

Juveniles Processed *in the* Arizona Court System

FY 2008



JULY 1, 2007 - JUNE 30, 2008

ADMINISTRATIVE OFFICE OF THE COURTS
JUVENILE JUSTICE SERVICES DIVISION
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Dedications:

To
Rob Lubitz

This edition of *Juveniles Processed* is dedicated to Rob Lubitz who will retire in February, 2009, after 5 years of service to the AOC and the State of Arizona.

As Director of the Juvenile Justice Services Division, Rob provided outstanding leadership to the Division, contributed to the effective operation of Juvenile Courts statewide and guided changes in statewide policies and practices to reflect the shift toward Evidence Based Practices in all aspects of the Juvenile Court.

To
Richard "Dick" Kennedy

This edition of *Juveniles Processed* is dedicated to Richard Kennedy who retired after 36 years of service to the State of Arizona. He has held the position of lead researcher at the AOC's Juvenile Justice Services Division for 3 years after retiring from Maricopa County's Juvenile Court. Richard worked tirelessly to ensure the data reported around the state was accurate and understood so that policy makers may make informed decisions.

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Introduction & Trends

JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM IN FY08

This is the fifteenth publication of Juveniles Processed in the Arizona Court System. The data for this report are extracted each year from fourteen Juvenile Courts' Juvenile On-Line Tracking Systems (JOLTS). JOLTS is the automated juvenile court information management system that has been operational statewide for more than sixteen years. After having used JOLTS for more than 25 years, Maricopa County has made a change to their new integrated Court Information System (iCIS). Maricopa County's data was collected and stored in iCIS this fiscal year for the first time. 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 2008. Selected breakdowns of unduplicated juvenile counts¹ are presented at the following stages:

- Referral
- Detention
- Diversion
- Petition
- Dismissed
- Penalty Only
- Standard Probation
- Juvenile Intensive Probation Supervision (JIPS)
- Arizona Department of Juvenile Corrections (ADJC)
- Juveniles Direct Filed in and Transferred to Adult Court
- Special classification of each stage by Gender

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

Not all 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, the juveniles included in this report were all processed at least at one point in the system during this year. In other words, one or more of the stages presented in this report happened during the year. Juveniles who 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 FY08.

The number of juveniles processed in the juvenile justice system is influenced by several factors, such as legislative actions, law enforcement and prosecutorial practices, and the number of juveniles ages 8 to 17 years old in the Arizona population. Throughout 2008, the juvenile population has continued to increase steadily, as evidenced in the Arizona Juvenile Population Estimates and Projections chart in this section.³ The charts in this report reflect a slight decrease in juvenile offense activity in spite of a very large increase in juvenile population. The "at risk" population, juveniles between the ages of 8 to 17, has increased almost 20% from FY 2002 through FY 2008. Juveniles referred and petitioned along with overall numbers of referrals and petitions are down in each category over the same time frame.

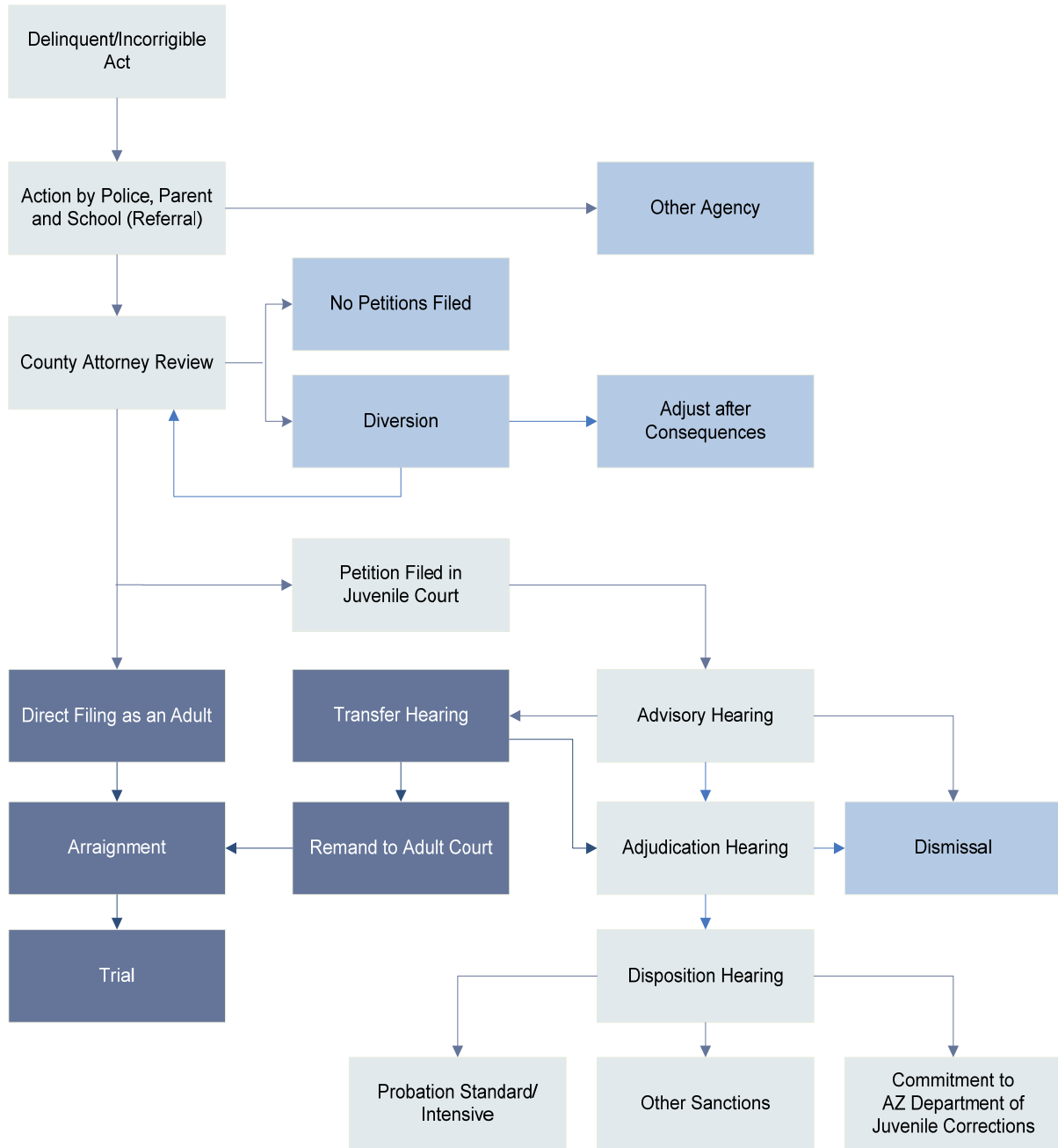
The flow chart of the juvenile justice system in this section of the report is followed by a chart entitled *Arizona Juvenile Court Activity FY08* that illustrates selected stages within the juvenile justice system and the number of juveniles processed at each stage. In the *Arizona Juvenile Court Activity FY08* 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 each referral received 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 demonstrates the amount of workload generated by these juveniles at each stage.

Several graphs are included in this section to illustrate trends since FY 2002. The first series of graphs shows data on referrals, juveniles referred, petitions filed and juveniles with petitions filed. The "referrals" figure includes the number of referrals for the year. The "juveniles referred" figure, on the other hand, 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 year. 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.

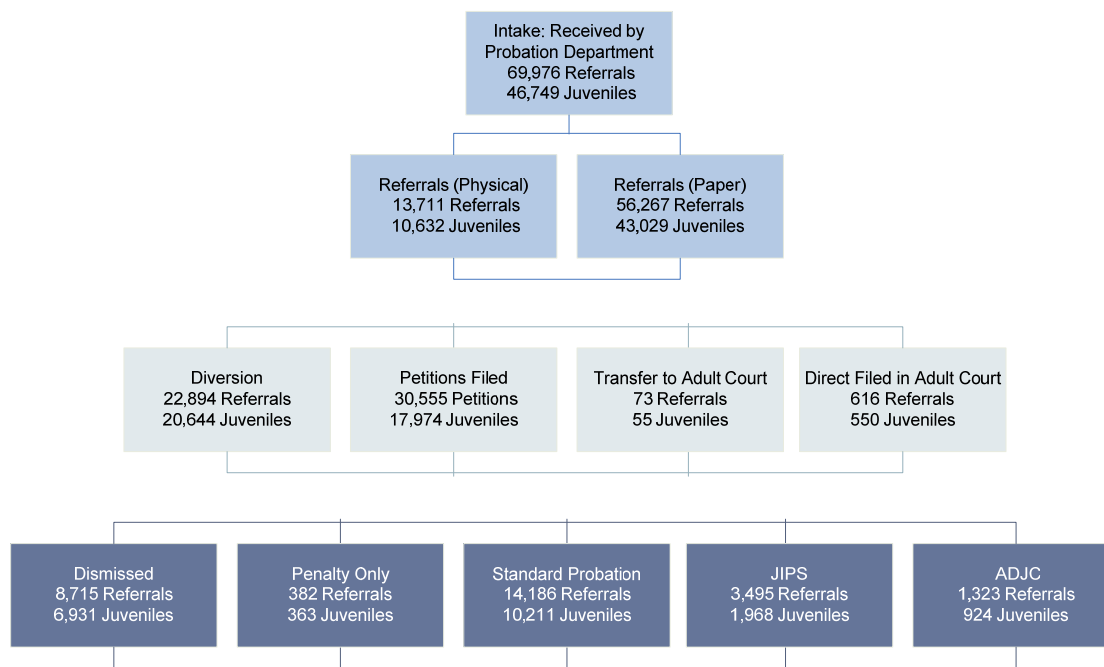
Analysis of data on juveniles processed in the Arizona court system is ongoing. Data is analyzed to identify the treatment needs of juveniles; to determine what works in meeting those needs and obtaining the best outcomes; to identify the most cost effective allocation of resources; and to develop the 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.

In addition to this annual report, other reports are available that describe some of the stages included in this report. 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 years, including Juveniles Processed FY98 through FY08 and are all available on the Arizona Supreme Court, Juvenile Justice Services Division website at <http://www.supreme.state.az.us/jjsd>.

