

2020

Equitable Treatment of Minority Youth



Arizona Supreme Court
Administrative Office of the Court
Commission on Diversity, Equality,
and Justice in the Judiciary

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Message from the Commission

Arizona is required, by federal law, to maintain and report data on disproportionate minority contact (DMC) on an ongoing basis and to make efforts to reduce any disparity that may exist. Arizona had been monitoring DMC on a statewide level for over a decade and partnered with local jurisdictions to combat DMC in our courts. This a tireless effort and the work continues.

This is the 7th Arizona Statewide Report Card on the Equitable Treatment of Minority Youth. These reports have challenged juvenile court judges, court administration, county attorneys, and many unknown judicial employees and community leaders, to ensure all youth in the Arizona juvenile justice system are provided with fair and equitable justice. The report indicates improvements in some areas and things remaining unchanged in some areas, with a few decision points getting worse.

The purpose of this report is to analyze each major decision-point in the juvenile justice continuum to determine whether all youth are receiving similar treatment. It is our intent that this report be used as a tool by juvenile court leadership teams and policy makers to prioritize and focus their efforts in creating fair outcomes for all children who have contact with Arizona's juvenile courts. It is a great undertaking and there remains much work to be done.

This report is a collaboration between the Arizona Supreme Court's Commission on Diversity, Equality, and Justice in the Judiciary ("Commission") and the Arizona Supreme Court Administrative Office of the Courts' Juvenile Justice Services Division. The Commission (formerly the Commission on Minorities in the Judiciary) would like to thank Amy Stuart, Mary Hoyle, and Alicia Henry of the Administrative Office of the Courts for the report's creation and analysis. The Commission would like to recognize the Honorable Lisa Abrams, the Honorable Joan Wagener, Professor Patricia Ferguson-Bohnee, Professor Paul Bennett, and Dr. Catharina Johnson for their assistance with finalizing this report.

Respectfully submitted,

Judge Frankie Jones,
Chair, Commission on Diversity, Equality, and Justice in the Judiciary
May 2021

Executive Summary

In response to recommendations from the 2002 Equitable Treatment of Minority Youth report produced by the Arizona Supreme Court Commission on Minorities in the Judiciary (COM), a statewide report card examining equitable treatment was created. The purpose of this report card is to assess points of disparity for racial and ethnic minorities across the juvenile justice system using recommendations set forth by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). This is the seventh report card and examines data from calendar years 2016-2018. These report cards are essential to the work on equitable treatment of minority youth as they provide a framework for understanding potential issues in the juvenile justice system. As the OJJDP states, measuring racial and ethnic disparities is similar to taking the vital signs of the juvenile justice system; it brings attention to problems and helps focus efforts aimed at addressing those problems. This report card, as well as previous publications, fulfill this need by detecting possible areas of concern within the juvenile justice system.

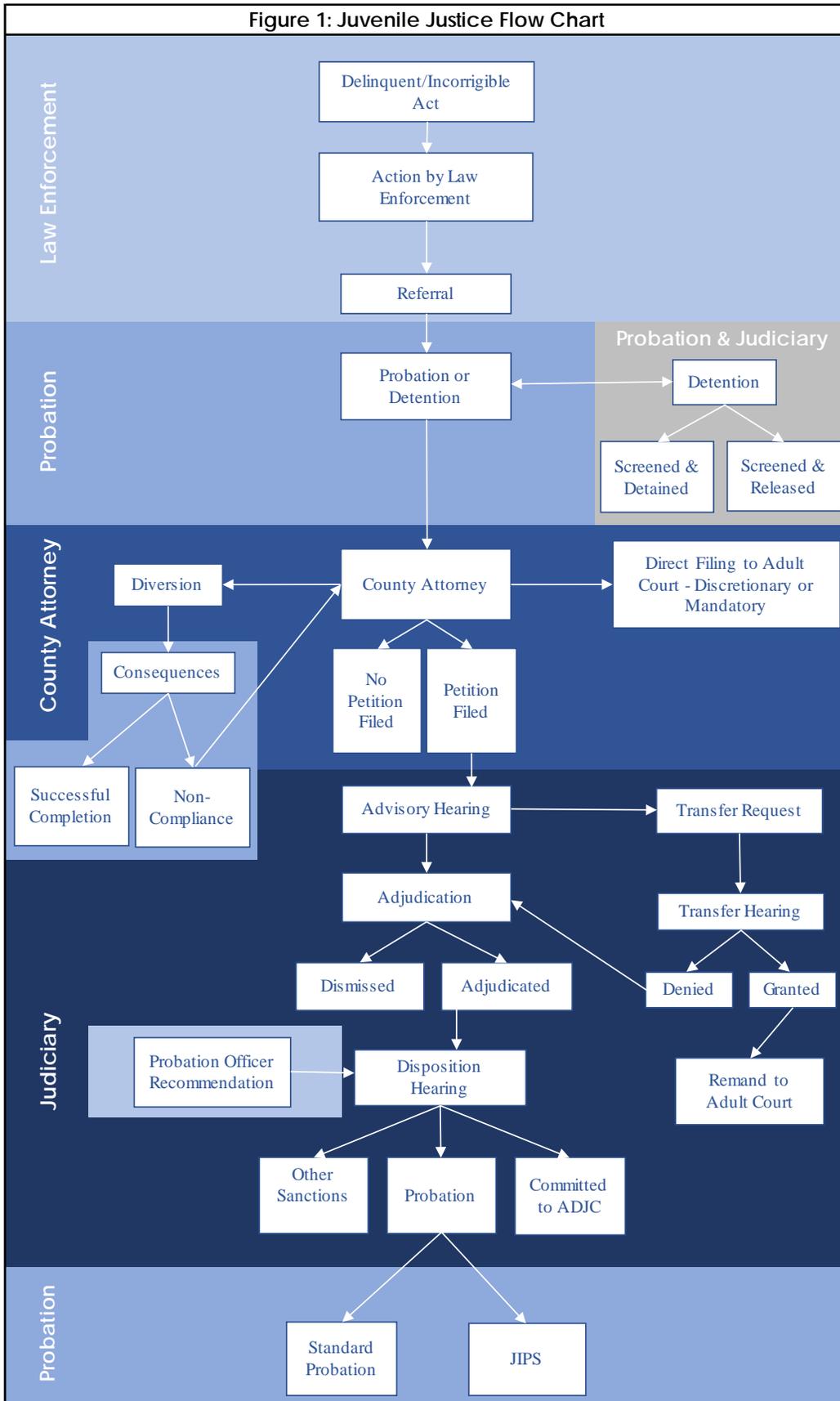
In this report card, 14 outcomes across 5 different discretionary points were examined for potential disparity using the methodology outlined by the OJJDP. This analysis reveals that disparity is not uniform across the system. Results indicate that racial and ethnic minorities receive outcomes that are more restrictive, less restrictive, or the same as White youth depending upon the decision point being examined.

Key Findings

- Minorities are overrepresented at the referral, detention, direct filing to adult court, and the Arizona Department of Juvenile Corrections (ADJC) outcomes.
- The referral, direct filing to adult court, and ADJC decisions are the outcomes with the greatest disparity of any of the outcomes examined.
 - Black youth are the most disadvantaged group in each of these outcomes.
 - Each of the minority groups examined are at least 50% more likely than White youth to be direct filed to adult court.
 - Black youth are 2.3 times and Latinx youth are 50% more likely than White youth to be sent to ADJC.
- Indigenous youth are at least 60% more likely than White youth to be screened and detained.
- Black and Indigenous youth are at least 20% more likely than White youth to have a petition filed.
- Latinx and Indigenous youth are 40% more likely than White youth to receive Juvenile Intensive Probation Supervision (JIPS).
- Asian and Unknown youth receive outcomes that are equal to or less restrictive than White youth at the majority of decision points.
 - Asian youth are especially underrepresented at the decision to refer to the juvenile justice system.
 - Unknown youth are 40% less likely than White youth to be screened and detained.
- White and minority youth experience similar outcomes at the decisions to not bring the youth to detention, not file a petition, adjudicate the youth delinquent, and be awarded standard probation.

Results of the analysis performed as well as measures in place to address disparity moving forward are discussed throughout this report.

Figure 1: Juvenile Justice Flow Chart



Data and Methodology

The purpose of this report card is to examine over and underrepresentation of racial and ethnic minorities in the juvenile justice system. Representation is assessed by comparing the outcomes of racial and ethnic minorities relative to White juveniles at various discretionary points throughout the system. The primary method of analysis is the Relative Rate Index (RRI). RRIs are calculated for different outcomes at 5 discretionary points: Referral, Detention, Formal Court Processing, Petition Outcome, and Court Disposition. For discretionary points where juveniles may experience one of several different outcomes, information detailing each of these outcomes is presented. A flowchart showing the ways in which juveniles progress through the system as well as the criminal justice system actor – law enforcement, prosecutor, judge – responsible for decision making at that point is presented in Figure 1.

Juveniles enter the juvenile justice system with a referral and exit the system at a variety of different points. This report examines how far into the system a juvenile’s referral proceeds. Juveniles may experience multiple referrals in the period examined and may be present in the data more than once.

Referral-level data for this report were extracted from the Juvenile On-Line Tracking System (JOLTSaz) and Integrated Court Information System (iCIS)¹ for calendar years (CY) 2016, 2017, and 2018. These years were chosen for two reasons. First, selecting these years gives adequate time for a referral to be processed through the system, allowing for the most complete presentation of each of the referrals in 2016, 2017, and 2018. Second, capturing several years of data increases the likelihood the results accurately reflect juvenile justice system

¹ Information for those who were direct filed to adult court in Pima County were not available in JOLTSaz. Information regarding these individuals was obtained directly from Pima County. Data from Maricopa County are fed into JOLTSaz from iCIS with the exception of Maricopa’s detention data. Maricopa detention data were extracted directly from iCIS.

What is a Relative Rate Index (RRI)?

The Relative Rate Index (RRI) is a measure of over and underrepresentation used by the Office of Juvenile Justice and Delinquency Prevention. **It is designed to be an “early warning sign” measure, not an outcome.** It should be used to point out potential problem areas so that the system’s attention can be more effectively focused.

The RRI is a comparison of the rates of occurrence for racial/ethnic groups. A rate of occurrence is the number of cases of a juvenile justice event (for example, referral) in terms of another event (for example, juvenile population).

The RRI is calculated by taking the rate of occurrence of events for one race/ethnicity divided by the rate of occurrence of that same event for another race/ethnicity. For this report, the base comparison group is White. The RRI score is not calculated for any group whose proportion of the population is less than 1%.

An RRI of greater than one indicates some degree of overrepresentation. Likewise, an RRI of less than one points to a degree of underrepresentation.

RRIs represent a more robust measure of representation than other methods of analysis such as percentages. Percentages show the proportion of each racial/ethnic group at a particular decision point (referral, detention, petition, etc.) based on the total number of juveniles at that decision point. RRIs offer a comparison of youth who are a racial or ethnic minority relative to White youth, allowing for an estimate of the degree of over or underrepresentation of minority youth in the juvenile justice system. As such, minority youths’ percentages may suggest disparity, but when compared to the percentages of White youth, this disparity may disappear. By accounting for the proportion of White youth at the same point, RRIs offer a truer picture of representation in the juvenile justice system.

practices over time and not just at the time the data was captured.

