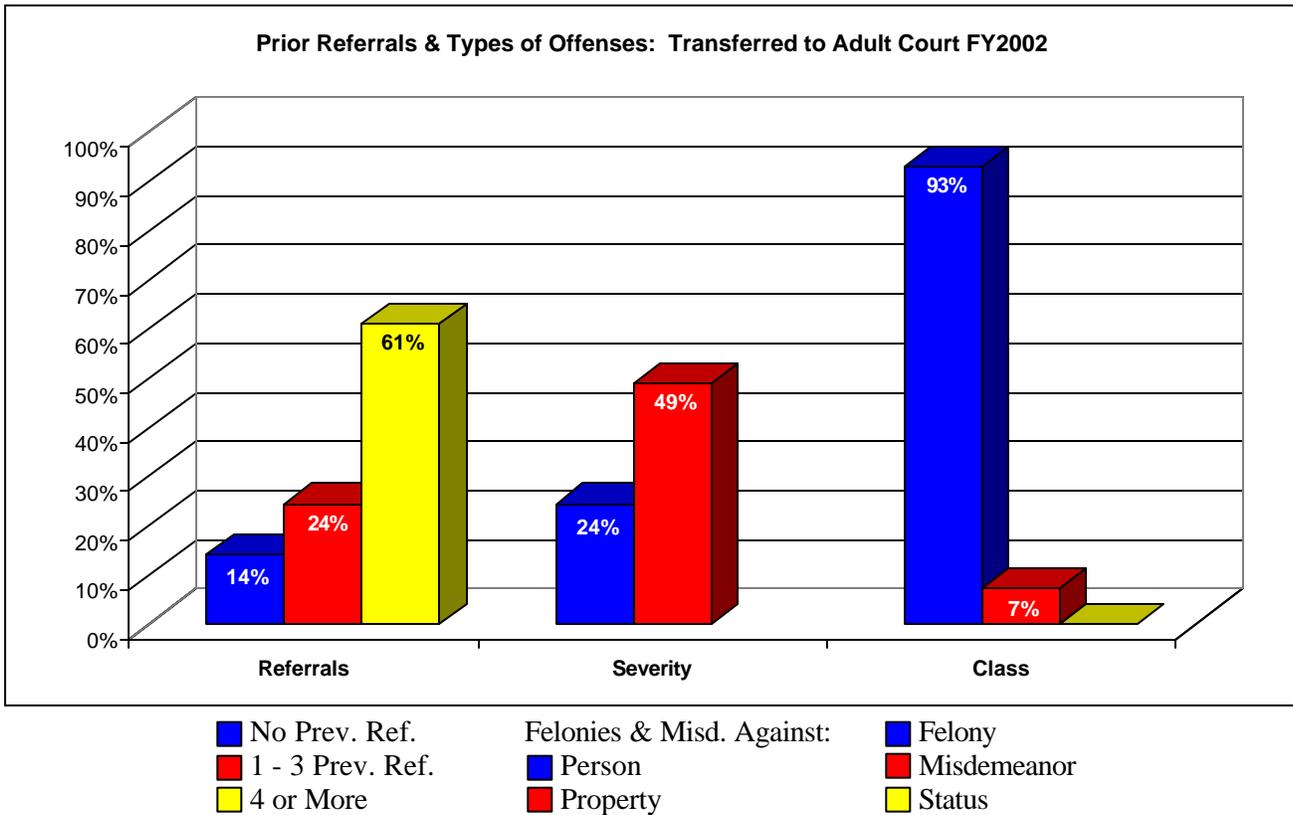
Education Status: Juveniles Transferred FY02		
Enrolled	46	46.94%
Not Enrolled	25	25.51%
Expelled	0	0.00%
Suspended	0	0.00%
Withdrawn	3	3.06%
Graduated	1	1.02%
GED Program	0	0.00%
Unknown	23	23.47%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Transferred FY02		
0	14	14.29%
1	9	9.18%
2	7	7.14%
3	8	8.16%
4	13	13.27%
5	2	2.04%
6	6	6.12%
7	8	8.16%
8 or more	31	31.63%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>