Juvenile Justice Flowchart

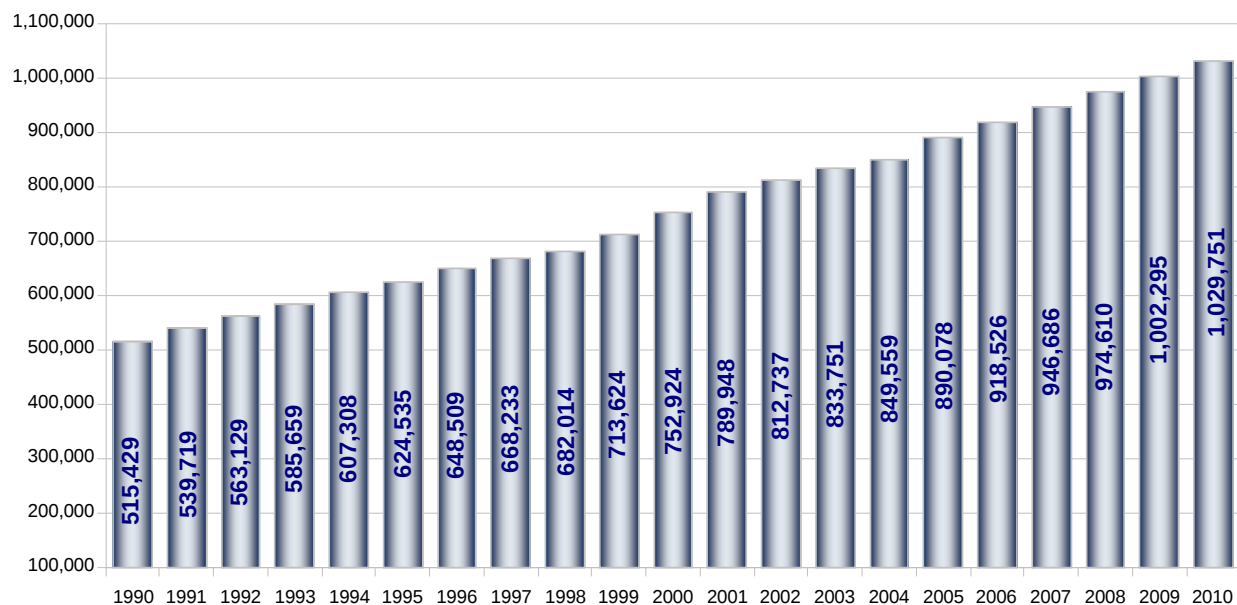


Arizona Juvenile Court Activity FY08



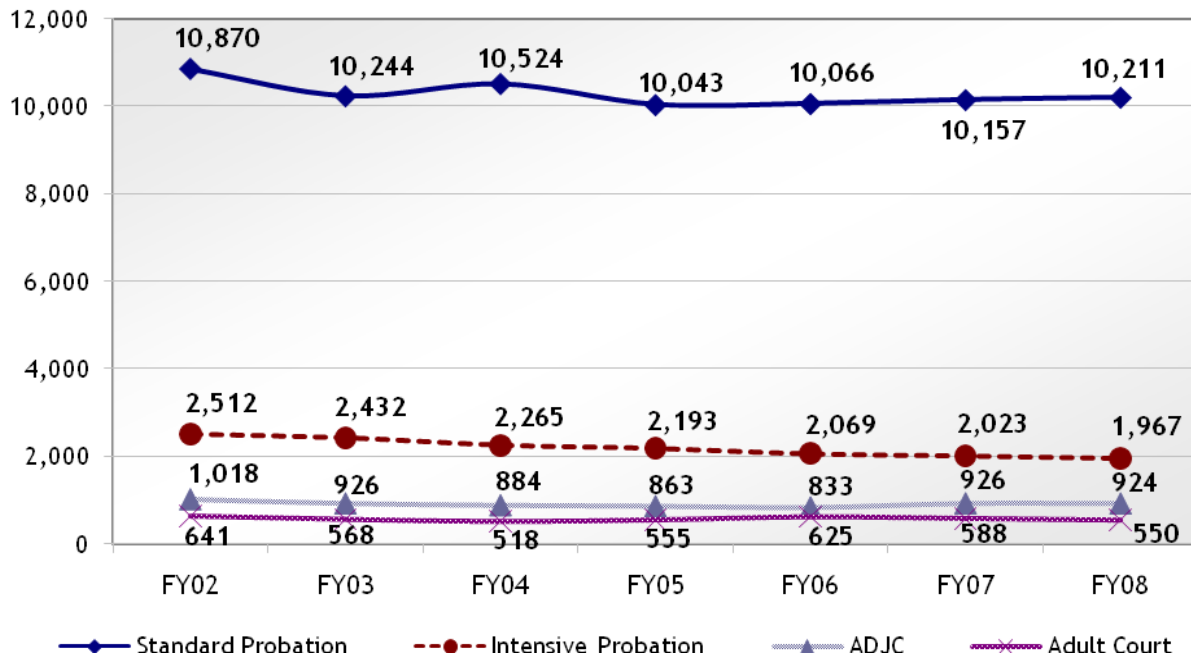
Data Source: Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division; Fifteen Juvenile Courts' Juvenile On-Line Tracking System (JOLTS), July 01, 2007 to June 30, 2008

Arizona Juvenile Population Estimates and Projections: Ages 8-17 1990-2010

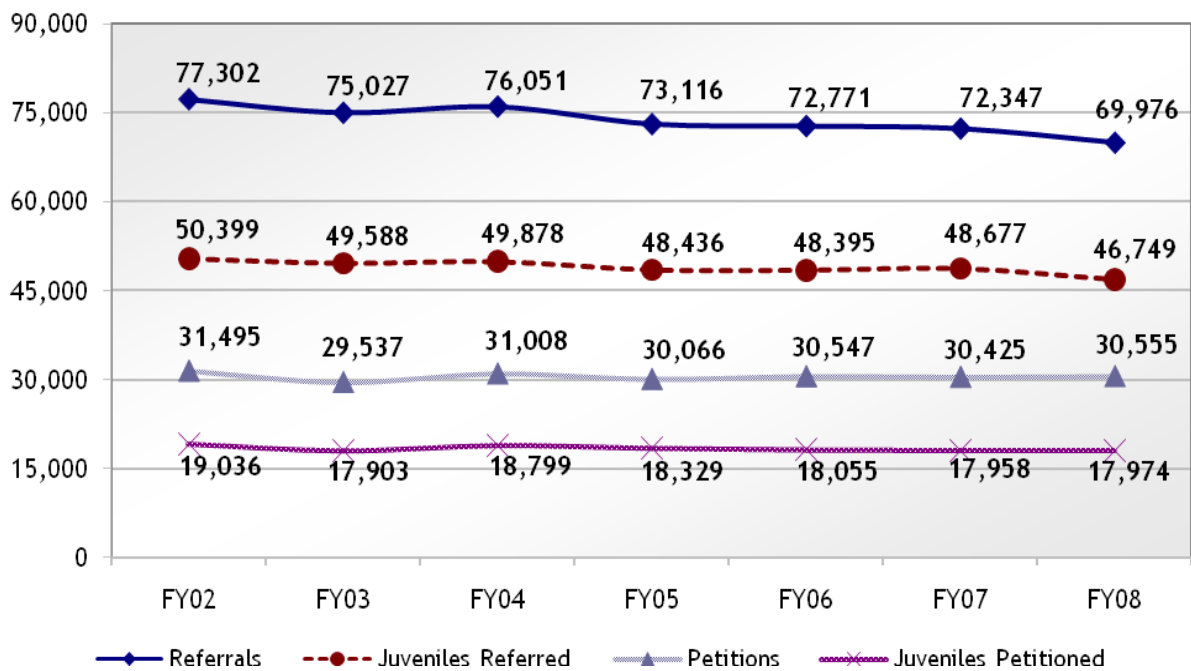


1995 - 1999 Population Estimates: Arizona Department of Economic Security, Research Administration, Population Statistics Unit.
 2000 Population Estimate: US Census Bureau, Single Age Estimates
 2001 - 2004 Population Projections: Constructed using Linear Regression Model by AOC/JJSD.
 2005 - 2010 Population Estimate and Projections, D.E.S. 2005 Census Data and National Center for Juvenile Justice Data.

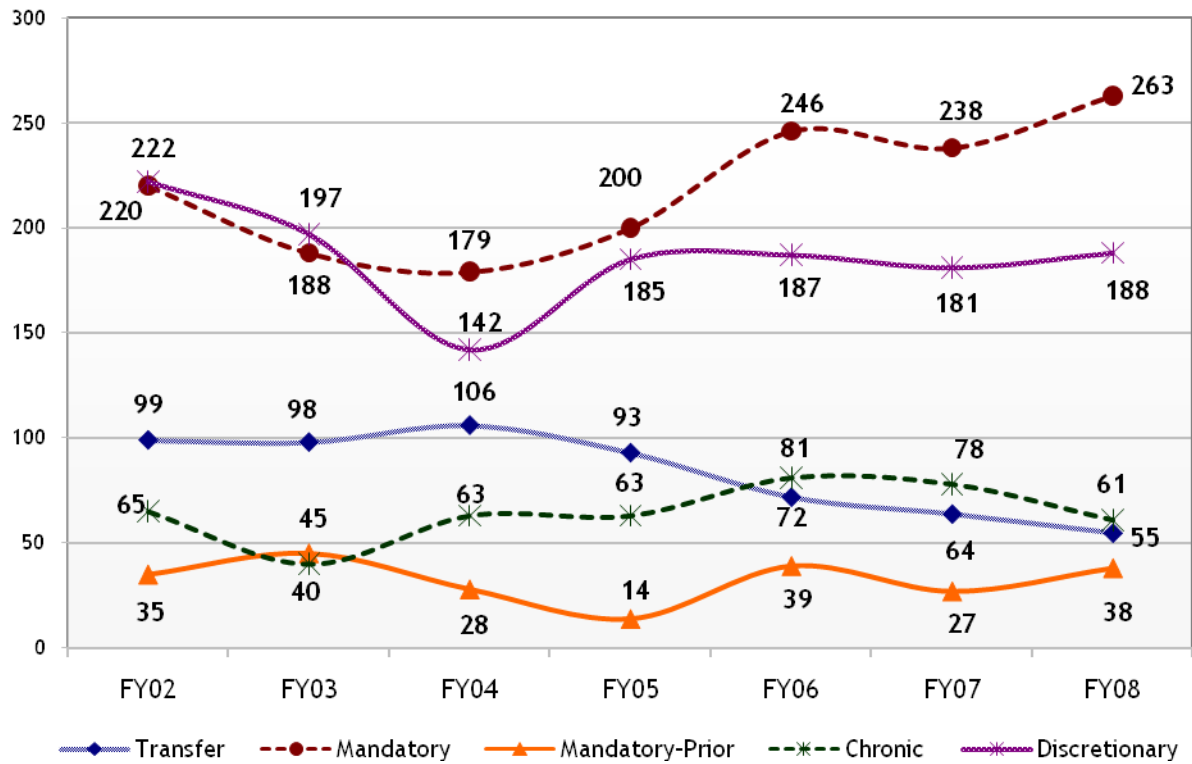
The Number of Juveniles Dispositioned to Probation, Intensive Probation, ADJC and Adult Court - Fiscal Years 2002 - 2008



Referrals, Petitions Filed and Juveniles Referred and Petitioned Fiscal Years 2002 - 2008



Pathways for Juveniles Transferred and/or Direct Filed in Adult Court Fiscal Years 2002 - 2008¹



Juveniles Referred

ARIZONA SUPERIOR COURT SYSTEM, FY08

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 first instance in the time frame is reported.