For clarity, only totals for and averages of these years are presented in the body of this report. Tables including yearly data are presented in the Appendix.

Data extracted from JOLTSaz details each offense for which the juvenile was charged. This report card presents statistics for the offense which progressed the furthest through the system. In instances where the juvenile was adjudicated of multiple offenses, the most serious offense was examined. While juveniles always enter the system with a referral, they may exit the system at a variety of different points. As such, the number of juveniles examined at each discretionary point is expected to decrease, the further into the system the point examined progresses. To account for this, the population by which the rate of representation is calculated shifts to reflect the number of juveniles present at that point. Referral, Detention, and Petition Outcomes were evaluated using the number of referrals; Petition Outcomes were examined using the number of juveniles who had a petition filed, and Court Dispositions outcomes were assessed using the number of juveniles who were adjudicated².

Results

Referral: Law Enforcement

Juveniles formally enter the court system when a referral is made. Per statute, referrals can be generated by a variety of actors³; however, the referrals examined in this report card began with law enforcement. As such, the number of referrals in the Arizona juvenile justice system are driven by the law enforcement agencies in the state. A referral is generated when an allegation is made that the juvenile committed a delinquent or incorrigible act. When a juvenile is referred, the referral is submitted to the county attorney. Decisions made by the county attorney are examined later in this report. For a referral to be made, the juvenile must be between 8 and 17 years old⁴.

Table 1 presents information on the average juvenile population as well as the average number of referrals for each of the racial and ethnic populations in Arizona in CY 2016 – CY 2018. Population information was gathered using the Easy Population Calculator provided by the National Center for Juvenile Justice (NCJJ) with funding from the OJJDP (NCJJ, n.d.a). Demographic information used in the NCJJ Easy Population Calculator is based upon information collected by the U.S. Census Bureau (NCJJ, n.d.b). For all other information presented in this report, the juvenile's race or ethnicity follows what was captured in JOLTSaz. While juveniles may be both a racial and ethnic minority – for example, both Black and Latinx – juveniles were grouped into one category for analysis. Juveniles who were identified as Latinx are coded as being Latinx, while those who were not identified as being Latinx are categorized by their race. This means that those identified as being Latinx may also be White, Black, Indigenous, Asian, or Unknown, while those who were not identified as being Latinx are categorized based on their race.

² The totals for each of the denominator categories (referral, petition, and adjudication) change slightly throughout this report to account for variations in the information available at each discretionary point. For example, in instances where a referral has been filed but no decision has been made on how to proceed – i.e., the referral is still pending – those referrals were included in the referral stage but were removed from analysis at the court processing stage.

³ Referrals can be made by police, parents, school officials, probation officers, unknown agencies, or individuals requesting that the juvenile court assume jurisdiction over the juvenile's conduct.

⁴ At times, individuals who are under the age of 8 and over the age of 17 are referred to the juvenile justice system. Information on the referral and the youth referred is maintained in JOLTSaz for informational purposes only. Since these individuals are not processed through the juvenile justice system, they have been excluded from analysis in this report.

Law Enforcement

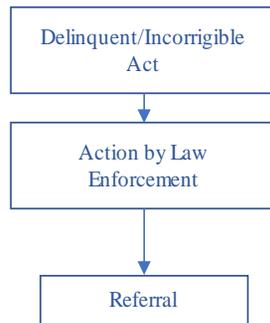


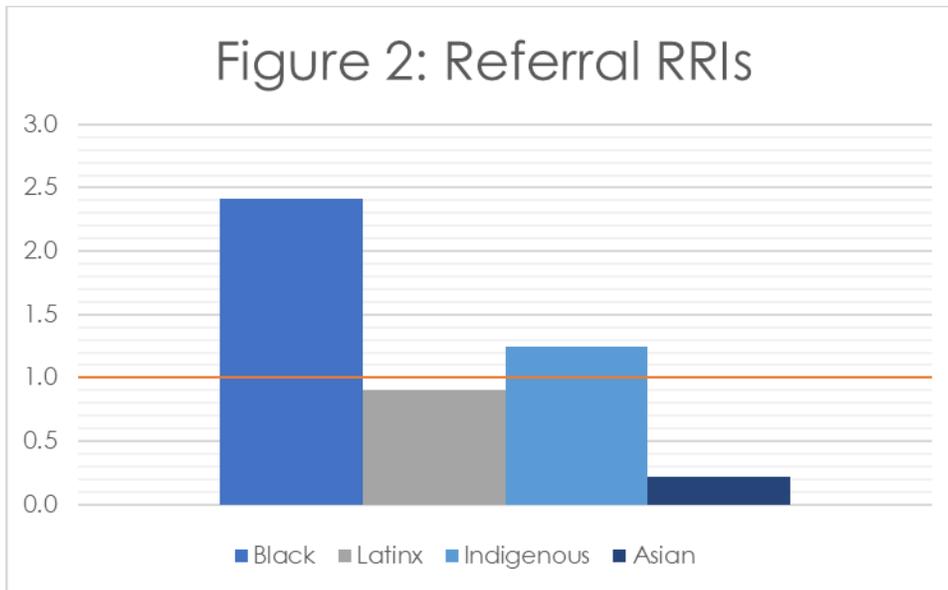
Table 1. Arizona Population and Referrals, CY 2016, 2017, and 2018

	Population		Referrals			Female		Male	
	N	%	N	%	RRI	N	%	N	%
White									
Total	1,165,975	41.65%	34,978	3.00%	1.0	11,564	33.06%	23,413	66.94%
Average	388,658	41.65%	11,659	3.00%	1.0	3,855	33.06%	7,804	66.94%
Black									
Total	161,313	5.76%	11,667	7.23%	2.4	3,294	28.23%	8,367	71.72%
Average	53,771	5.76%	3,889	7.23%	2.4	1,098	28.23%	2,789	71.72%
Latinx									
Total	1,231,112	43.97%	33,387	2.71%	0.9	9,964	29.84%	23,422	70.15%
Average	410,371	43.97%	11,129	2.71%	0.9	3,321	29.84%	7,807	70.15%
Indigenous									
Total	143,841	5.14%	5,384	3.74%	1.2	1,764	32.76%	3,620	67.24%
Average	47,947	5.14%	1,795	3.74%	1.2	588	32.76%	1,207	67.24%
Asian									
Total	97,505	3.48%	631	0.65%	0.2	192	30.43%	439	69.57%
Average	32,502	3.48%	210	0.65%	0.2	64	30.43%	146	69.57%
Unknown⁵									
Total	-	-	1,319	-	-	435	32.98%	883	66.94%
Average	-	-	440	-	-	145	32.98%	294	66.94%
Overall Total									
Total	2,799,746	100.00%	87,366	3.12%	-	27,213	31.15%	60,144	68.84%
Average	933,249	33.33%	29,122	3.12%	-	9,071	31.15%	20,048	68.84%

On average, 933,249 juveniles lived in Arizona in the period examined (CY 2016 - CY 2018). The majority of these juveniles were Latinx (44%), followed closely by White juveniles who made up an average of 42% of the juvenile population. Black (6%), Indigenous (5%), and Asian (3%) juveniles made up the remaining population. Of the 933,249 juveniles in Arizona, 3% (29,122) were referred

⁵ Juveniles identified as “Unknown” in JOLTSaz are those who did not identify or were not identified as being White, Black, Latinx, Indigenous, or Asian. Data on juveniles who are not classified into one of these categories are not gathered by the OJJDP. As such, these population numbers are not presented in this report.

to the juvenile justice system. Of those referred, almost 70% (68.84%) were male. The average age of those referred was 15.56 years, with White, Asian, and Indigenous youth (15.69 years) having the highest average age of referral and Indigenous youth (15.34 years) having the lowest (see Table 1a in the Appendix for further details). RRI for Black, Latinx, Indigenous, and Asian youth referred relative to White youth are depicted on Figure 2.



Black juveniles were the most overrepresented group at the referral phase with an RRI of 2.4. This means that Black juveniles were 2.4 times more likely to be referred to the juvenile justice system in Arizona than White youth. Indigenous juveniles (1.2) were also referred at a higher rate than White juveniles. Alternatively, Latinx juveniles (0.9) were slightly underrepresented at the point of referral, while Asian (0.2) juveniles were 80% less likely than White youth to be referred to the juvenile justice system – making them the most underrepresented population relative to White youth to enter the system.

Detention: Probation or Detention Personnel

When a juvenile is referred, they may either be brought to detention or allowed to maintain their position in the community (not brought to detention). If the juvenile is brought to detention, juvenile probation or detention personnel will determine whether the juvenile should be detained or released back into the community using the Detention Screening Instrument (DSI)⁶. Juveniles may also be detained as a consequence of their delinquency or as a condition of their probation. Detention outcomes are presented on Table 2.

⁶ Criteria for a juvenile to be detained are outlined in Rule 23D. Juveniles are detained for a variety of reasons, such as probation personnel being concerned the juvenile may not appear for their hearing or the juvenile may pose a risk to themselves or others in the community.

Probation & Judiciary

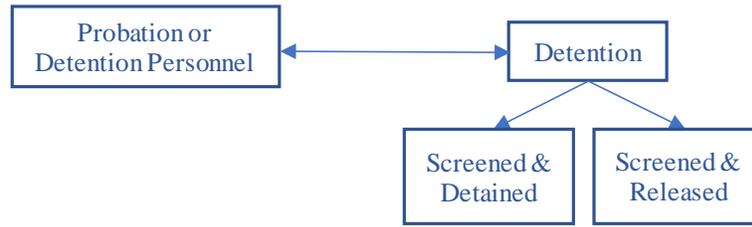


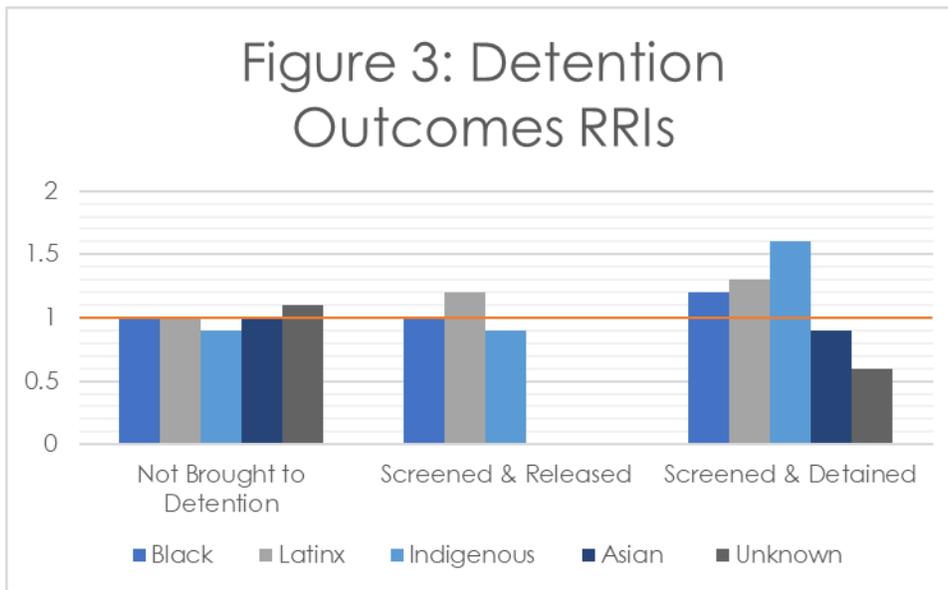
Table 2. Detention Outcomes, CY 2016, 2017, and 2018

