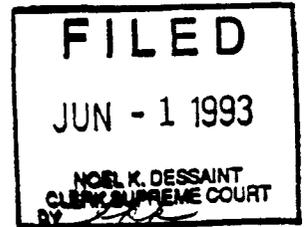


SUPREME COURT OF ARIZONA

ARIZONA JUDICIAL COUNCIL
COMMISSION ON JUVENILE JUSTICE IN ARIZONA



Administrative Order No. 93- 27

In accordance with Administrative Order 90-13, the Chief Justice may establish advisory committees of the Arizona Judicial Council to assist the Council in executing its responsibilities. One of the Council's areas of concern is the juvenile justice system.

Arizona's system of juvenile justice is administered through departments and agencies in various divisions and branches of government. These include courts and probation staff in the judicial branch, prosecutorial offices in each county's executive branch, and the Department of Youth Treatment and Rehabilitation in the executive branch. Although these departments and agencies properly perform separate functions, they often work independently and sometimes at cross-purposes and antagonistically. Differing procedures, lack of common standards, and differing philosophies often produce inconsistent approaches to the problems facing Arizona's juvenile justice system.

These problems grow worse each year. The breakdown of the traditional family structure, inadequate home environment and lack of parental guidance for many of Arizona's children, increased gang activity, the pervasive drug problem, and the availability of sophisticated weapons have produced an ever increasing case load, a growing number of more serious offenses, a significantly increased incidence of acts of serious violence threatening public safety and order, and an ever larger number of repetitive delinquent offenders. To cope with these problems, the system must devise an approach that includes a range of options and available techniques administered in a more unified method to achieve common goals. These include treatment and rehabilitation where possible, sanctions and training, a proper respect for law enforcement, the safety and rehabilitation of children, and the safety and protection of the public. Now, therefore,

IT IS ORDERED that the Arizona Judicial Council hereby establishes an advisory committee known as the Commission on Juvenile Justice in Arizona. The Commission shall evaluate the juvenile justice system, assess the problems confronting it, and recommend improvements. The issues addressed should include those on the list appended.

As Chairman of the Arizona Judicial Council, the Chief Justice shall appoint the chair, vice chairs, and members of the Commission. Members shall represent a variety of viewpoints and shall include individuals with a variety of experiences and expertise.

The Commission may appoint subcommittees, as directed by its chair; may take testimony and hold public hearings, as necessary; and shall make a report and recommendations to the Arizona Judicial Council at the December 6, 1993 meeting.

The Administrative Office of the Courts shall provide staff for the Commission. When appropriate, the juvenile courts should also assist the Administrative Office of the Courts in staffing the Commission and its subcommittees and in completing any required research projects. Thus, the Administrative Office of the Courts may request, and the juvenile courts shall supply, staff support to assist the Commission.

Dated this 1st day of June, 1993.

STANLEY G. FELDMAN
Chief Justice

APPENDIX A

THE COMMISSION ON JUVENILE JUSTICE IN ARIZONA

MISSION

The Commission on Juvenile Justice in Arizona has been formed to evaluate the juvenile justice system in Arizona, to assess the problems confronting it, and to recommend improvements. The Commission shall consider the following general issues:

1. How best to create a consistent and coordinated system of juvenile justice throughout the state between the fifteen juvenile courts and the Department of Youth Treatment and Rehabilitation, and to provide a continuum of alternative sanctions and treatment programs for juveniles while assuring maximum protection for the public.
2. How best to deal with repetitive juvenile offenders and those who commit serious or violent crimes.
3. How best to reduce violence in Arizona's schools and neighborhoods.
4. What resources are necessary to handle the increasing number of juveniles transferred into the adult system.

TASK

In addition, the Commission shall examine the specific questions listed in the following four areas and make recommendations where warranted:

I. Case Processing

- A. What changes should be made to the juvenile transfer rules?
- B. Should changes also be made to the statutes and Arizona's Constitution to provide for some type of presumptive transfer for certain offenders?
- C. What principles of confidentiality should apply to juvenile records and proceedings?

- D. Should the juvenile justice system maintain jurisdiction after a juvenile reaches age eighteen?
- E. Are the current charging and plea bargaining practices used in juvenile courts providing for effective justice?
- F. What information systems are needed to help coordinate the juvenile justice system?

II. Treatment

- A. What common diagnostic methods, treatment philosophy, and programs should be developed between the juvenile courts and the Department of Youth Treatment and Rehabilitation?
- B. Should a common-risk and needs assessment be used by the juvenile courts and the Department of Youth Treatment and Rehabilitation?
- C. What treatment programs should be developed for juvenile offenders who have exhibited deviant sexual behavior, and who have been referred to the courts or committed to the Department of Youth Treatment and Rehabilitation?
- D. What results should be required of service providers for youths in programs provided by or contracted for the juvenile courts and the Department of Youth Treatment and Rehabilitation?
- E. What intensive, community-based programs should be implemented as an alternative to more costly residential treatment?
- F. It appears that minority youths are over-represented in the juvenile justice system, but under-represented in treatment programs, what treatment programs should be established for minority youths? ¹
- G. Can the Commission, with the aid of Arizona's diverse communities, assist in identifying positive parenting models that could increase public awareness of the strength of the family and the need for supportive parental guidance for Arizona's children?

¹ Rather than duplicate work, the Commission should coordinate their activity on this subject with the Minority Youth Issues Committee in the Governor's Office for Children who is studying this subject.

III. Use of Secure Confinement

- A. Should juvenile court judges be required to use uniform guidelines when committing children to the Department of Youth Treatment and Rehabilitation?**
- B. Should local juvenile detention centers be utilized to a greater extent for post-dispositional sanctions?**
- C. Should juvenile detention centers be used to hold juveniles posing a maximum security risk and who are under the Department of Youth Treatment and Rehabilitation's supervision, or should some other alternative be provided?**
- D. Should children committed to the Department of Youth Treatment and Rehabilitation remain for a determined minimum length of time?**
- E. Should the court that sends a juvenile to the Department of Youth Treatment and Rehabilitation be required to permit the release of that juvenile?**
- F. If the state continues with an indeterminate commitment system, how long should a youth be confined to the Department of Youth Treatment and Rehabilitation?**
- G. What factors should be considered when developing administrative length-of-stay guidelines?**
- H. What programs and facilities need to be developed to handle the increasing number of juveniles transferred to the adult system?**
- I. Are there enough secure beds in Arizona to handle the number of youths requiring secure confinement?**

IV. Funding

- A. What are the human and economic consequences of the current juvenile crime problem to Arizona's taxpayers?**
- B. What is the cost of the recommendations made by the Commission and what funding sources does the Commission recommend?**