Table 1.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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 FY08. 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.

In 2008, there were estimated 974,610 juveniles ages 8 to 18 in Arizona. From July 1, 2007 to June 30, 2008, 4.8% of these juveniles (46,749) were referred at least once to Arizona's juvenile courts. This represents about 1 in every 20.8 juveniles. These 46,749 juveniles generated 69,976 referrals at an average of 1.5 referrals per juvenile.

Table 1.1 County: Juveniles Referred FY08

Apache	245	0.52%
Cochise	1,276	2.73%
Coconino	1,240	2.65%
Gila	876	1.87%
Graham	427	0.91%
Greenlee	72	0.15%
La Paz	131	0.28%
Maricopa	24,390	52.17%
Mohave	1,781	3.81%
Navajo	925	1.98%
Pima	8,806	18.84%
Pinal	1,982	4.24%
Santa Cruz	591	1.26%
Yavapai	1,606	3.44%
Yuma	2,401	5.14%
TOTAL	46,749	100.0

Table 1.2 Gender: Juveniles Referred FY08

Male	30,906	66.11%
Female	15,843	33.89%
TOTAL	46,749	100.0

Table 1.3 Age: Juveniles Referred FY08

8	146	0.31%
9	280	0.60%
10	500	1.07%
11	960	2.05%
12	1,867	3.99%
13	3,749	8.02%
14	6,306	13.49%
15	8,903	19.04%
16	10,788	23.08%
17	12,786	27.35%
Unknown	464	0.99%
TOTAL	46,749	100.0

Table 1.4 Ethnicity: Juveniles Referred FY08		
Hispanic	18,883	40.39%
African American	3,869	8.28%
Anglo	20,399	43.64%
Native American	2,381	5.09%
Asian/Pacific Islander	343	0.73%
Other	166	0.36%
Unknown	708	1.51%
TOTAL	46,749	100.0

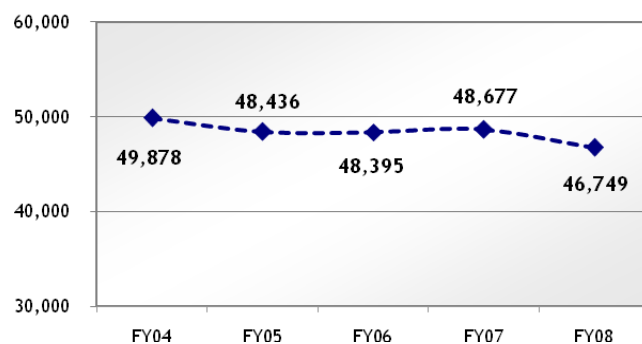
Table 1.5 Education Status: Juveniles Referred FY08		
Enrolled	27,118	58.01%
Not Enrolled	2,511	5.37%
Expelled	118	0.25%
Suspended	156	0.33%
Withdrawn	239	0.51%
Graduated	174	0.37%
GED Program	51	0.11%
Unknown	16,382	35.04%
TOTAL	46,749	100.0

Table 1.6 Number of Prior Referrals: Juveniles Referred FY08		
0	23,354	49.96%
1	8,690	18.59%
2	4,306	9.21%
3	2,713	5.80%
4	1,828	3.91%
5	1,367	2.92%
6	962	2.06%
7	784	1.68%
8 or more	2,745	5.87%
TOTAL	46,749	100.0

Table 1.7 Severity of Most Serious Offense: Juveniles Referred FY08		
Felonies Against Person	2,471	5.29%
Felonies Against Property	4,787	10.24%
Obstruction of Justice: Felony & Misdemeanor	3,840	8.21%
Misdemeanors Against Person	4,007	8.57%
Drugs: Felony & Misdemeanor	5,013	10.72%
Public Peace: Felony & Misdemeanor	12,083	25.85%
Misdemeanors Against Property	6,815	14.58%
Status Offenses	7,308	15.63%
Administrative	425	0.91%
TOTAL	46,749	100.0

Table 1.8 Offense Class of Most Serious Offense: Juveniles Referred FY08		
Felony	14,097	30.15%
Misdemeanor	22,887	48.96%
Violations of Probation & Ordinances	2,032	4.35%
Status	7,308	15.63%
Other	425	0.91%
TOTAL	46,749	100.0

Juveniles Referred



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

Table 1.9 Top Ten Referral Categories FY08

Probation Violation	6,628	9.47%
Shoplifting - Misd	6,323	9.04%
Truancy	4,394	6.28%
Runaway	4,242	6.06%
Curfew	3,881	5.55%
Alcohol	3,259	4.66%
Marijuana Possession	3,108	4.44%
Drug Paraphernalia	2,492	3.56%
Disorderly Conduct	2,373	3.39%
Assault – Simple	2,064	2.95%
TOTAL TOP TEN REFERRALS	41,899	59.87
TOTAL ALL REFERRALS	69,982	100.0

In FY08, the violation of probation category was the most common referral. This suggests that Arizona's juvenile probation departments are holding juveniles accountable.

Over the past five years, there had been no change in the categories of the top ten offenses, although this year a new offense entered the top ten. Drug Paraphernalia replaces Assault – Domestic Violence in the top ten offenses list.

Explanations of the categories can be found in the Notes section.⁴

Table 1.10 Top Ten Referral Categories for Previous Fiscal Years

FY2004	FY2005	FY2006	FY2007
Probation Violation 7,540	Probation Violation 7,099	Probation Violation 6,169	Probation Violation 7,055
Shoplifting – Misd 6,508	Shoplifting – Misd 6,266	Truancy 5,947	Truancy 5,505
Truancy 6,300	Truancy 5,493	Shoplifting – Misd 4,984	Shoplifting – Misd 5,136
Alcohol 5,976	Runaway 4,103	Runaway 4,556	Curfew 4,206
Runaway 4,013	Marijuana Possession 3,656	Curfew 3,952	Runaway 4,136
Curfew 3,752	Curfew 3,539	Marijuana Possession 3,704	Marijuana Possession 3,746
Marijuana Possession 3,743	Alcohol 3,276	Alcohol 3,348	Alcohol 3,366
Assault – DV 2,255	Assault – Simple 2,635	Assault – Simple 2,550	Assault Simple 2,403
Assault – Simple 2,967	Disorderly Conduct 2,459	Disorderly Conduct 2,504	Disorderly Conduct 2,243
Disorderly Conduct 2,597	Assault – Domestic Violence 1,946	Assault – Domestic Violence 2,017	Assault – Domestic Violence 1,792

Cells indicate the number of Referrals for each offense.

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Juveniles Detained

ARIZONA SUPERIOR COURT SYSTEM, FY08

The information presented in this section characterizes individual youth (unduplicated). For those youth who were detained more than once during the fiscal year, information from the first instance in the time frame is reported.

Table 2.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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 support 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;
 - 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.

Table 2.1 County: Juveniles Detained FY08

Apache	137	1.17%
Cochise	283	2.42%
Coconino	295	2.53%
Gila	457	3.91%
Graham	182	1.56%
Greenlee	27	0.23%
La Paz	33	0.28%
Maricopa	5,632	48.24%
Mohave	404	3.46%
Navajo	200	1.71%
Pima	1,483	12.70%
Pinal	811	6.95%
Santa Cruz	281	2.41%
Yavapai	563	4.82%
Yuma	886	7.59%
TOTAL	11,674	100.0

In FY08, 11,674 juveniles were detained at least once. Only 7,733 (66.6%) of these juveniles were detained as a result of a referral; the others were detained as a result of court holds, warrants, probation consequences or for another jurisdiction.

- Those 7,733 juveniles that were detained on a referral (physical referral) represent 16.6% of the juveniles referred to the juvenile court in FY08.
- Over the past few years, juveniles detained have decreased from a high of 13,660 in FY 2002 to 11,674 in spite of increased populations.

Table 2.2 Gender: Juveniles Detained FY08

Male	9,105	77.99%
Female	2,569	22.01%
TOTAL	11,674	100.0

Table 2.3 Age: Juveniles Detained FY08		
8	3	0.03%
9	7	0.06%
10	39	0.33%
11	100	0.86%
12	233	2.00%
13	614	5.26%
14	1,281	10.97%
15	2,224	19.05%
16	3,041	26.05%
17	4,088	35.02%
Unknown	44	0.38%
TOTAL	11,674	100.0

Table 2.4 Ethnicity: Juveniles Detained FY08		
Hispanic	5,320	45.57%
African American	1,211	10.37%
Anglo	4,153	35.57%
Native American	780	6.68%
Asian/Pacific Islander	56	0.48%
Other	38	0.33%
Unknown	116	0.99%
TOTAL	11,674	100.0

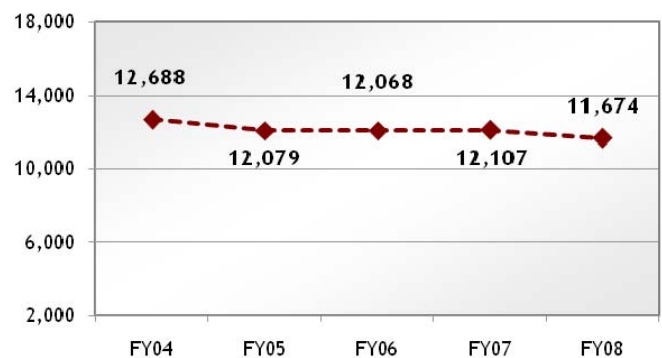
Table 2.5 Education Status: Juveniles Detained FY08		
Enrolled	4,091	35.04%
Not Enrolled	1,088	9.32%
Expelled	69	0.59%
Suspended	69	0.59%
Withdrawn	111	0.95%
Graduated	38	0.33%
GED Program	33	0.28%
Unknown	6,175	52.90%
TOTAL	11,674	100.0

Table 2.6 Number of Prior Referrals: Juveniles Detained FY08		
0	1,865	24.12%
1	1,118	14.46%
2	829	10.72%
3	706	9.13%
4	599	7.75%
5	487	6.30%
6	409	5.29%
7	346	4.47%
8 or more	1,374	17.77%
TOTAL	7,733	100.0

Table 2.7 Severity of Most Serious Offense: Juveniles Detained FY08		
Felonies Against Person	1,326	17.15%
Felonies Against Property	1,827	23.63%
Obstruction of Justice: Felony & Misdemeanor	1,484	19.19%
Misdemeanors Against Person	813	10.51%
Drugs: Felony & Misdemeanor	863	11.16%
Public Peace: Felony & Misdemeanor	887	11.47%
Misdemeanors Against Property	312	4.03%
Status Offenses	101	1.31%
Administrative	120	1.55%
TOTAL	7,733	100.0

Table 2.8 Offense Class of Most Serious Offense: Juveniles Detained FY08		
Felony	4,577	59.19%
Misdemeanor	1,970	25.48%
Violations of Probation & Ordinances	1,013	13.10%
Status	100	1.29%
Other	73	0.94%
TOTAL	7,733	100.0

Juveniles Detained



Juveniles Diverted

ARIZONA SUPERIOR COURT SYSTEM, FY08

The information presented in this section characterizes individual youth (unduplicated). For those youth who were diverted more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 3.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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 in the Notes section at the end of the document.⁵

In FY08, there were 20,664 juveniles diverted in Arizona's juvenile justice system.