	Referrals		Not Brought to Detention			Total Brought to Detention			Screened & Released			Screened & Detained		
	N	N	%	RRI	N	%	RRI	N	%	RRI	N	%	RRI	
White														
Total	34,929	30,439	87.15%	1.0	4,490	12.85%	1.0	972	2.78%	1.0	3,518	10.07%	1.0	
Average	11,643	10,146	87.15%	1.0	1,497	12.85%	1.0	324	2.78%	1.0	1,173	10.07%	1.0	
Black														
Total	11,622	9,880	85.01%	1.0	1,742	14.99%	1.2	338	2.91%	1.0	1,404	12.08%	1.2	
Average	3,874	3,293	85.01%	1.0	581	14.99%	1.2	113	2.91%	1.0	468	12.08%	1.2	
Latinx														
Total	33,243	27,816	83.67%	1.0	5,427	16.33%	1.3	1,095	3.29%	1.2	4,332	13.03%	1.3	
Average	11,081	9,272	83.67%	1.0	1,809	16.33%	1.3	365	3.29%	1.2	1,444	13.03%	1.3	
Indigenous														
Total	5,376	4,404	81.92%	0.9	972	18.08%	1.4	129	2.40%	0.9	843	15.68%	1.6	
Average	1,792	1,468	81.92%	0.9	324	18.08%	1.4	43	2.40%	0.9	281	15.68%	1.6	
Asian														
Total	631	554	87.80%	1.0	77	12.20%	0.9	20	3.17%	⁷	57	9.03%	0.9	
Average	210	185	87.80%	1.0	26	12.20%	0.9	7	3.17%	-	19	9.03%	0.9	
Unknown														
Total	1,312	1,214	92.53%	1.1	98	7.47%	0.6	15	1.14%	-	83	6.33%	0.6	
Average	437	405	92.53%	1.1	33	7.47%	0.6	5	1.14%	-	28	6.33%	0.6	
Overall Total														
Total	87,113	74,307	85.30%	-	12,806	14.70%	-	2,569	2.95%	-	10,237	11.75%	-	
Average	29,038	24,769	85.30%	-	4,269	14.70%	-	856	2.95%	-	3,412	11.75%	-	

The majority of juveniles referred to the juvenile justice system were not brought to detention (85%). Of those brought to detention, 12% were detained and 3% were released back into the community. Indigenous (1.6), Latinx (1.3), and Black (1.2) juveniles were all overrepresented in the decision to detain while Asian (0.9) and Unknown (0.6) juveniles were underrepresented. RRIs for those brought to detention but released as well as for those not brought to detention indicate that White and minority juveniles receive similar outcomes, meaning that the relative rates for

⁷ Per OJJDP guidance, decision points where occurrence is fewer than 5 times for any of the groups should not be examined as the likelihood that results will be skewed by the low number of instances is high (OJJDP Technical Assistance Manual, 2009). While their recommendation is 5 times, they also advise caution against examining all decision points with small sizes. In previous versions of this report, decisions points with fewer than 10 instances were not examined. To maintain this consistency, decision points with fewer than 10 instances will not be examined.

minority groups are at or near 1. The exception to this is Latinx juveniles who were 20% more likely to be released than White youth, which is the less restrictive outcome.



Formal Court Processing: County Attorney

Once referred, the county attorney reviews the case to determine how to proceed. Referrals may result in informal court processing (Diversion or No Petition Filed) or formal court processing (Petition or Direct Filing to Adult Court). The county attorney may decide not to file a petition, in which case the youth exits the juvenile justice system. Alternatively, the county attorney may try to avoid filing a petition – thereby processing them further into the juvenile justice system – by diverting the juvenile. Juveniles who are diverted exit the system conditionally, meaning their exit is predicated upon a condition or consequence. If the condition is not met, the referral is returned to the county attorney and a petition may be filed. As such, it is possible for a referral to be diverted and be filed as a petition if the consequence (sanction) is not completed. If a petition is filed, the juvenile is advanced further into the system. Finally, a direct filing to adult court may be either mandatory or discretionary. Both mandatory and discretionary filings to adult court are defined by statute and are based upon factors such as the juvenile’s age, criminal history, and offense severity. Once filed to adult court, the juvenile’s progression through the juvenile justice system has stopped⁸. Of the juveniles referred in CYs 2016, 2017, and 2018, the most common outcome was to have a petition filed (43%), with the second most common outcome being diversion (29%). Approximately 27% of referred juveniles had no petition filed and 1.5% were direct filed to adult court.

⁸ If the juvenile is close to 18 at the time they are referred, the county attorney may send the referral back to law enforcement to determine whether the juvenile should be charged as an adult. If the referral is returned to law enforcement, then it is no longer handled by the juvenile justice system.

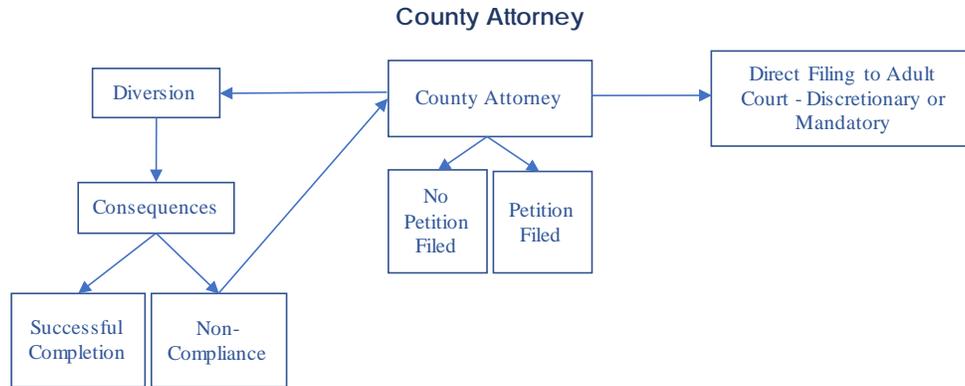
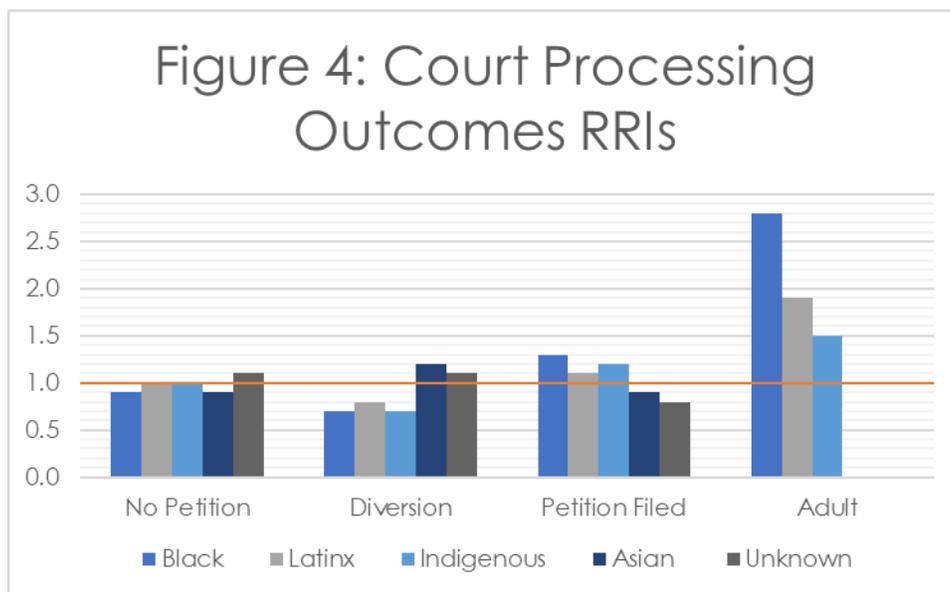


Table 3. Court Processing Outcomes, CY 2016, 2017, and 2018

	Referrals				No Petition			Diversion			Petition Filed			Direct Filed		
	N	N	%	RRI	N	%	RRI	N	%	RRI	N	%	RRI			
White																
Total	34,671	9,252	26.69%	1.0	11,454	33.04%	1.0	13,645	39.36%	1.0	320	0.92%	1.0			
Average	11,557	3,084	26.69%	1.0	3,818	33.04%	1.0	4,548	39.36%	1.0	107	0.92%	1.0			
Black																
Total	11,571	2,857	24.69%	0.9	2,682	23.18%	0.7	5,732	49.54%	1.3	300	2.59%	2.8			
Average	3,857	952	24.69%	0.9	894	23.18%	0.7	1,911	49.54%	1.3	100	2.59%	2.8			
Latinx																
Total	33,176	8,966	27.03%	1.0	8,758	26.40%	0.8	14,878	44.85%	1.1	574	1.73%	1.9			
Average	11,059	2,989	27.03%	1.0	2,919	26.40%	0.8	4,959	44.85%	1.1	191	1.73%	1.9			
Indigenous																
Total	5,345	1,442	26.98%	1.0	1,236	23.12%	0.7	2,594	48.53%	1.2	73	1.37%	1.5			
Average	1,782	481	26.98%	1.0	412	23.12%	0.7	865	48.53%	1.2	24	1.37%	1.5			
Asian																
Total	627	144	22.97%	0.9	245	39.07%	1.2	231	36.84%	0.9	7	1.12%	-			
Average	209	48	22.97%	0.9	82	39.07%	1.2	77	36.84%	0.9	2	1.12%	-			
Unknown																
Total	1,296	380	29.32%	1.1	487	37.58%	1.1	414	31.94%	0.8	15	1.16%	-			
Average	432	127	29.32%	1.1	162	37.58%	1.1	138	31.94%	0.8	5	1.16%	-			
Overall Total																
Total	86,686	23,041	26.58%	-	24,862	28.68%	-	37,494	43.25%	-	1,289	1.49%	-			
Average	28,895	7,680	26.58%	-	8,287	28.68%	-	12,498	43.25%	-	430	1.49%	-			

The outcome of no petition was similar across groups, with Unknown juveniles being 10% more likely than White juveniles to not be petitioned and Black and Asian youth being 10% less likely than White youth to not be petitioned. As for diversion, Black (0.7), Latinx (0.8), and Indigenous (0.7) youth were less likely to receive diversion than White youth. Black (1.3), Latinx (1.1), and Indigenous (1.2) juveniles were also all more likely than White juveniles to have a petition filed. Finally, on average, 1.5% of juveniles referred to the juvenile justice system were sent to adult court. Of those direct filed to adult court, Black (2.8), Latinx (1.9), and Indigenous (1.5) juveniles were

overrepresented⁹. Asian and Unknown youth were direct filed to adult court fewer than 10 times, meaning the RRs could not be calculated. Taken together, court processing outcomes suggest that juveniles who are Black, Latinx, or Indigenous are more likely than White juveniles to be processed further into the criminal justice system via a greater likelihood of having a petition filed and a lower likelihood of being diverted. This leads to a higher likelihood of increased representation in later stages of the juvenile justice system. Black, Indigenous, and Latinx youth are also significantly more likely than their White peers to receive the most restrictive outcome – direct file to adult court. This suggests that juveniles in these three minority groups receive the most restrictive outcomes relative to their White peers in court processing decisions. Unlike their minority peers, Asian and Unknown youth received outcomes that were either the same as or less restrictive relative to White juveniles at both the decision to file a petition or to divert the juvenile, suggesting these juveniles may receive preferred outcomes at these points.