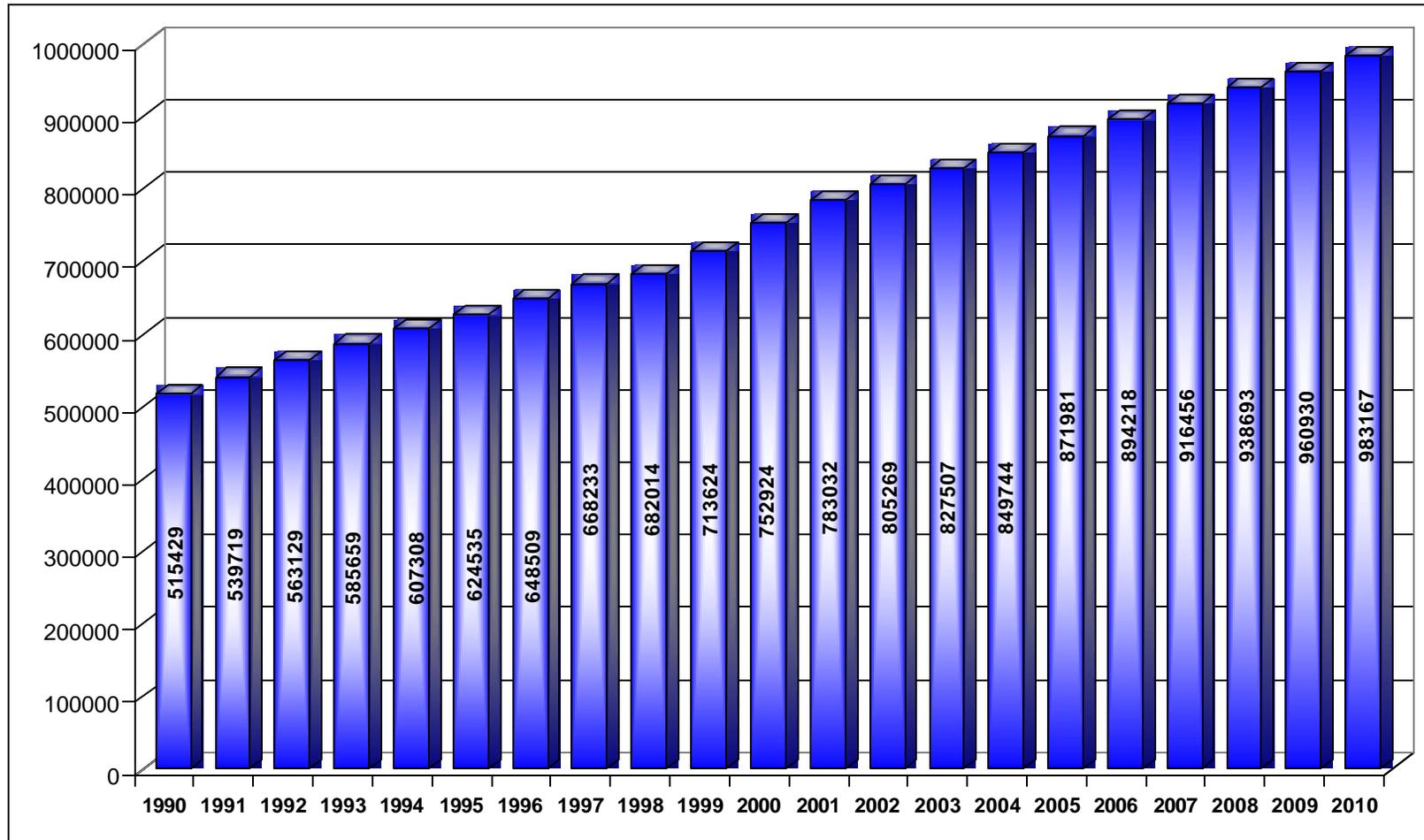
Severity of Most Serious Offense: Juveniles Transferred FY02		
Felonies Against Person	24	24.49%
Felonies Against Property	48	48.98%
Obstruction of Justice: Fel. & Misd.	2	2.04%
Misdemeanors Against Person	0	0.00%
Drugs: Fel. & Misd.	15	15.31%
Public Peace: Fel. & Misd.	9	9.18%
Misdemeanors Against Property	0	0.00%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Transferred FY02		
Felony	91	92.86%
Misdemeanor	7	7.14%
Administrative	0	0.00%
Status	0	0.00%
Other	0	0.00%
<b>TOTAL</b>	<b>98</b>	<b>100.00%</b>



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## ARIZONA JUVENILE POPULATION ESTIMATES AND PROJECTIONS: AGES 8 - 17 1990 - 2010



1995 - 1999 Population Estimates: Arizona Department of Economic Security, Research Administration, Population Statistics Unit.

2000 Population Estimate: US Census Bureau, Single Age Estimates

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

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## 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 more than once if assigned more than one disposition during the fiscal year. For example, 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. Additionally, a juvenile could be reflected in more than one county.

The only exceptions to the unduplicated count of juveniles at each stage are the tables "Pathways for Juveniles Transferred and/or Direct Filed in Adult Court FY02" and "County: Direct Filed and Transferred to Adult Court FY02". 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. Percentages in tables may not equal 100% due to rounding.
3. Specific definitions of each severity category include, but are not limited to:

Felonies against person - Aggravated assault, arson of occupied structure, child molestation, 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.

4. Population data have been provided by the Department of Economic Security, Research Administration, and Population Statistics Unit and the U.S. Census Bureau. The “Blue Wave” population graph has been updated reflecting population estimates through 2000.
5. 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.

6. Historical data presented are as previously reported in Juveniles Processed with the exception of adult court data. Adult Court data are dynamic and therefore, are rerun for the current Juveniles Processed. Although we endeavor to capture all Direct Filed juveniles, some Direct Filed juveniles may not be reflected in Juveniles Processed data.
7. Data on dispositions to Standard Probation and JIPS include juveniles who are continued on Standard Probation and JIPS.

## 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. The parents/guardians and a juvenile probation officer may 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 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 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. In addition, criminal prosecution may be brought against any juvenile with a prior conviction in adult court. 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 county attorney, who determines what charges to bring against the juvenile, prepares the delinquent or incorrigibility petition.

**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.