Although, it appears that juveniles who receive diversion has declined over that last few years, the actual number of juveniles entering the system has also declined. The percentage of the actual juveniles referred who are diverted ranges from a high of 44.6% in FY2002 to a low of 39.5% in FY 2007. This year, FY 2008, we see the percentage of juveniles referred back up to 44.2%. Thus, the relative rate of diversion is rather stable.

We would expect diverted juveniles to have less serious offenses and little or no prior referrals. Of the juveniles diverted in FY08:

- 66.8% had no prior referrals.
- 62.6% had a misdemeanor as the most serious offense.

Table 3.1 County: Juveniles Diverted FY08

Apache	70	0.34%
Cochise	748	3.62%
Coconino	571	2.76%
Gila	310	1.50%
Graham	132	0.64%
Greenlee	16	0.08%
La Paz	46	0.22%
Maricopa	10,482	50.73%
Mohave	727	3.52%
Navajo	152	0.74%
Pima	4,827	23.36%
Pinal	544	2.63%
Santa Cruz	176	0.85%
Yavapai	959	4.64%
Yuma	904	4.37%
TOTAL	20,664	100.0

Table 3.2 Gender: Juveniles Diverted FY08

Male	12,442	60.21%
Female	8,222	39.79%
TOTAL	20,664	100.0

Table 3.3 Age: Juveniles Diverted FY08

8	82	0.40%
9	160	0.77%
10	290	1.40%
11	563	2.72%
12	1,119	5.42%
13	2,153	10.42%
14	3,473	16.81%
15	4,370	21.15%
16	4,471	21.64%
17	3,944	19.09%
Unknown	39	0.19%
TOTAL	20,664	100.0

Table 3.4 Ethnicity: Juveniles Diverted FY08		
Hispanic	8,362	40.47%
African American	1,565	7.57%
Anglo	9,394	45.46%
Native American	812	3.93%
Asian/Pacific Islander	176	0.85%
Other	91	0.44%
Unknown	264	1.28%
TOTAL	20,664	100.0

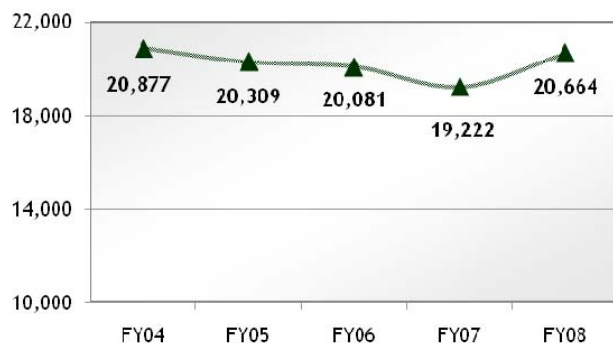
Table 3.5 Education Status: Juveniles Diverted FY08		
Enrolled	14,453	69.94%
Not Enrolled	546	2.64%
Expelled	23	0.11%
Suspended	67	0.32%
Withdrawn	53	0.26%
Graduated	55	0.27%
GED Program	1	0.00%
Unknown	5,466	26.45%
TOTAL	20,664	100.0

Table 3.6 Number of Prior Referrals: Juveniles Diverted FY08		
0	13,812	66.84%
1	4,244	20.54%
2	1,355	6.56%
3	550	2.66%
4	241	1.17%
5	129	0.62%
6	80	0.39%
7	59	0.29%
8 or more	194	0.94%
TOTAL	20,664	100.0

Table 3.7 Severity of Most Serious Offense: Juveniles Diverted FY08		
Felonies Against Person	259	1.25%
Felonies Against Property	779	3.77%
Obstruction of Justice: Felony & Misdemeanor	135	0.65%
Misdemeanors Against Person	2,037	9.86%
Drugs: Felony & Misdemeanor	2,170	10.50%
Public Peace: Felony & Misdemeanor	6,026	29.16%
Misdemeanors Against Property	5,161	24.98%
Status Offenses	4,050	19.60%
Administrative	47	0.23%
TOTAL	20,664	100.0

Table 3.8 Offense Class of Most Serious Offense: Juveniles Diverted FY08		
Felony	3,454	16.72%
Misdemeanor	12,931	62.59%
Violations of Probation & Ordinances	182	0.88%
Status	4,050	19.60%
Other	46	0.22%
TOTAL	20,664	100.0

Juveniles Diverted



PETITIONS FILED

ARIZONA SUPERIOR COURT SYSTEM, FY08

The information presented in this section characterizes individual youth (unduplicated). For those youth who were petitioned more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 4.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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.

There were 17,974 juveniles with a petition filed during FY08. This is a slight increase from FY07.

Although, it appears that juveniles who receive a petition has declined over that last few years, the actual number of juveniles entering the system has also declined. Over the past seven years, the percentage of actual juveniles referred who are petitioned, ranges from 36.1% to 39.0%, 38.4% for FY 2008. Thus, the relative rate of petition is rather stable.

Although, the average age of juveniles receiving a petition is 15, almost 3 out of 4 (74.5%) are between 15 and 17 years of age.

Table 4.1 County: Petitions Filed FY08

Apache	138	0.77%
Cochise	389	2.16%
Coconino	528	2.94%
Gila	261	1.45%
Graham	289	1.61%
Greenlee	44	0.24%
La Paz	52	0.29%
Maricopa	9,270	51.57%
Mohave	521	2.90%
Navajo	402	2.24%
Pima	2,758	15.34%
Pinal	1,023	5.69%
Santa Cruz	337	1.87%
Yavapai	719	4.00%
Yuma	1,243	6.92%
TOTAL	17,974	100.0

Table 4.2 Gender: Petitions Filed FY08

Male	13,612	75.73%
Female	4,362	24.27%
TOTAL	17,974	100.0

Table 4.3 Age: Petitions Filed FY08

8	17	0.09%
9	52	0.29%
10	127	0.71%
11	242	1.35%
12	540	3.00%
13	1,318	7.33%
14	2,271	12.63%
15	3,549	19.75%
16	4,694	26.12%
17	5,149	28.65%
Unknown	15	0.08%
TOTAL	17,974	100.0

Table 4.4 Ethnicity: Petitions Filed FY08		
Hispanic	7,902	43.96%
African American	1,779	9.90%
Anglo	6,932	38.57%
Native American	1,107	6.16%
Asian/Pacific Islander	102	0.57%
Other	54	0.30%
Unknown	98	0.55%
TOTAL	17,974	100.0

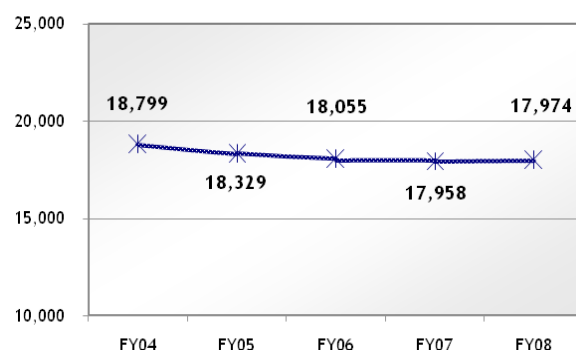
Table 4.5 Education Status: Petitions Filed FY08		
Enrolled	10,114	56.27%
Not Enrolled	1,798	10.00%
Expelled	94	0.52%
Suspended	94	0.52%
Withdrawn	172	0.96%
Graduated	86	0.48%
GED Program	37	0.21%
Unknown	5,579	31.04%
TOTAL	17,974	100.0

Table 4.6 Number of Prior Referrals: Petitions Filed FY08		
0	4,637	25.80%
1	3,112	17.31%
2	2,488	13.84%
3	1,843	10.25%
4	1,404	7.81%
5	1,078	6.00%
6	740	4.12%
7	604	3.36%
8 or more	2,068	11.51%
TOTAL	17,974	100.0

Table 4.7 Severity of Most Serious Offense: Petitions Filed FY08		
Felonies Against Person	1,409	7.84%
Felonies Against Property	3,386	18.84%
Obstruction of Justice: Felony & Misdemeanor	3,736	20.79%
Misdemeanors Against Person	1,677	9.33%
Drugs: Felony & Misdemeanor	2,299	12.79%
Public Peace: Felony & Misdemeanor	2,969	16.52%
Misdemeanors Against Property	1,770	9.85%
Status Offenses	686	3.82%
Administrative	42	0.23%
TOTAL	17,974	100.0

Table 4.8 Offense Class of Most Serious Offense: Petitions Filed FY08		
Felony	8,064	44.86%
Misdemeanor	7,176	39.92%
Violations of Probation & Ordinances	2,006	11.16%
Status	686	3.82%
Other	42	0.23%
TOTAL	17,974	100.0

Juveniles Petitioned



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

JUVENILES DISMISSED

ARIZONA SUPERIOR COURT SYSTEM, FY08

The information presented in this section characterizes individual youth (unduplicated). For those youth who had a dismissal more than once during the fiscal year, information from the first instance in the time frame is reported.

Table 5.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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. Dismissals can also take place as an agreement in Court to extend unfulfilled Diversion conditions. Upon completion of the conditions, the dismissal will stop further prosecution of the offense.

Dismissal may occur for such reasons as the charges are not proven in Court, an agreement is reached to dismiss a charge in exchange for an admission to a different charge or some penalty, or the case is transferred to another jurisdiction prior to adjudication. Dismissals can also occur due to motion by the County Attorney as a victim does not want further prosecution of a charge or witnesses are unable to be located.

In juvenile cases, where a petition is not adjudicated prior to the juvenile's eighteenth birthday, dismissals are processed after the eighteenth birthday and determination is made as to what further action is to be taken in the case.

Court dismissals showed a slight increase in FY08.