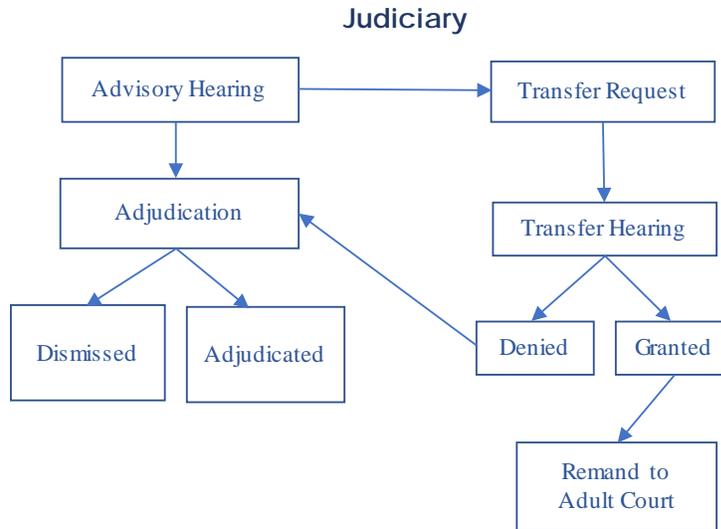


Petition Outcomes: Judiciary

If a petition is filed, the juvenile will proceed to an advisory hearing. At this hearing, the county attorney may advocate for the juvenile to be remanded (transferred) to adult court. If the county attorney requests a transfer, the judge may either grant the transfer request – resulting in the juvenile being remanded to adult court – or the judge may deny the transfer request, resulting in the juvenile proceeding to an adjudication hearing. If the county attorney does not request a transfer, then the juvenile will proceed to the adjudication hearing. At the adjudication hearing, the charges against the juvenile may either be dismissed or adjudicated. If the juvenile’s charges are dismissed, then the juvenile exits the system; if the juvenile is adjudicated delinquent, then the judge will confer with the probation officer on what disposition the juvenile should receive¹⁰.

⁹ To better understand what could be driving these outcomes, the number of juveniles sent to adult court by type (Mandatory, Discretionary, and Remand) is provided in the appendix on Table 3a. The majority of juveniles direct filed to adult court (67%) were mandatory direct files.

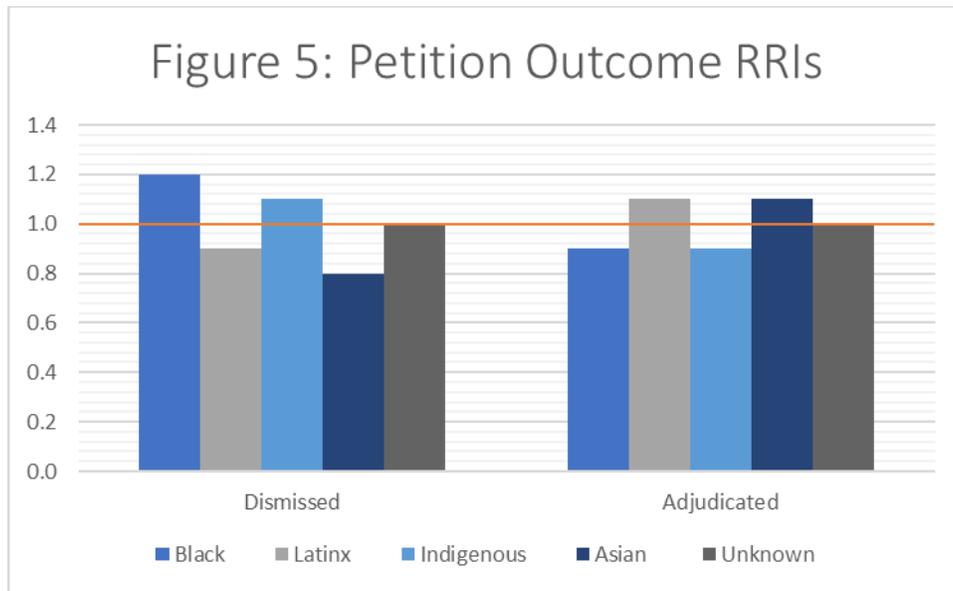
¹⁰ In instances when the juvenile is not adjudicated and receives a disposition on the same day, the probation officer will make a formal recommendation to the judge about how to sanction the juvenile. If the juvenile is adjudicated and receives a disposition on the same day, no formal recommendation is made by the probation officer.



	Petitions Filed		Dismissed			Adjudicated			Transferred		
	N	N	%	RRI	N	%	RRI	N	%	RRI	
White											
Total	13,492	4,233	31.37%	1.0	9,245	68.52%	1.0	14	0.10%	-	
Average	4,497	1,411	31.37%	1.0	3,082	68.52%	1.0	5	0.10%	-	
Black											
Total	5,645	2,146	38.02%	1.2	3,484	61.72%	0.9	15	0.27%	-	
Average	1,882	715	38.02%	1.2	1,161	61.72%	0.9	5	0.27%	-	
Latinx											
Total	14,478	4,062	27.54%	0.9	10,647	72.19%	1.1	39	0.26%	-	
Average	4,916	1,354	27.54%	0.9	3,549	72.19%	1.1	13	0.26%	-	
Indigenous											
Total	2,552	892	34.95%	1.1	1,658	64.97%	0.9	2	0.08%	-	
Average	851	297	34.95%	1.1	553	64.97%	0.9	1	0.08%	-	
Asian											
Total	229	58	25.33%	0.8	170	74.24%	1.1	1	0.44%	-	
Average	76	19	25.33%	0.8	57	74.24%	1.1	0	0.44%	-	
Unknown											
Total	404	131	32.43%	1.0	270	66.83%	1.0	3	0.74%	-	
Average	135	44	32.43%	1.0	90	66.83%	1.0	1	0.74%	-	
Overall Total											
Total	37,070	11,522	31.08%	-	25,474	68.72%	-	74	0.20%	-	
Average	12,357	3,841	31.08%	-	8,491	68.72%	-	24	0.20%	-	

The majority of juveniles petitioned were adjudicated delinquent (69%). Of those adjudicated, the RRIs were all at or close to 1, with Latinx and Asian juveniles (1.1) being slightly above 1 and Black and Indigenous juveniles being (0.9) slightly below 1. This indicates the likelihood of being adjudicated for White and minority juveniles is similar, regardless of the racial or ethnic group being examined. For dismissals, Black juveniles (1.2) were 20% more likely to be dismissed while Asians (0.8) were 20% less likely than Whites to have their charges dismissed. Finally, the number and

percentage of juveniles transferred are included in Table 4; however, in accordance with OJDP recommendations, RRIs were not calculated due to the small number of events – especially for White juveniles.



Court Dispositions: Judiciary

Juveniles who are adjudicated delinquent precede to a disposition hearing. At this hearing, the judge determines how the juvenile will be sanctioned. Juveniles may either receive a penalty only such as a court consequence, standard or JIPS probation, or be committed to ADJC.

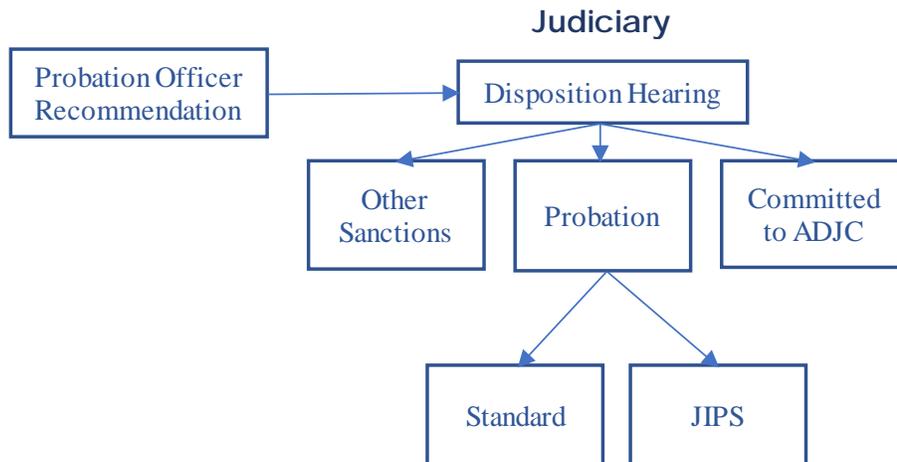
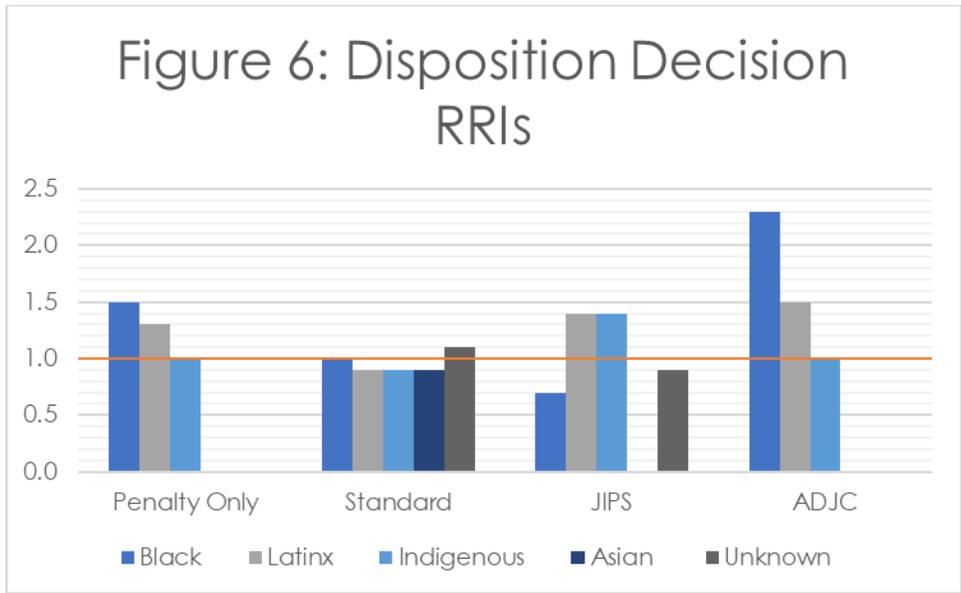