Table 5.1 County: Disposition of Dismissed FY08

Apache	67	0.97%
Cochise	124	1.79%
Coconino	156	2.25%
Gila	108	1.56%
Graham	77	1.11%
Greenlee	18	0.26%
La Paz	36	0.52%
Maricopa	3,520	50.79%
Mohave	202	2.91%
Navajo	99	1.43%
Pima	1,254	18.09%
Pinal	461	6.65%
Santa Cruz	152	2.19%
Yavapai	198	2.86%
Yuma	459	6.62%
TOTAL	6,931	100.0

Table 5.2 Gender: Disposition of Dismissed FY08

Male	5,004	72.20%
Female	1,927	27.80%
TOTAL	6,931	100.0

Table 5.3 Age: Disposition of Dismissed FY08

8	6	0.09%
9	23	0.33%
10	45	0.65%
11	91	1.31%
12	187	2.70%
13	419	6.05%
14	850	12.26%
15	1,281	18.48%
16	1,644	23.72%
17	1,938	27.96%
Unknown	447	6.45%
TOTAL	6,931	100.0

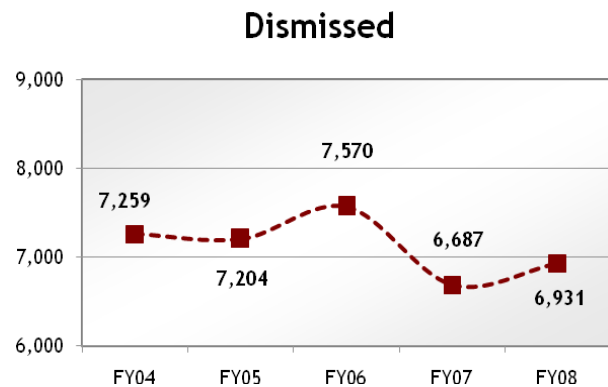
Table 5.4 Ethnicity: Disposition of Dismissed FY08		
Hispanic	2,777	40.07%
African American	692	9.98%
Anglo	2,957	42.66%
Native American	402	5.80%
Asian/Pacific Islander	35	0.50%
Other	20	0.29%
Unknown	48	0.69%
TOTAL	6,931	100.0

Table 5.5 Education Status: Disposition of Dismissed FY08		
Enrolled	3,963	57.18%
Not Enrolled	702	10.13%
Expelled	34	0.49%
Suspended	40	0.58%
Withdrawn	66	0.95%
Graduated	26	0.38%
GED Program	14	0.20%
Unknown	2,086	30.10%
TOTAL	6,931	100.0

Table 5.6 Number of Prior Referrals: Disposition of Dismissed FY08		
0	1,996	28.80%
1	1,266	18.27%
2	876	12.64%
3	641	9.25%
4	501	7.23%
5	364	5.25%
6	307	4.43%
7	220	3.17%
8 or more	760	10.97%
TOTAL	6,931	100.0

Table 5.7 Severity of Most Serious Offense: Disposition of Dismissed FY08		
Felonies Against Person	319	4.60%
Felonies Against Property	650	9.38%
Obstruction of Justice: Felony & Misdemeanor	1,258	18.15%
Misdemeanors Against Person	664	9.58%
Drugs: Felony & Misdemeanor	658	9.50%
Public Peace: Felony & Misdemeanor	1,706	24.61%
Misdemeanors Against Property	818	11.80%
Status Offenses	831	11.99%
Administrative	27	0.39%
TOTAL	6,931	100.0

Table 5.8 Offense Class of Most Serious Offense: Disposition of Dismissed FY08		
Felony	1,840	26.55%
Misdemeanor	3,245	46.82%
Violations of Probation & Ordinances	994	14.34%
Status	831	11.99%
Other	21	0.30%
TOTAL	6,931	100.0



PENALTY ONLY

JUVENILES WITH DISPOSITIONS OF PENALTY ONLY IN FY08

The information presented in this section characterizes individual youth (unduplicated). For those youth who received a penalty more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 6.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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.

Dispositions of penalty only have decreased over the past year by 19.5%. Over the last five years dispositions of penalty only have remained fairly stable.

Table 6.1 County:

Disposition of Penalty Only FY08		
Apache	1	0.28%
Cochise	20	5.52%
Coconino	41	11.33%
Gila	8	2.21%
Graham	7	1.93%
Greenlee	1	0.28%
La Paz	0	0.00%
Maricopa	154	42.54%
Mohave	0	0.00%
Navajo	9	2.49%
Pima	13	3.59%
Pinal	51	14.09%
Santa Cruz	19	5.25%
Yavapai	9	2.49%
Yuma	29	8.01%
TOTAL	362	100.0

Table 6.2 Gender:

Disposition of Penalty Only FY08		
Male	271	74.86%
Female	91	25.14%
TOTAL	362	100.0

Table 6.3 Age: Disposition of Penalty Only FY08

8	0	0.00%
9	0	0.28%
10	0	0.00%
11	2	0.55%
12	6	1.66%
13	12	3.31%
14	18	4.97%
15	51	14.09%
16	63	17.40%
17	190	52.49%
Unknown	20	5.52%
TOTAL	362	100.0

Table 6.4 Ethnicity: Disposition of Penalty Only FY08

Hispanic	154	42.54%
African American	23	6.35%
Anglo	145	40.06%
Native American	34	9.39%
Asian/Pacific Islander	5	1.38%
Other	0	0.00%
Unknown	1	0.28%
TOTAL	362	100.0

Table 6.5 Education Status: Disposition of Penalty Only FY08

Enrolled	185	51.10%
Not Enrolled	37	10.22%
Expelled	1	0.28%
Suspended	2	0.55%
Withdrawn	2	0.55%
Graduated	1	0.28%
GED Program	2	0.55%
Unknown	132	36.46%
TOTAL	362	100.0

Table 6.6 Number of Prior Referrals: Disposition of Penalty Only FY08

0	106	29.28%
1	51	14.09%
2	49	13.54%
3	38	10.50%
4	31	8.56%
5	21	5.80%
6	14	3.87%
7	11	3.04%
8 or more	41	11.33%
TOTAL	362	100.0

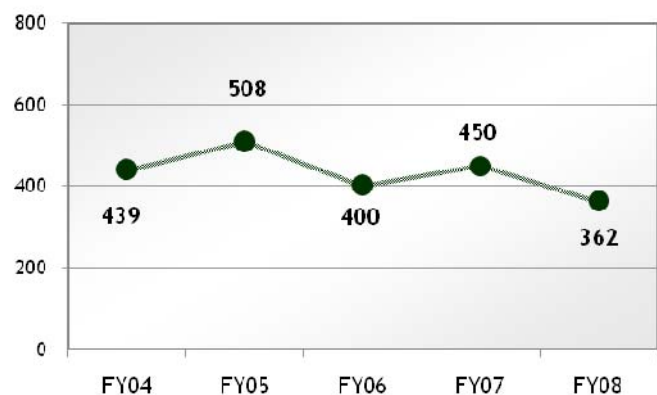
Table 6.7 Severity of Most Serious Offense: Disposition of Penalty Only FY08

Felonies Against Person	13	3.59%
Felonies Against Property	22	6.08%
Obstruction of Justice: Felony & Misdemeanor	55	15.19%
Misdemeanors Against Person	23	6.35%
Drugs: Felony & Misdemeanor	34	9.39%
Public Peace: Felony & Misdemeanor	158	43.65%
Misdemeanors Against Property	28	7.73%
Status Offenses	27	7.46%
Administrative	2	0.55%
TOTAL	362	100.0

Table 6.8 Offense Class of Most Serious Offense: Disposition of Penalty Only FY08

Felony	89	24.59%
Misdemeanor	195	53.87%
Violations of Probation & Ordinances	49	13.54%
Status	27	7.46%
Other	2	0.55%
TOTAL	362	100.0

Penalty Only



STANDARD PROBATION

JUVENILES WITH DISPOSITIONS OF STANDARD PROBATION IN FY08⁶

The information presented in this section characterizes individual youth (unduplicated). For those youth who were placed on probation more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 7.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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

(continued on next page)

Table 7.1 County: Disposition of Standard Probation FY08

Apache	87	0.85%
Cochise	204	2.00%
Coconino	307	3.01%
Gila	150	1.47%
Graham	198	1.94%
Greenlee	34	0.33%
La Paz	31	0.30%
Maricopa	5,796	56.76%
Mohave	302	2.96%
Navajo	236	2.31%
Pima	1,432	14.02%
Pinal	367	3.59%
Santa Cruz	129	1.26%
Yavapai	344	3.37%
Yuma	594	5.82%
TOTAL	10,211	100.0

Table 7.2 Gender: Disposition of Standard Probation FY08

Male	7,779	76.18%
Female	2,432	23.82%
TOTAL	10,211	100.0

Table 7.3 Age: Disposition of Standard Probation FY08

8	0	0.00%
9	4	0.04%
10	17	0.17%
11	88	0.86%
12	203	1.99%
13	650	6.37%
14	1,320	12.93%
15	2,057	20.14%
16	2,702	26.46%
17	3,165	31.00%
Unknown	5	0.05%
TOTAL	10,211	100.0

choose to impose more severe liberty restrictions, including detention, placement in the JIPS program or commitment to the Arizona Department of Juvenile Corrections.

In FY08, 10,211 juveniles were given a disposition of standard probation. Dispositions to standard probation have decreased by 6.1% since FY02. Over the last five years dispositions of standard probation have been fairly stable.

Table 7.4 Ethnicity: Disposition of Standard Probation FY08

Hispanic	4,369	42.79%
African American	896	8.77%
Anglo	4,181	40.95%
Native American	648	6.35%
Asian/Pacific Islander	56	0.55%
Other	21	0.21%
Unknown	40	0.39%
TOTAL	10,211	100.0

Table 7.5 Education Status: Disposition of Standard Probation FY08

Enrolled	6,148	60.21%
Not Enrolled	1,226	12.01%
Expelled	52	0.51%
Suspended	58	0.57%
Withdrawn	103	1.01%
Graduated	42	0.41%
GED Program	4	0.04%
Unknown	2,578	25.25%
TOTAL	10,211	100.0

Table 7.6 Number of Prior Referrals: Disposition of Standard Probation FY08

0	2,576	25.23%
1	1,981	19.40%
2	1,715	16.80%
3	1,198	11.73%
4	822	8.05%
5	615	6.02%
6	359	3.52%
7	249	2.44%
8 or more	696	6.82%
TOTAL	10,211	100.0

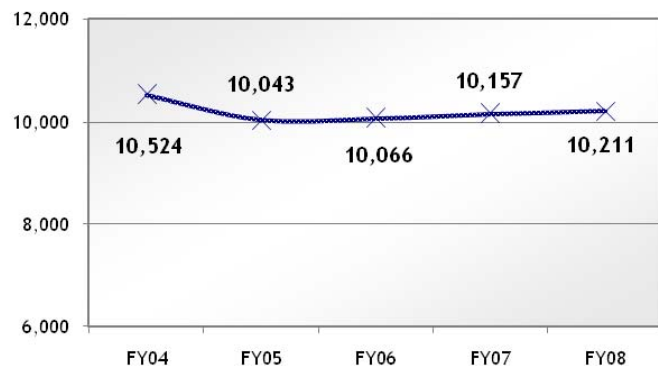
Table 7.7 Severity of Most Serious Offense: Disposition of Standard Probation FY08

Felonies Against Person	890	8.72%
Felonies Against Property	2,231	21.85%
Obstruction of Justice: Felony & Misdemeanor	1,733	16.97%
Misdemeanors Against Person	781	7.65%
Drugs: Felony & Misdemeanor	1,619	15.86%
Public Peace: Felony & Misdemeanor	1,687	16.52%
Misdemeanors Against Property	892	8.74%
Status Offenses	288	2.82%
Administrative	90	0.88%
TOTAL	10,211	100.0

Table 7.8 Offense Class of Most Serious Offense: Disposition of Standard Probation FY08

Felony	5,345	52.35%
Misdemeanor	3,563	34.89%
Violations of Probation & Ordinances	928	9.09%
Status	288	2.82%
Other	87	0.85%
TOTAL	10,211	100.0

Standard Probation



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

JIPS

JUVENILES WITH DISPOSITIONS TO JIPS IN FY08⁶

The information presented in this section characterizes individual youth (unduplicated). For those youth who were placed on Intensive Probation more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 8.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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. Since FY 2004, the number of juveniles placed on JIPS has decreased by 13.1%.

Table 8.1 County: Disposition to JIPS FY08

Apache	10	0.51%
Cochise	105	5.34%
Coconino	55	2.80%
Gila	48	2.44%
Graham	29	1.47%
Greenlee	8	0.41%
La Paz	3	0.15%
Maricopa	806	41.98%
Mohave	105	5.34%
Navajo	36	1.83%
Pima	193	9.81%
Pinal	124	6.30%
Santa Cruz	39	1.98%
Yavapai	126	6.41%
Yuma	280	14.23%
TOTAL	1,967	100.0

Table 8.2 Gender: Disposition to JIPS FY08

Male	1,720	87.44%
Female	247	12.56%
TOTAL	1,967	100.0

Table 8.3 Age: Disposition to JIPS FY08

8	0	0.00%
9	0	0.00%
10	1	0.05%
11	3	0.15%
12	22	1.12%
13	92	4.68%
14	209	10.63%
15	392	19.93%
16	619	31.47%
17	628	31.93%
Unknown	1	0.05%
TOTAL	1,967	100.0

Table 8.4 Ethnicity: Disposition to JIPS FY08

Hispanic	1,048	53.28%
African American	172	8.74%
Anglo	661	33.60%
Native American	72	3.66%
Asian/Pacific Islander	9	0.46%
Other	4	0.20%
Unknown	1	0.05%
TOTAL	1,967	100.0

Table 8.5 Education Status: Disposition to JIPS FY08

Enrolled	1,190	60.50%
Not Enrolled	316	16.07%
Expelled	19	0.97%
Suspended	13	0.66%
Withdrawn	34	1.73%
Graduated	8	0.41%
GED Program	15	0.76%
Unknown	372	18.91%
TOTAL	1,967	100.0

Table 8.6 Number of Prior Referrals: Disposition to JIPS FY08

0	79	4.02%
1	115	5.85%
2	209	10.63%
3	188	9.56%
4	211	10.73%
5	213	10.83%
6	196	9.96%
7	167	8.49%
8 or more	589	29.94%
TOTAL	1,967	100.0

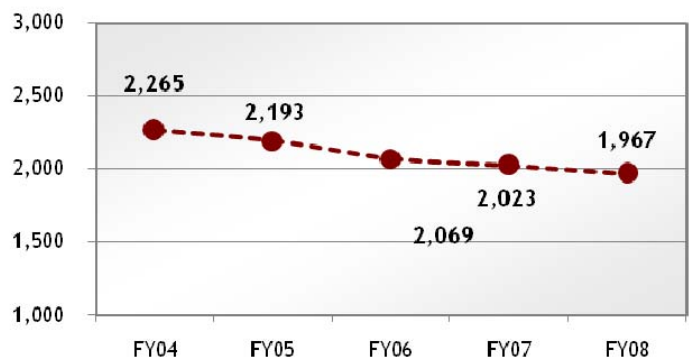
Table 8.7 Severity of Most Serious Offense: Disposition to JIPS FY08

Felonies Against Person	180	9.15%
Felonies Against Property	525	26.69%
Obstruction of Justice: Felony & Misdemeanor	825	41.94%
Misdemeanors Against Person	51	2.59%
Drugs: Felony & Misdemeanor	188	9.56%
Public Peace: Felony & Misdemeanor	152	7.73%
Misdemeanors Against Property	35	1.78%
Status Offenses	1	0.05%
Administrative	10	0.51%
TOTAL	1,967	100.0

Table 8.8 Offense Class of Most Serious Offense: Disposition to JIPS FY07

Felony	1,100	55.92%
Misdemeanor	283	14.39%
Violations of Probation & Ordinances	574	29.18%
Status	1	0.05%
Other	9	0.46%
TOTAL	1,967	100.0

Juvenile Intensive Probation (JIPS)



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

ADJC

JUVENILES WITH DISPOSITIONS TO ADJC IN FY08

The information presented in this section characterizes individual youth (unduplicated). For those youth who were committed or awarded to ADJC more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 9.1 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

Disposition of a juvenile to the Arizona Department of Juvenile Corrections (ADJC) is governed by statute and the Arizona Code of Judicial 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 define 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 placement 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 can be found in the Notes section at the end of the document.⁷

The ADJC charts in this section were produced using the traditional reporting method used in Juveniles Processed. It involves a Commitment Decision made on a juvenile within a County during the fiscal year. While this method of counting is useful as a workload measure of Commitment, it over counts the actual number of juveniles involved. It counts juveniles who were processed through the courts during FY 2008 within each county.

In FY08, 924 juveniles received a Judicial decision involving commitment to ADJC. This number has shown a consistent decline since a historical high of

1,670 in FY98. Over the last five years Commitments to ADJC have ranged from a low of 833 (FY 06) to 926 (FY 07).

- 45.6% of the juveniles were committed for obstruction of justice offenses such as probation and parole violations. The most severe offense is generally not the only consideration in the commitment (i.e., prior offense history, prior placement, risk to the community and need for a more secure placement).
- 47.1% of the juveniles committed to ADJC had 8 or more prior referrals, suggesting that more chronic offenders are being placed in ADJC.

Table 9.1 County: Disposition to ADJC FY08

Apache	8	0.87%
Cochise	13	1.41%
Coconino	19	2.06%
Gila	9	0.97%
Graham	14	1.52%
Greenlee	1	0.11%
La Paz	1	0.11%
Maricopa	551	59.63%
Mohave	45	4.87%
Navajo	4	0.43%
Pima	104	11.26%
Pinal	43	4.65%
Santa Cruz	8	0.87%
Yavapai	27	2.92%
Yuma	77	8.33%
TOTAL	924	100.0

Table 9.2 Age: Disposition to ADJC FY08

8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	0	0.00%
13	19	2.06%
14	69	7.47%
15	189	20.45%
16	290	31.39%
17	357	38.64%
TOTAL	924	100.0

Table 9.3 Gender: Disposition to ADJC FY08		
Male	812	87.88%
Female	112	12.12%
TOTAL	924	100.0

Table 9.4 Ethnicity: Disposition to ADJC FY08		
Hispanic	480	51.95%
African American	104	11.26%
Anglo	293	31.71%
Native American	40	4.33%
Asian/Pacific Islander	3	0.32%
Other	2	0.22%
Unknown	2	0.22%
TOTAL	924	100.0

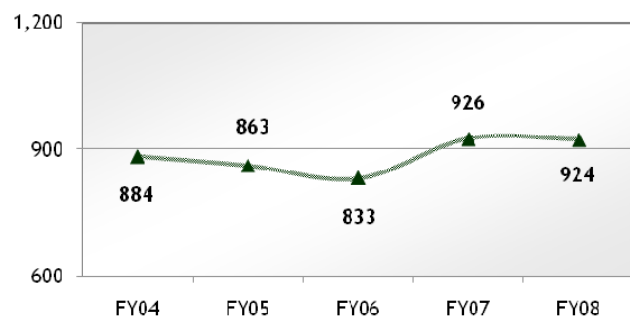
Table 9.5 Education Status: Disposition to ADJC FY08		
Enrolled	343	37.12%
Not Enrolled	190	20.56%
Expelled	9	0.97%
Suspended	6	0.65%
Withdrawn	11	1.19%
Graduated	4	0.43%
GED Program	4	0.43%
Unknown	357	38.64%
TOTAL	924	100.0

Table 9.6 Number of Prior Referrals: Disposition to ADJC FY08		
0	32	3.46%
1	37	4.00%
2	37	4.00%
3	54	5.84%
4	85	9.20%
5	89	9.63%
6	76	8.23%
7	79	8.55%
8 or more	435	47.08%
TOTAL	924	100.0

Table 9.7 Severity of Most Serious Offense: Disposition to ADJC FY08		
Felonies Against Person	124	13.42%
Felonies Against Property	177	19.16%
Obstruction of Justice: Felony & Misdemeanor	431	46.65%
Misdemeanors Against Person	33	3.57%
Drugs: Felony & Misdemeanor	76	8.23%
Public Peace: Felony & Misdemeanor	61	6.60%
Misdemeanors Against Property	22	2.38%
TOTAL	924	100.0

Table 9.8 Offense Class of Most Serious Offense: Disposition to ADJC FY08		
Felony	455	49.24%
Misdemeanor	132	14.29%
Violations of Probations & Ordinances	337	36.47%
TOTAL	924	100.0

Arizona Department of Juvenile Corrections (ADJC)



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

ADJC & AOC

COMPARISON BETWEEN ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS & ADMINISTRATIVE OFFICE OF THE COURTS

Original Commitments on a Statewide Basis

The previous section regarding ADJC is the traditional reporting method used in Juveniles Processed. It involves a Commitment Decision made on a juvenile within a County during the Fiscal Year. While this method of counting is useful as a workload measure of Commitment, it over counts the actual number of juveniles involved. It counts juveniles who were processed through the courts during FY 2008 within each county. Thus, juveniles committed during a previous time frame or from another county are counted again during this time frame if they received a decision of recommitment or award to ADJC.

These new tables are an attempt to show the number of actual juveniles involved in the commitment decision. The most important consideration is the initial commitment and actual transfer to ADJC. These are the juveniles who become the responsibility of that department for confinement and rehabilitation purposes.

Table 10.1 shows juveniles who were committed for the first time ever during the Fiscal Year (Original Commitment) and these juveniles arrived at an ADJC facility. Subsequent Commitment means that these juveniles received a commitment decision within a County but they had previously been committed from a different County.

This occurs, for example, when a juvenile is committed from Pima County and the juvenile is in a facility in Maricopa County and subsequently the juvenile becomes involved in a petition resulting in a commitment from Maricopa County.