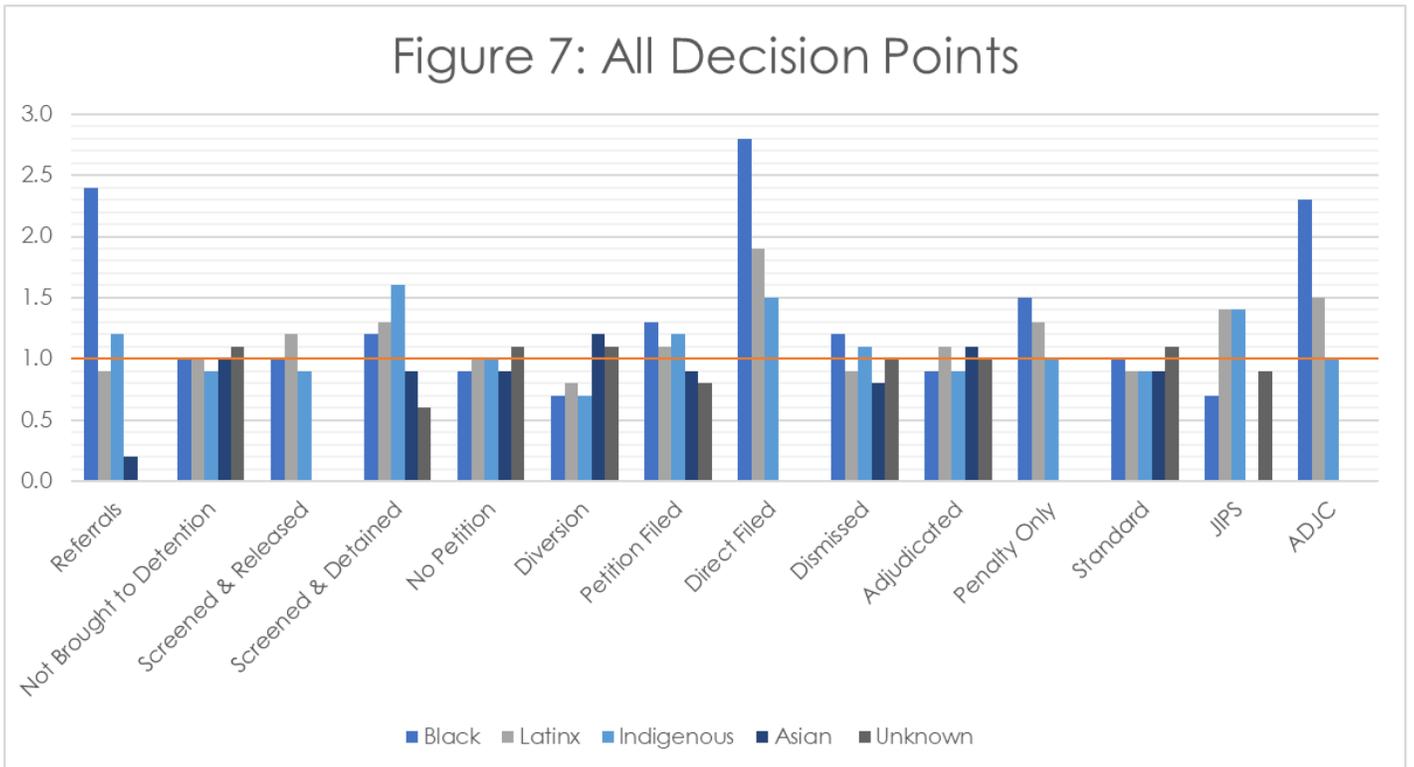
Table 5. Disposition Decisions, CY 2016, 2017, and 2018														
	Adjudicated		Penalty Only			Probation: Standard			Probation: JIPS			ADJC		
	N		N	%	RRI	N	%	RRI	N	%	RRI	N	%	RRI
<i>White</i>														
Total	9,183		514	5.60%	1.0	7,044	76.71%	1.0	1,358	14.79%	1.0	267	2.91%	1.0
Average	3,061		171	5.60%	1.0	2,348	76.71%	1.0	453	14.79%	1.0	89	2.91%	1.0
<i>Black</i>														
Total	3,462		282	8.15%	1.5	2,582	74.58%	1.0	367	10.60%	0.7	231	6.67%	2.3
Average	1,154		94	8.15%	1.5	861	74.58%	1.0	122	10.60%	0.7	77	6.67%	2.3
<i>Latinx</i>														
Total	10,596		785	7.41%	1.3	7,158	67.55%	0.9	2,191	20.68%	1.4	462	4.36%	1.5
Average	3,532		262	7.41%	1.3	2,386	67.55%	0.9	730	20.68%	1.4	154	4.36%	1.5
<i>Indigenous</i>														
Total	1,644		92	5.60%	1.0	1,172	71.29%	0.9	331	20.13%	1.4	49	2.98%	1.0
Average	548		31	5.60%	1.0	391	71.29%	0.9	110	20.13%	1.4	16	2.98%	1.0
<i>Asian</i>														
Total	169		19	11.24%	-	112	66.27%	0.9	25	14.79%	-	13	7.69%	-
Average	56		6	11.24%	-	37	66.27%	0.9	8	14.79%	-	4	7.69%	-
<i>Unknown</i>														
Total	259		13	5.02%	-	210	81.08%	1.1	33	12.74%	0.9	3	1.16%	-
Average	86		4	5.02%	-	70	81.08%	1.1	11	12.74%	0.9	1	1.16%	-
<i>Overall Total</i>														
Total	25,313		1,705	6.74%	-	18,278	72.21%	-	4,305	17.01%	-	1,025	4.05%	-
Average	8,438		568	6.74%	-	6,093	72.21%	-	1,435	17.01%	-	342	4.05%	-

Probation was the most common disposition. Over 89% of adjudicated juveniles were placed on either standard (72%) or intensive (17%) probation. For standard probation, each of the RRIs were either at or close to 1, with Latinx, Indigenous, and Asian juveniles being slightly underrepresented (0.9) and Unknown youth being slightly overrepresented (1.1). For JIPS, however, racial and ethnic minorities experienced greater differences relative to White youth. In particular, Latinx and Indigenous juveniles experienced the greatest overrepresentation with an RRI of 1.4, suggesting that both of these groups were 40% more likely to receive JIPS than White juveniles. Black and Unknown juveniles were underrepresented in JIPS. While Black juveniles were the most underrepresented group in JIPS, they were the most overrepresented group in being sent to ADJC. At this decision point, their RRI is 2.3, suggesting that Black youth are 2.3 times more likely than White juveniles to be sentenced to ADJC. Latinx youth were also more likely than White youth to be sent to ADJC (1.5). The population size of Asian and Unknown youth was too small to evaluate. Finally, Black (1.5) and Latinx (1.3) youth are more likely than White youth to receive the consequence of penalty only.



Across the System

Across the juvenile justice system, outcomes vary depending on the decision point and the racial or ethnic group being examined. Five outcomes have at least one minority group with an RRI of either 1.5 or greater or 0.5 or less, meaning there is at least a 50% difference in the likelihood of an outcome occurring between White and minority youth. These outcomes are the decision to refer, screen and detain, direct file to adult court, receive the disposition of penalty only, and commit to ADJC. While the likelihood is most pronounced for groups with an RRI of 1.5 or 0.5, several other groups experience moderate differences (RRI equal to or greater than 1.2 but less than 1.5 or



equal to or less than 0.8 but greater than 0.5) at these outcomes as well. At the referral outcome, Black and Indigenous juveniles are overrepresented and Asian juveniles are underrepresented. Additionally, Black, Latinx, and Indigenous youth are all at least 20% more likely to be screened and detained than White juveniles. Unknown juveniles are 40% less likely to be screened and detained than White juveniles.

As for direct filed to adult court, each of the minority groups examined were at least 50% more likely than White juveniles to be direct filed to adult court, suggesting that disparity is especially pronounced at this outcome. At the outcome of penalty only, Black and Indigenous juveniles experience a 30% greater likelihood than White juveniles to receive this outcome. Finally, Black youth are 2.4 times more likely and Latinx youth are 50% more likely than White youth to be committed to ADJC. Taken together, this suggests that – when disparity is especially pronounced for one group (RRI of 1.5 or higher) – it is likely that at least one other minority group is also experiencing a more restrictive outcome than White youth. In essence, when disparity is especially pronounced for one minority group, it is likely that disparity is also at least moderately pronounced for other minority groups as well. As such, addressing disparity at points with pronounced differential outcomes is expected to benefit multiple minority groups.

As for differences in outcomes across the system based on race or ethnicity, Black youth are the most overrepresented group at four of the five points with pronounced disparity – referrals (2.4), direct filed (2.8), penalty only (1.5), and ADJC (2.3.) Overrepresentation at the decisions to refer, direct file, and ADJC also represents the outcomes with the greatest disparity of any of the points examined. This suggests that Black juveniles experience the most pronounced and most frequent significant overrepresentation across the juvenile justice system of any of the minority groups examined. As for the other decision point with an RRI greater than 1.5, Indigenous youth are the most overrepresented group at the decision to screen and detain (1.6). Indigenous youth are also 50% more likely than White youth (1.5) to be direct filed to adult court. Finally, while not the most overrepresented group at any decision point, Latinx youth also experience overrepresentation of greater than 1.5 at two points – direct file and ADJC. At these points, Latinx juveniles are 90% (1.9) and 50% (1.5) more likely to be direct filed or sent to ADJC than White youth respectively. Although no group had an RRI of 1.5 or greater for JIPS, both Latinx and Indigenous youth had RRIs of 1.4, making them 40% more likely than White youth to receive JIPS as a disposition.

Neither Asian nor Unknown youth were significantly overrepresented at any of the outcomes examined. The greatest outcome with overrepresentation for either of these groups is diversion – where Asian youth have an RRI of 1.2 and Unknown youth have an RRI of 1.1. Overrepresentation at the diversion stage suggests that Asian and Unknown youth are more likely to be diverted from the criminal justice system at rates higher than White youth, meaning they are less likely to progress further into the system. Asian and Unknown youth are more likely than White youth to receive the less restrictive outcome at other decision points as well. Asian (0.2) youth were 80% less likely than White youth to be referred, meaning they are less likely than White youth to enter the juvenile justice system at all. Asian youth were also more likely to have their referral diverted (1.2) and their petition dismissed (0.8), suggesting that – relative to White youth – they are more likely to receive a less restrictive outcome when they move further into the juvenile justice system.

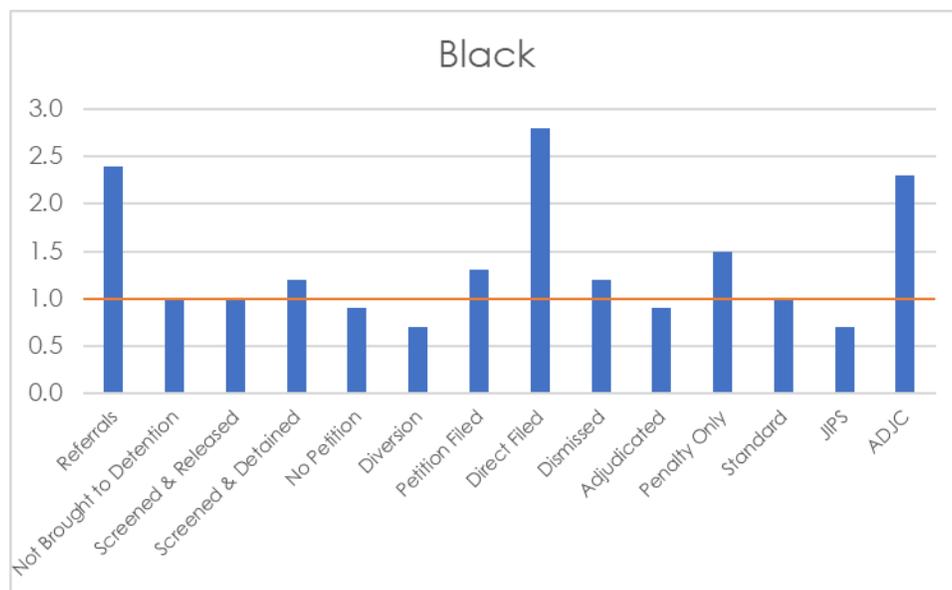
Finally, Unknown youth received outcomes similar to White youth at many of the decision points examined. The exception to this is Unknown youth have an RRI of 0.6 at the decision to screen and detain the juvenile. This suggests that Unknown juveniles are 40% less likely than White juveniles to be screened and detained. Notably, there are several decision points throughout the process

where RRIs for Asian and Unknown youth could not be captured due to their infrequent occurrence in the data, meaning that outcomes at these points could not be examined.