(continued on next page)

Juveniles Originally Committed

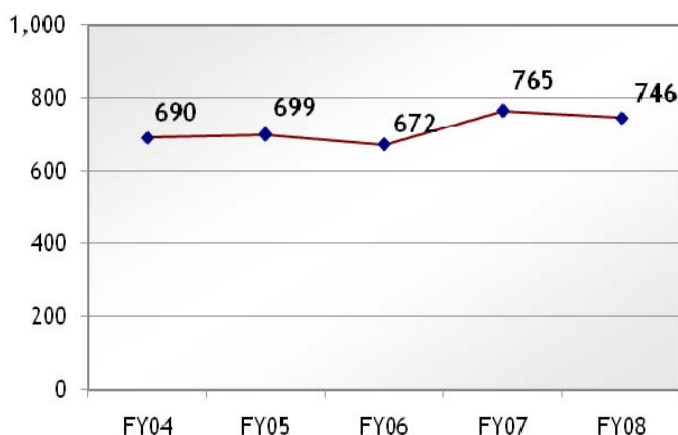


Table 10.1 Commitments FY08, 7/1/2007 – 6/30/2008

	Original Commitment	Subsequent Commitment	Never Arrived At ADJC	TOTAL
Apache	7	1		8
Cochise	9	4		13
Coconino	15	4		19
Gila	9			9
Graham	10	4		14
Greenlee		1		1
La Paz	1			1
Maricopa	422	124	5	551
Mohave	42	3		45
Navajo	3	1		4
Pima	83	19	2	104
Pinal	40	3		43
Santa Cruz	8			8
Yavapai	24	3		27
Yuma	73	4		77
TOTAL	746	171	7	924

The juvenile is counted as a new commitment from the second county due to the JOLTS system recording data on a county basis.

Subsequent Commitment can also mean that a juvenile was committed in a prior fiscal year and received a disposition of commitment or award to ADJC during FY 2008.

The last column, (Never Arrived at ADJC), are juveniles who received an Original decision of commitment but they either turned 18 within a detention center and were therefore never transported to an ADJC facility or they were being processed in an Adult Court at the time of commitment and were placed in Adult confinement (jail or correctional facility).

The last group would never show as committed by ADJC as they never arrived at one of their facilities. ADJC has the ability to count "re-commitments", a juvenile who is committed, discharged from ADJC and then receives another commitment. Those juveniles, few in number, are not reflected in these charts.

In FY 2008 the number of original commitments is 746. The data in this section suggests that the number of original juveniles being committed to ADJC since FY 2004 has remained fairly stable, ranging from 672 (FY 06) to 765 (FY 07).

Charts for fiscal years 2006 through 2008 are provided.

It is with gratitude to ADJC that this current information is available. By using the ADJC juvenile identifier, we were able to track duplicates in the JOLTS system.

Table 10.2 Commitments FY07, 7/1/2006 – 6/30/2007

	Original Commitment	Subsequent Commitment	Never Arrived At ADJC	TOTAL
Apache	5			5
Cochise	17	2		19
Coconino	12	4		16
Gila	5	1		6
Graham	16			16
Greenlee				0
La Paz	2			2
Maricopa	444	114	4	562
Mohave	55	1		56
Navajo	11			11
Pima	103	25		128
Pinal	27	4		31
Santa Cruz	8			8
Yavapai	25	4		29
Yuma	35	2		37
TOTAL	765	157	4	926

Table 10.3 Commitments FY06, 7/1/2005 – 6/30/2006

	Original Commitment	Subsequent Commitment	Never Arrived At ADJC	TOTAL
Apache	11			11
Cochise	11	1		12
Coconino	11	3		14
Gila	19			19
Graham	10			10
Greenlee				0
La Paz	2			2
Maricopa	383	109	4	496
Mohave	37	4		41
Navajo	8			8
Pima	87	29		116
Pinal	15	2		17
Santa Cruz	13	1	1	15
Yavapai	18	4		22
Yuma	47	3		50
TOTAL	672	156	5	833

DIRECT FILED & TRANSFERRED

JUVENILES DIRECT FILED AND TRANSFERRED TO ADULT COURT IN FY08

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

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.

Juveniles Direct Filed in Adult Court Juveniles Transferred 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.¹

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:** At the discretion of the county attorney, any 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

Table 11.1 Pathways for Juveniles Filed in Adult Court FY08

Pathways	Number of Juveniles	% of Total
Mandatory	263	43.47 %
Mandatory Prior Conviction	38	6.28 %
Chronic	61	10.08 %
Discretionary	188	31.07 %
Transfer	55	9.09 %
TOTAL	*605	100.0

Table 11.2 County: Direct Filed in and Transferred to Adult Court FY08

Apache	0	0.00%
Cochise	4	0.66%
Coconino	8	1.32%
Gila	1	0.17%
Graham	1	0.17%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	405	66.94%
Mohave	4	0.66%
Navajo	1	0.17%
Pima	112	18.51%
Pinal	23	3.80%
Santa Cruz	6	0.99%
Yavapai	12	1.98%
Yuma	28	4.63%
TOTAL	*605	100.0

¹The number of juveniles in these tables is 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.

DIRECT FILED IN ADULT COURT

The information presented in this section characterizes individual youth (unduplicated). For those youth who were direct filed in adult court more than once during the fiscal year, information from the first instance during the time frame is reported.

Table 11.3 shows the distribution of youth across the counties in Arizona. Demographic and offense-specific information are also presented.

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

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

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

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

A legislative change creating the Direct File process became effective in 1997. The result has been a reduction in the Transfer Decision.

An historic high occurred in the Direct File process in FY 99 when 804 juveniles were sent to Adult Court in this manner.

A general decline in that number had taken place through FY 04. Some increase has taken place since that point.

Table 11.3 County: Juveniles Direct Filed in Adult Court FY08

Apache	0	0.00%
Cochise	4	0.73%
Coconino	8	1.45%
Gila	1	0.18%
Graham	0	0.00%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	378	68.73%
Mohave	1	0.18%
Navajo	1	0.18%
Pima	104	18.91%
Pinal	23	4.18%
Santa Cruz	6	1.09%
Yavapai	1	0.18%
Yuma	23	4.18%
TOTAL	550	100.0

Table 11.4 Gender: Juveniles Direct Filed FY08

Male	526	95.64%
Female	24	4.36%
TOTAL	550	100.0

Table 11.5 Age: Juveniles Direct Filed FY08

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	7	1.27%
15	71	12.91%
16	177	32.18%
17	285	51.82%
Unknown	10	1.82%
TOTAL	550	100.0

Table 11.6 Ethnicity: Juveniles Direct Filed FY08		
Hispanic	319	58.00%
African American	101	18.36%
Anglo	102	18.55%
Native American	18	3.27%
Asian/Pacific Islander	2	0.36%
Other	2	0.36%
Unknown	6	1.09%
TOTAL	550	100.0

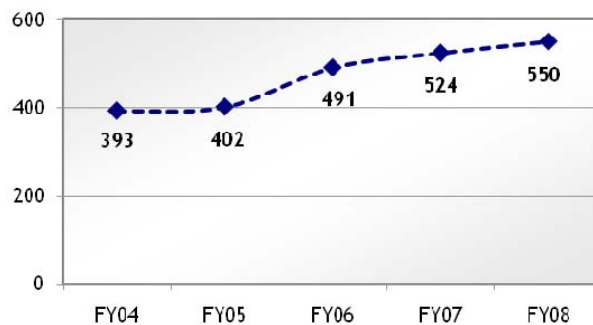
Table 11.7 Education Status: Juveniles Direct Filed FY08		
Enrolled	130	23.64%
Not Enrolled	123	22.36%
Expelled	8	1.45%
Suspended	2	0.36%
Withdrawn	5	0.91%
Graduated	4	0.73%
GED Program	2	0.36%
Unknown	276	50.18%
TOTAL	550	100.0

Table 11.8 Number of Prior Referrals: Juveniles Direct Filed FY08		
0	109	19.82%
1	71	12.91%
2	44	8.00%
3	34	6.18%
4	33	6.00%
5	43	7.82%
6	25	4.55%
7	30	5.45%
8 or more	161	29.27%
TOTAL	550	100.0

Table 11.9 Severity of Most Serious Offense: Juveniles Direct Filed FY08		
Felonies Against Person	350	63.64%
Felonies Against Property	123	22.36%
Obstruction of Justice: Felony & Misdemeanor	4	0.73%
Misdemeanors Against Person	3	0.55%
Drugs: Felony & Misdemeanor	35	6.36%
Public Peace: Felony & Misdemeanor	34	6.18%
Misdemeanors Against Property	1	0.18%
TOTAL	550	100.0

Table 11.10 Offense Class of Most Serious Offense: Juveniles Direct Filed FY08		
Felony	543	98.73%
Misdemeanor	7	1.27%
TOTAL	550	100.0

Direct Filed to Adult Court



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

TRANSFERRED TO ADULT COURT

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 1446 initiated the shift from judicial transfers to direct filing in adult court by the county attorney as the primary pathway to adult court. SB 1446 also changed A.R.S. §8-327 which details the process for transferring juveniles to adult court. These provisions were effective July 21, 1997, shortly after the beginning of FY98.

An order to transfer a juvenile 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.

Table 11.11 County: Juveniles Transferred to Adult Court FY08

Apache	0	0.00%
Cochise	0	0.00%
Coconino	0	0.00%
Gila	0	0.00%
Graham	1	1.82%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	27	49.09%
Mohave	3	5.45%
Navajo	0	0.00%
Pima	8	14.55%
Pinal	0	0.00%
Santa Cruz	0	0.00%
Yavapai	11	20.00%
Yuma	5	9.09%
TOTAL	55	100.0

A sharp decline in transfers to adult court occurred in FY06. Over the past years, transfers are still declining but they have leveled off a bit.

Overall, the direct filing process accounts for approximately 9 out of every 10 juveniles being prosecuted in adult court.

Table 11.12 Age: Juveniles Transferred FY08

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	0	0.00%
15	0	0.00%
16	3	5.45%
17	48	87.27%
Unknown	4	7.27%
TOTAL	55	100.0

Table 11.13 Gender: Juveniles Transferred FY08

Male	51	92.73%
Female	4	7.27%
TOTAL	55	100.0

Table 11.14 Ethnicity: Juveniles Transferred FY08

Hispanic	28	50.91%
African American	6	10.91%
Anglo	16	29.09%
Native American	3	5.45%
Asian/Pacific Islander	0	0.00%
Other	1	1.82%
Unknown	1	1.82%
TOTAL	55	100.0

Table 11.15 Education Status: Juveniles Transferred FY08

Enrolled	25	45.45%
Not Enrolled	9	16.36%
Expelled	0	0.00%
Suspended	1	1.82%
Withdrawn	0	0.00%
Graduated	1	1.82%
GED Program	0	0.00%
Unknown	19	34.55%
TOTAL	55	100.0

Table 11.16 Number of Prior Referrals: Juveniles Transferred FY08

0	8	14.55%
1	3	5.45%
2	6	10.91%
3	6	10.91%
4	1	1.82%
5	2	3.64%
6	3	5.45%
7	5	9.09%
8 or more	21	38.18%
TOTAL	55	100.0

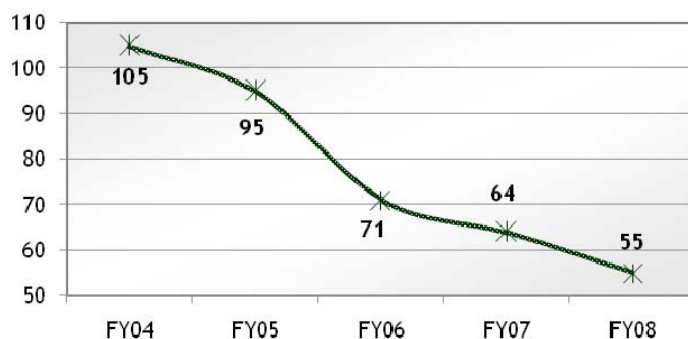
Table 11.17
Severity of Most Serious Offense: Juveniles Transferred FY08

Felonies Against Person	15	27.27%
Felonies Against Property	26	47.27%
Obstruction of Justice: Felony & Misdemeanor	3	5.45%
Misdemeanors Against Person	0	0.00%
Drugs: Felony & Misdemeanor	3	5.45%
Public Peace: Felony & Misdemeanor	8	14.55%
Misdemeanors Against Property	0	0.00%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
TOTAL	55	100.0

Table 11.18 Offense Class of Most Serious Offense: Juveniles Transferred FY08

Felony	52	94.55%
Misdemeanor	2	3.64%
Administrative	1	1.82%
TOTAL	55	100.0

Juveniles Transferred to Adult Court



For FY 2002 through FY 2008 data, refer to the graphs on page 5.

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GENDER

JUVENILES REFERRED IN FY08

In January, 2005, the Child Welfare League hosted a conference *National Girls Initiative: Florence Crittendon Roundtable* 2005. This "special topics" section was prompted by that conference and other work being done in Arizona. This section offers an initial analysis of the differences between boys and girls in Arizona's juvenile justice system. Information is provided on referrals, age at first referral, offense severity, and proportions of boys and girls at each stage in the juvenile justice system, and treatment received in FY08. This was first published in *Juveniles Processed FY04* and is replicated again this year.

Over the last decade, increasing attention has been paid to girls in the juvenile justice system. According to the Office of Juvenile Justice and Delinquency Prevention (2002), girls' arrests have been increasing in most categories faster than boys' arrests. In Arizona, the proportions have held fairly constant over the last 5 years. This year males referred decreased, 1,520 or a 4.7% decrease. Females referred show a decrease, 408 or 2.5%, in FY08.

Traditionally, boys have been seen as committing more delinquent and serious offenses than girls. The proportions of boys and girls in the Arizona juvenile justice system bear out this view. The following charts indicate that males continue to account for a large proportion of offenses.

Table 12.1 Percentage of Each Gender at Stages in the Juvenile Justice System FY08

	Female	Male
Referral	33.89%	66.11%
Detention	22.01%	77.99%
Diversion	39.79%	60.21%
Petitioned	24.27%	75.73%
Dismissed	27.80%	72.20%
Penalty Only	25.14%	74.86%
Standard Probation	23.82%	76.18%
JIPS	12.56%	87.44%
ADJC	12.12%	87.88%
Direct Filed	4.36%	95.64%
Transferred	7.27%	92.73%

Average Age

For the juveniles referred in FY08, girls entered the juvenile justice system for the first time at roughly the same age as boys (average age of 14.3 for girls compared to 13.8 for boys). This has been consistent for several years.

Offense Severity and Type

Girls and boys differ in the distribution of their referral offenses. Three offense categories make up two-thirds of girls referrals: public peace (26.2%); status (23.2%); and misdemeanors against property (20.5%). On the other hand, apart from public peace offenses (25.7%), boys' referral offenses are more equally distributed across severity categories.

Misdemeanors make up the largest proportion of offenses for both boys and girls. Over the last five years, however, felonies have consistently made up a greater percentage of the total referral offenses for boys than for girls. Since 2004 the proportion of both gender's felonies have remained fairly stable. The female proportions have a range from 15.8% in FY08 to 18.1% in FY05, while male proportions have a range from 35.0% in FY04 to 37.5% in FY08 increasing slightly each year.

Table 12.2 Average Age at First Referral FY08		
	Age	#
Female	14.3	15,845
Male	13.8	30,906
TOTAL		46,749

Table 12.3 Severity of Most Serious Referral Offense: Percentage By Gender FY08		
	Female	Male
Felonies Against Person	2.4%	6.7%
Felonies Against Property	4.5%	13.2%
Obstruction of Justice: Fel. & Misd.	6.2%	9.3%
Misdemeanors Against Person	9.5%	8.1%
Drugs: Fel. & Misd.	6.7%	12.8%
Public Peace: Fel. & Misd.	26.2%	25.7%
Misdemeanors Against Property	20.5%	11.5%
Status Offenses	23.2%	11.7%
Administrative	0.8%	1.0%
TOTAL	100.0	100.0

Table 12.4 Offense Type of Most Serious Referral Offense: Percentage By Gender FY2004 to FY2008		
	Female	Male
Felony		
2004	3,008 (18.0%)	11,586 (35.0%)
2005	3,052 (18.1%)	11,087 (35.1%)
2006	2,888 (17.7%)	11,327 (35.3%)
2007	2,825 (17.4%)	11,733 (36.2%)
2008	2,504 (15.8%)	11,591 (37.5%)
Misdemeanor		
2004	8,704 (52.0%)	15,362 (46.4%)
2005	9,016 (53.5%)	14,528 (46.0%)
2006	8,295 (50.8%)	14,519 (45.3%)
2007	8,448 (52.0%)	14,574 (44.9%)
2008	8,991 (56.8%)	13,892 (45.0%)

Table 12.5 Juveniles Referred in FY08
Who Received Treatment (Tx) in FY08

	Total Referred	Rec'd Tx	%
Female	15,843	3,889	17.6%
Male	30,906	10,481	21.9%
TOTAL	46,749	14,370	

Table 12.6 FY08 Treatment Expenditures by Category
Percentage of Total Dollars Spent

	% Female	% Male
Ancillary Services	4.7%	6.1%
Behavioral Support Service	1.8%	3.6%
Competency Restoration	0.4%	0.7%
Delinquency Prevention	5.5%	2.7%
Evaluation and Diagnosis	4.4%	5.1%
Foster Home	0.0%	0.1%
Functional Family Therapy	0.6%	0.5%
Out-of-Home	54.0%	38.9%
Outpatient	8.7%	6.9%
R.A.F.T.	0.2%	0.1%
Sex Offender	4.8%	29.1%
Substance Abuse	15.0%	6.2%
TOTAL	100.0%	100.0%
TOTAL EXPENDITURE	\$3,835,993.21	\$12,227,973.98

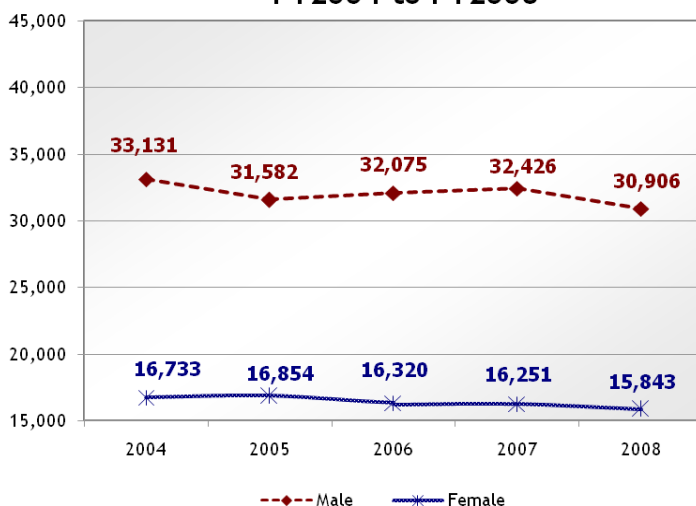
Treatment Received

Of the 15,845 girls referred in FY08, 24.5% received treatment services during the year compared to 33.9% of the boys.

On average, \$996.37 was spent on treatment for girls and \$1,166.68 was spent on boys.

The largest allocation of treatment monies for both boys (38.9%) and girls (54.0%) was for "Out of Home" services (residential, group homes, detention alternatives, etc.). The second largest amount of money spent on boys was for sex offender treatment (29.1%) and for girls it was substance abuse (15.0%).

Referrals by Gender FY2004 to FY2008



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Notes

JUVENILES PROCESSED FY08

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, because the unique identifiers for juveniles are county specific 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 Filed in Adult Court FY08" and "County: Direct Filed and Transferred to Adult Court FY08". In these tables, if a juvenile is direct filed and transferred, the juvenile would be counted twice, once for any transfer and once for any direct file.

Percentages in tables may not equal 100% due to rounding.

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.

2. 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, 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.

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

3. Population data have been provided by the Department of Economic Security, Research Administration, and Population Statistics Unit and the U.S. Census Bureau.
The "Blue Wave" population graph has been updated reflecting census data from 2000 and 2005 with population estimates and age projections completed by the National Center for Juvenile Justice.
4. Categories of Top Ten Offenses:
 - a. **Alcohol** offenses may include consumption or possession; use of a false identification; introduction of alcohol into secure care; providing alcohol to a minor; possession or consumption in a vehicle.
 - b. **Assault-Simple** offenses are typically misdemeanor assault offenses which may include simple assault, facilitation and solicitation of assault.
 - c. **Curfew** offenses involve municipality-determined times when juveniles are not supposed to be out on the streets. Curfew laws are based on the assumption that they lessen the circumstances in which crime can occur.
 - d. **Disorderly Conduct** offenses are felony and misdemeanors which may involve disturbing the peace, unlawful assembly, and disorderly conduct with a weapon.
 - e. **Drug Paraphernalia** offenses involve all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug.
 - f. **Marijuana Possession** offenses involve felony and misdemeanor possession and attempted possession of marijuana.
 - g. **Probation Violations** refer to acts by a probationer (i.e., curfew violations, failure to attend school) contrary to his or her conditions or terms of probation. A petition to revoke or modify probation may be filed as a result. In some cases, a petition to revoke or modify probation is filed in conjunction with a new offense. The probation violation becomes the most serious offense when the new offense is dismissed by the county attorney or judicial officer.
 - h. **Runaway** offenses involve juveniles who have either runaway from home or attempted to runaway.
 - i. **Shoplift-Misdemeanor** offenses involve attempted, facilitated, and solicited shoplifting of any amount and shoplifting of less than \$1,000.
 - j. **Truancy** offenses occur when a school files a referral based on unexcused absences.
5. Statutory requirements for diversion based on A.R.S. §8-321:
 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. §28-1381, §28-1382 and §28-1383 (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.
- 6. Data on dispositions to Standard Probation and JIPS include juveniles who are placed or continued on Standard Probation and JIPS during this fiscal year.
- 7. Commitment Guidelines:
 - 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.

Glossary

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.

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