While at least one minority group appears to receive an outcome that is more restrictive than White youth at the majority of decision points assessed, there are several points where White and minority youth experience similar rates of representation. Specifically, White and minority youth were not brought to detention, had no petition filed, adjudicated, and receive standard probation at similar rates. This suggests that juveniles at these decision points are likely to receive similar outcomes, regardless of their race or ethnicity.

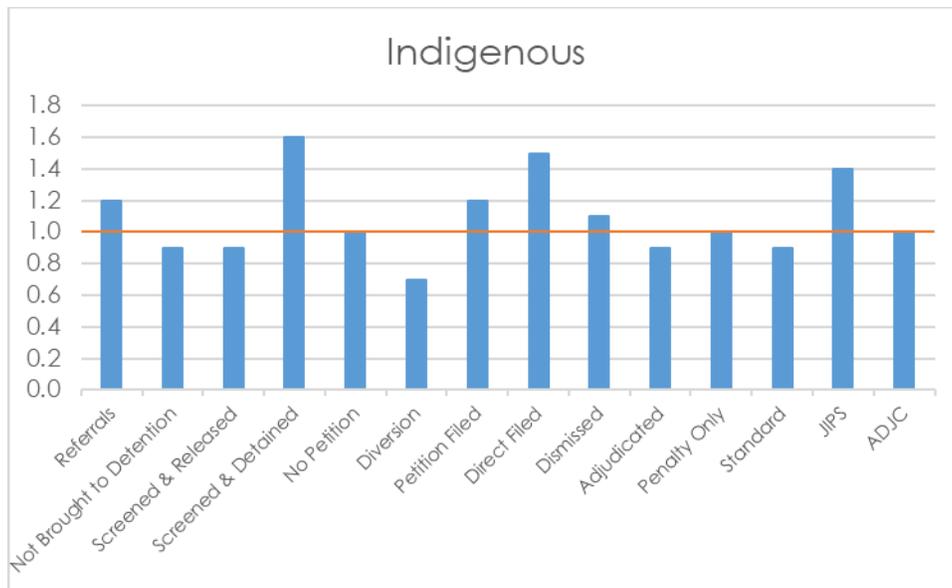
Discussion

The purpose of this report was to examine points of disparity between White and minority youth across the juvenile justice system. In total, 5 decision points and 14 outcomes were examined using RRIs. This analysis shows that disparity is the greatest at 5 outcomes – referrals, detentions, direct filings, and ADJC. While disparity at these outcomes is especially pronounced for at least one minority group, each of these outcomes has at least one other minority group with a 20% or higher likelihood of receiving a more restrictive outcome than White youth. This means that outcomes with pronounced disparity for one minority group are likely to produce disparity for other minority groups as well. As for outcomes for specific racial and ethnic groups, Black youth are the most overrepresented at referrals, direct filed, penalty only and ADJC. Referrals, direct filed, and ADJC are also the three points with the greatest disparity in the juvenile justice system, meaning that Black juveniles are the most likely to receive restrictive outcomes relative to White youth of any of the minority groups examined. In addition to overrepresentation, underrepresentation was also examined. Asian youth are significantly underrepresented at the decision to refer while Unknown youth are significantly underrepresented at the decision to detain.

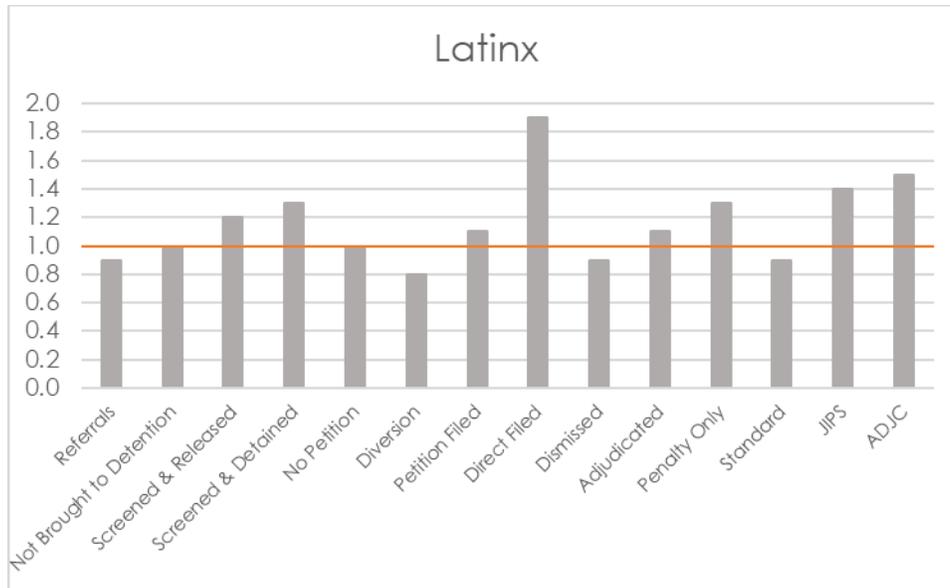


As previously stated, Black youth experience the three greatest instances of disparity of the points examined – referrals, direct filings, and ADJC. They are also overrepresented at detention, petition filed, dismissed, and penalty only and underrepresented at diversion, adjudication, and JIPS. For Black juveniles, the high rate of referrals experienced by this group may lead to adverse outcomes later in the system. This is illustrated by Black juvenile’s pronounced overrepresentation at the

decision to direct file and the decision to commit to ADJC as the juvenile’s contact with the juvenile justice system may factor significantly into the likelihood that they receive one of these outcomes. For example, one component of the statute dictating who is direct filed to adult court is criminal history. This means that with each additional contact a Black juvenile has with the juvenile justice system, the likelihood they will be direct filed to adult increases. These same contacts may also increase the likelihood the juvenile will be committed to ADJC, if increased contacts lead to the juvenile being labeled as a chronic offender. Additionally, Black youth are more likely to have a petition filed and are less likely to receive diversion – suggesting they are more likely than White youth to be processed further into the system. Taken together, the analysis performed suggests that Black youth enter the system at rates that are significantly higher than their White peers. Once there, they are also significantly more likely than their White peers to receive the most restrictive outcomes – direct filed and ADJC – as well as to be processed further into the system via a higher likelihood of having a petition filed and lower likelihood of having their referral dismissed.



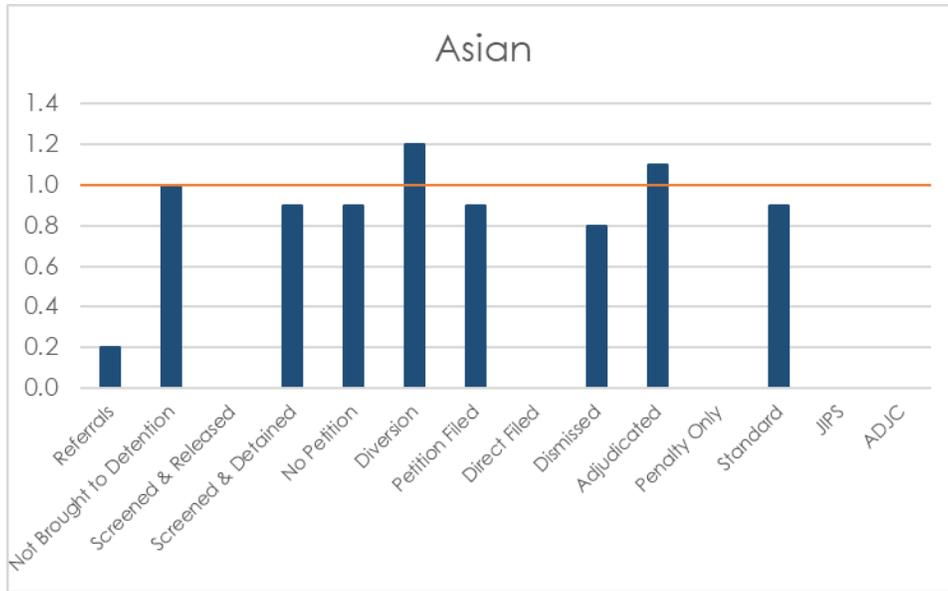
Indigenous juveniles are also overrepresented at several points throughout the system. In particular, they are the most overrepresented group at the decision to detain. They are also slightly underrepresented at the decision not to bring the juvenile to detention and to screen and release. This suggests that detention represents a point of significant restrictiveness for Indigenous youth. This increased restrictiveness is also apparent at the decisions to direct file the juvenile to adult court and to receive JIPS when adjudicated. Given that decisions to detain are driven by the DSI, it is possible that Indigenous juveniles are scoring higher than their White peers on certain portions of the instrument. Future research should continue to explore the effect of screening tools on specific groups.



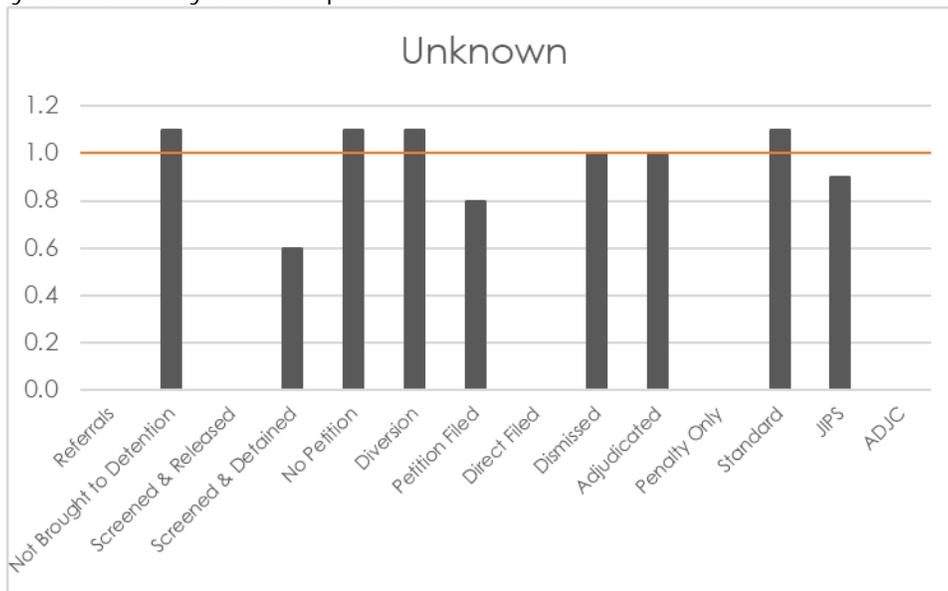
Unlike their Black peers, Latinx youth are underrepresented at the point of referral but are significantly more likely than White youth to be direct filed to adult court. One reason for this may be that Latinx youth are triggering different elements of the statute governing direct filings to adult court than Black youth – age of the offender¹¹ or offense severity. Given that Latinx youth are also overrepresented at the decisions to detain, have a petition filed, and to receive JIPS or ADJC, it is possible that, when Latinx juveniles enter the system, they do so with offenses that are more severe than White youth. As such, despite being referred at lower rates, they are more likely to receive more restrictive outcomes as they move through the juvenile justice system.

Finally, both Asian and Unknown youth consistently received outcomes that were the same or less restrictive than White youth. In particular, Asian youth were the most underrepresented group at any point in the system – referral. At the referral stage they were 80% less likely than White youth to be referred. This means that Asian youth enter the system at rates that are much lower than White youth. Once in the system, they are also less likely than Whites to be detained or have a petition filed and are more likely than White youth to receive diversion. That said, Asian youth were 20% less likely to have their petition dismissed and 10% more likely to be adjudicated. This means that – although Asian youth are less likely to enter the juvenile justice system than White youth – once in the system, they receive outcomes that are slightly more restrictive than those of White youth at the end of the process.

¹¹ Although not specific to direct filings, on average, Latinx youth tended to be slightly younger than Black youth (15.47 years as compared to 15.53 years). See Table 1a for more details.



Similarly, Unknown youth have rates that are very similar to Asian youth, with the exception of disposition outcome. Unlike Asian youth, Unknown youth are slightly more likely than White youth to receive standard probation. Although population data for Unknown youth were not available for the state of Arizona, it appears that both Asian and Unknown youth are less likely to enter the system than White youth. Once there, they appear to be treated similarly to or more favorably than White youth at many decision points.



Limitations

There were several limitations associated with the analysis performed for this report card. First, the analysis was limited to juveniles who have been formally processed through the juvenile justice system. It does not include those who were handled informally through school, law enforcement, or unknown mechanisms that did not result in a referral. If data were available to include these juveniles in the analysis, it would provide a more detailed understanding of racial and ethnic disparities. Second, although RRs present a better gauge of disparity than percentages, they are limited in that they do not account for factors which could also be contributing to outcomes. Most

importantly, the analysis performed here does not account for other legal and extralegal factors that may contribute to disparity. Namely, legally relevant factors such as prior criminal history and offense severity could explain some of the differences in representation. Additionally, other factors such as age and gender, as well as the intersection of age, gender, and minority status, may be key to understanding why disparity exists between groups.

Third, there are several limitations surrounding the depth of information regarding race and ethnicity. While this report presents information on five broader racial and ethnic groups, it should be noted that each of these groups may have significant within group differences, based on factors such as country of origin, immigration status, and the ability of individuals to be both multi-racial and multi-cultural. This limitation may be especially important for understanding patterns for those who are Latinx – as juveniles who are both Black and Latinx may experience different outcomes than those who are White and Latinx. The same may be said of those who are categorized as Unknown in this report. Finally, this report examines juveniles from the entire state of Arizona. It is likely that practices in each of the 15 counties may lead to different outcomes for juveniles based on the accepted practices of that county. In a similar vein, the way in which data is recorded and entered into JOLTSaz may vary from county to county. While the authors of this report have done their best to ensure uniformity across the information presented, it is likely that some error exists. This is a limitation of all studies using administrative data, and we do not believe that it has a substantive impact on the findings in this report.

System Improvements

Since the previous report card, there have been several positive changes and encouraging programs implemented throughout the state aimed at reducing racial and ethnic disparities. Some examples include implementing a statewide, validated, assessment tool which guides decisions to detain juveniles. Through the Juvenile Justice System Improvement Project (JJSIP), evidence-based practices have been implemented and impact disproportionate minority contact in a positive way.

JJSIP includes the AZYAS, Recommendation Matrix, and the Correctional Program Checklist (CPC). Since the last report card, the AZYAS, has been revalidated using Arizona data which has resulted in all stakeholders taking a closer look at the appropriate levels of supervision and interventions based on a juvenile's risk level. In concert with the AZYAS, the Recommendation Matrix provides a tool for probation officers to make data driven, disposition recommendations regardless of race, gender and ethnicity. Finally, the CPC evaluates the quality of program services available to all juveniles equally.

In recent years, there has been stronger collaboration with other agencies, such as the Department of Child Safety, to reduce the number of youths with dual system involvement and to address the unique needs of those who cross over to/from delinquency to dependency. In order to ensure that all tools and initiatives are implemented with fidelity, intensive training and awareness programs have been developed and delivered to all stakeholders.

The Kids at Hope philosophy permeates statewide and is evident with the downsizing of detention space and the repurposing into HOPE Centers. These Centers serve youth whether in the system or at risk. This philosophy is inclusive and believes that our youth are capable of success without exception!

Appendix

Table 1. Arizona Population and Referrals, CY 2016, 2017, and 2018									
	Population		Referrals			Female		Male	
	N	%	N	%	RRI	N	%	N	%
White									
2016	391,027	42.04%	12,215	3.12%	1.0	4,050	33.16%	8,164	66.84%
2017	388,963	41.64%	11,941	3.07%	1.0	3,966	33.21%	7,975	66.79%
2018	385,985	41.26%	10,822	2.80%	1.0	3,548	32.79%	7,274	67.21%
Total	1,165,975	41.65%	34,978	3.00%	1.0	11,564	33.06%	23,413	66.94%
Average	388,658	41.65%	11,659	3.00%	1.0	3,855	33.06%	7,804	66.94%
Black									
2016	52,522	5.65%	3,993	7.60%	2.4	1,161	29.08%	2,828	70.82%
2017	53,759	5.75%	3,974	7.39%	2.4	1,054	26.52%	2,920	73.48%
2018	55,032	5.88%	3,700	6.72%	2.4	1,079	29.16%	2,619	70.78%
Total	161,313	5.76%	11,667	7.23%	2.4	3,294	28.23%	8,367	71.72%
Average	53,771	5.76%	3,889	7.23%	2.4	1,098	28.23%	2,789	71.72%
Latinx									
2016	406,927	43.75%	11,823	2.91%	0.9	3,578	30.26%	8,245	69.74%
2017	410,994	43.99%	11,552	2.81%	0.9	3,366	29.14%	8,186	70.86%
2018	413,191	44.17%	10,012	2.42%	0.9	3,020	30.16%	6,991	69.83%
Total	1,231,112	43.97%	33,387	2.71%	0.9	9,964	29.84%	23,422	70.15%
Average	410,371	43.97%	11,129	2.71%	0.9	3,321	29.84%	7,807	70.15%
Indigenous									
2016	47,817	5.14%	1,998	4.18%	1.3	666	33.33%	1,332	66.67%
2017	47,930	5.13%	1,704	3.56%	1.2	545	31.98%	1,159	68.02%
2018	48,094	5.14%	1,682	3.50%	1.2	553	32.88%	1,129	67.12%
Total	143,841	5.14%	5,384	3.74%	1.2	1,764	32.76%	3,620	67.24%
Average	47,947	5.14%	1,795	3.74%	1.2	588	32.76%	1,207	67.24%
Asian									
2016	31,798	3.42%	227	0.71%	0.2	69	30.40%	158	69.60%
2017	32,557	3.49%	220	0.68%	0.2	73	33.18%	147	66.82%
2018	33,150	3.54%	184	0.56%	0.2	50	27.17%	134	72.83%
Total	97,505	3.48%	631	0.65%	0.2	192	30.43%	439	69.57%
Average	32,502	3.48%	210	0.65%	0.2	64	30.43%	146	69.57%
Unknown									
2016	-	-	429	-	-	144	33.57%	285	66.43%
2017	-	-	455	-	-	161	35.38%	294	64.62%
2018	-	-	435	-	-	130	29.89%	304	69.89%
Total	-	-	1,319	-	-	435	32.98%	883	66.94%
Average	-	-	440	-	-	145	32.98%	294	66.94%
Overall Total									
2016	930,091	33.22%	30,685	3.30%	-	9,668	31.51%	21,012	68.48%
2017	934,203	33.37%	29,846	3.19%	-	9,165	30.71%	20,681	69.29%
2018	935,452	33.41%	26,835	2.87%	-	8,380	31.23%	18,451	68.76%
Total	2,799,746	100.00%	87,366	3.12%	-	27,213	31.15%	60,144	68.84%
Average	933,249	33.33%	29,122	3.12%	-	9,071	31.15%	20,048	68.84%

Table 1a. Average Age of Juveniles Referred	
White	15.69
Black	15.53
Latinx	15.47
Indigenous	15.34
Asian	15.69
Unknown	15.69
Population Average	15.56

Table 2. Detention Outcomes, CY 2016, 2017, and 2018															
	Referrals			Not Brought to Detention			Total Brought to Detention			Screened & Released			Screened & Detained		
	N	N	%	RRI	N	%	RRI	N	%	RRI	N	%	RRI		
White															
2016	12,204	10,574	86.64%	1.0	1,630	13.36%	1.0	353	2.89%	1.0	1,277	10.46%	1.0		
2017	11,915	10,427	87.51%	1.0	1,488	12.49%	1.0	301	2.53%	1.0	1,187	9.96%	1.0		
2018	10,810	9,438	87.31%	1.0	1,372	12.69%	1.0	318	2.94%	1.0	1,054	9.75%	1.0		
Total	34,929	30,439	87.15%	1.0	4,490	12.85%	1.0	972	2.78%	1.0	3,518	10.07%	1.0		
Average	11,643	10,146	87.15%	1.0	1,497	12.85%	1.0	324	2.78%	1.0	1,173	10.07%	1.0		
Black															
2016	3,977	3,405	85.62%	1.0	572	14.38%	1.1	113	2.84%	1.0	459	11.54%	1.1		
2017	3,958	3,319	83.86%	1.0	639	16.14%	1.3	136	3.44%	1.4	503	12.71%	1.3		
2018	3,687	3,156	85.60%	1.0	531	14.40%	1.1	89	2.41%	0.8	442	11.99%	1.2		
Total	11,622	9,880	85.01%	1.0	1,742	14.99%	1.2	338	2.91%	1.0	1,404	12.08%	1.2		
Average	3,874	3,293	85.01%	1.0	581	14.99%	1.2	113	2.91%	1.0	468	12.08%	1.2		
Latinx															
2016	11,777	9,827	83.44%	1.0	1,950	16.56%	1.2	391	3.32%	1.1	1,559	13.24%	1.3		
2017	11,506	9,709	84.38%	1.0	1,797	15.62%	1.3	384	3.34%	1.3	1,413	12.28%	1.2		
2018	9,960	8,280	83.13%	1.0	1,680	16.87%	1.3	320	3.21%	1.1	1,360	13.65%	1.4		
Total	33,243	27,816	83.67%	1.0	5,427	16.33%	1.3	1,095	3.29%	1.2	4,332	13.03%	1.3		
Average	11,081	9,272	83.67%	1.0	1,809	16.33%	1.3	365	3.29%	1.2	1,444	13.03%	1.3		
Indigenous															
2016	1,996	1,631	81.71%	0.9	365	18.29%	1.4	43	2.15%	0.7	322	16.13%	1.5		
2017	1,701	1,371	80.60%	0.9	330	19.40%	1.6	51	3.00%	1.2	279	16.40%	1.6		
2018	1,679	1,402	83.50%	1.0	277	16.50%	1.3	35	2.08%	0.7	242	14.41%	1.5		
Total	5,376	4,404	81.92%	0.9	972	18.08%	1.4	129	2.40%	0.9	843	15.68%	1.6		
Average	1,792	1,468	81.92%	0.9	324	18.08%	1.4	43	2.40%	0.9	281	15.68%	1.6		
Asian															
2016	227	200	88.11%	1.0	27	11.89%	0.9	7	3.08%	-	20	8.81%	0.8		
2017	220	191	86.82%	1.0	29	13.18%	1.1	8	3.64%	-	21	9.55%	1.0		
2018	184	163	88.59%	1.0	21	11.41%	0.9	5	2.72%	-	16	8.70%	0.9		
Total	631	554	87.80%	1.0	77	12.20%	0.9	20	3.17%	-	57	9.03%	0.9		
Average	210	185	87.80%	1.0	26	12.20%	0.9	7	3.17%	-	19	9.03%	0.9		
Unknown															
2016	426	392	92.02%	1.1	34	7.98%	0.6	5	1.17%	-	29	6.81%	0.7		
2017	453	418	92.27%	1.1	35	7.73%	0.6	7	1.55%	-	28	6.18%	0.6		
2018	433	404	93.30%	1.1	29	6.70%	0.5	3	0.69%	-	26	6.00%	0.6		
Total	1,312	1,214	92.53%	1.1	98	7.47%	0.6	15	1.14%	-	83	6.33%	0.6		
Average	437	405	92.53%	1.1	33	7.47%	0.6	5	1.14%	-	28	6.33%	0.6		
Overall Total															
2016	30,607	26,029	85.04%	-	4,578	14.96%	-	912	2.98%	-	3,666	11.98%	-		
2017	29,753	25,435	85.49%	-	4,318	14.51%	-	887	2.98%	-	3,431	11.53%	-		
2018	26,753	22,843	85.38%	-	3,910	14.62%	-	770	2.88%	-	3,140	11.74%	-		
Total	87,113	74,307	85.30%	-	12,806	14.70%	-	2,569	2.95%	-	10,237	11.75%	-		
Average	29,038	24,769	85.30%	-	4,269	14.70%	-	856	2.95%	-	3,412	11.75%	-		

Table 3. Court Processing Outcomes, CY 2016, 2017, and 2018

	Referrals			No Petition			Diversion			Petition Filed			Adult		
	N	N	%	RRI	N	%	RRI	N	%	RRI	N	%	RRI		
White															
2016	12,118	3,367	27.79%	1.0	3,899	32.18%	1.0	4,709	38.86%	1.0	143	1.18%	1.0		
2017	11,812	3,177	26.90%	1.0	3,927	33.25%	1.0	4,586	38.82%	1.0	122	1.03%	1.0		
2018	10,741	2,708	25.21%	1.0	3,628	33.78%	1.0	4,350	40.50%	1.0	55	0.51%	1.0		
Total	34,671	9,252	26.69%	1.0	11,454	33.04%	1.0	13,645	39.36%	1.0	320	0.92%	1.0		
Average	11,557	3,084	26.69%	1.0	3,818	33.04%	1.0	4,548	39.36%	1.0	107	0.92%	1.0		
Black															
2016	3,969	1,015	25.57%	0.9	916	23.08%	0.7	1,945	49.00%	1.3	93	2.34%	2.0		
2017	3,928	978	24.90%	0.9	919	23.40%	0.7	1,934	49.24%	1.3	97	2.47%	2.4		
2018	3,674	864	23.52%	0.9	847	23.05%	0.7	1,853	50.44%	1.2	110	2.99%	5.8		
Total	11,571	2,857	24.69%	0.9	2,682	23.18%	0.7	5,732	49.54%	1.3	300	2.59%	2.8		
Average	3,857	952	24.69%	0.9	894	23.18%	0.7	1,911	49.54%	1.3	100	2.59%	2.8		
Latinx															
2016	11,752	3,332	28.35%	1.0	3,012	25.63%	0.8	5,197	44.22%	1.1	211	1.80%	1.5		
2017	11,474	3,077	26.82%	1.0	3,167	27.60%	0.8	5,043	43.95%	1.1	187	1.63%	1.6		
2018	9,950	2,557	25.70%	1.0	2,579	25.92%	0.8	4,638	46.61%	1.2	176	1.77%	3.5		
Total	33,176	8,966	27.03%	1.0	8,758	26.40%	0.8	14,878	44.85%	1.1	574	1.73%	1.9		
Average	11,059	2,989	27.03%	1.0	2,919	26.40%	0.8	4,959	44.85%	1.1	191	1.73%	1.9		
Indigenous															
2016	1,987	579	29.14%	1.0	434	21.84%	0.7	946	47.61%	1.2	28	1.41%	1.2		
2017	1,690	465	27.51%	1.0	391	23.14%	0.7	797	47.16%	1.2	37	2.19%	2.1		
2018	1,668	398	23.86%	0.9	411	24.64%	0.7	851	51.02%	1.3	8	0.48%	0.9		
Total	5,345	1,442	26.98%	1.0	1,236	23.12%	0.7	2,594	48.53%	1.2	73	1.37%	1.5		
Average	1,782	481	26.98%	1.0	412	23.12%	0.7	865	48.53%	1.2	24	1.37%	1.5		
Asian															
2016	224	57	25.45%	0.9	79	35.27%	1.1	85	37.95%	1.0	3	1.34%	-		
2017	219	51	23.29%	0.9	86	39.27%	1.2	78	35.62%	0.9	4	1.83%	-		
2018	184	36	19.57%	0.8	80	43.48%	1.3	68	36.96%	0.9	0	0.00%	-		
Total	627	144	22.97%	0.9	245	39.07%	1.2	231	36.84%	0.9	7	1.12%	-		
Average	209	48	22.97%	0.9	82	39.07%	1.2	77	36.84%	0.9	2	1.12%	-		
Unknown															
2016	424	155	36.56%	1.3	138	32.55%	1.0	126	29.72%	0.8	5	1.18%	-		
2017	449	118	26.28%	1.0	178	39.64%	1.2	147	32.74%	0.8	6	1.34%	-		
2018	423	107	25.30%	1.0	171	40.43%	1.2	141	33.33%	0.8	4	0.95%	-		
Total	1,296	380	29.32%	1.1	487	37.58%	1.1	414	31.94%	0.8	15	1.16%	-		
Average	432	127	29.32%	1.1	162	37.58%	1.1	138	31.94%	0.8	5	1.16%	-		
Overall Total															
2016	30,474	8,505	27.91%	-	8,478	27.82%	-	13,008	42.69%	-	483	1.58%	-		
2017	29,572	7,866	26.60%	-	8,668	29.31%	-	12,585	42.56%	-	453	1.53%	-		
2018	26,640	6,670	25.04%	-	7,716	28.96%	-	11,901	44.67%	-	353	1.33%	-		
Total	86,686	23,041	26.58%	-	24,862	28.68%	-	37,494	43.25%	-	1,289	1.49%	-		
Average	28,896	7,680	26.58%	-	8,287	28.68%	-	12,498	43.25%	-	430	1.49%	-		

Table 3a. Number of juveniles sent to adult court by type					
2016					
Group	Direct File (Mandatory + Discretionary)	Mandatory	Discretionary	Remand	Total Adult
White	143	64	79	4	147
Black	93	72	21	1	94
Hispanic	211	128	83	12	223
Indigenous	28	18	10	0	28
Asian	3	1	2	1	4
Unknown	5	1	4	2	7
Total	483	284	199	20	503
2017					
Group	Direct File (Mandatory + Discretionary)	Mandatory	Discretionary	Remand	Total Adult
White	122	72	50	8	130
Black	97	76	21	8	105
Hispanic	187	127	60	16	203
Indigenous	37	13	24	0	37
Asian	4	1	3	0	4
Unknown	6	3	3	0	6
Total	453	292	161	32	485
2018					
Group	Direct File (Mandatory + Discretionary)	Mandatory	Discretionary	Remand	Total Adult
White	55	48	7	2	57
Black	110	86	24	6	116
Hispanic	176	148	28	11	187
Indigenous	8	7	1	2	10
Asian	0	0	0	0	0
Unknown	4	2	2	1	5
Total	353	291	62	22	375
Total					
Group	Direct File (Mandatory + Discretionary)	Mandatory	Discretionary	Remand	Total Adult
White	320	184	136	14	334
Black	300	234	66	15	315
Hispanic	574	403	171	39	613
Indigenous	73	38	35	2	75
Asian	7	2	5	1	8
Unknown	15	6	9	3	18
Total	1,289	867	422	74	1,363
% of Total	95%	64%	31%	5%	100%
% of Direct File	100%	67%	33%		

Table 4. Petition Outcomes, CY 2016, 2017 and 2018

	Petitions Filed	Dismissed			Adjudicated			Transferred		
	N	N	%	RRI	N	%	RRI	N	%	RRI
White										
2016	4,638	1,413	30.47%	1.0	3,221	69.45%	1.0	4	0.09%	-
2017	4,536	1,425	31.42%	1.0	3,103	68.41%	1.0	8	0.18%	-
2018	4,318	1,395	32.31%	1.0	2,921	67.65%	1.0	2	0.05%	-
Total	13,492	4,233	31.37%	1.0	9,245	68.52%	1.0	14	0.10%	-
Average	4,497	1,411	31.37%	1.0	3,082	68.52%	1.0	5	0.10%	-
Black										
2016	1,924	719	37.37%	1.2	1,204	62.58%	0.9	1	0.05%	-
2017	1,904	741	38.92%	1.2	1,155	60.66%	0.9	8	0.42%	-
2018	1,817	686	37.75%	1.2	1,125	61.92%	0.9	6	0.33%	-
Total	5,645	2,146	38.02%	1.2	3,484	61.72%	0.9	15	0.27%	-
Average	1,882	715	38.02%	1.2	1,161	61.72%	0.9	5	0.27%	-
Latinx										
2016	5,160	1,420	27.52%	0.9	3,728	72.25%	1.0	12	0.23%	-
2017	5,001	1,421	28.41%	0.9	3,564	71.27%	1.0	16	0.32%	-
2018	4,587	1,221	26.62%	0.8	3,355	73.14%	1.1	11	0.24%	-
Total	14,748	4,062	27.54%	0.9	10,647	72.19%	1.1	39	0.26%	-
Average	4,916	1,354	27.54%	0.9	3,549	72.19%	1.1	13	0.26%	-
Indigenous										
2016	936	322	34.40%	1.1	614	65.60%	0.9	0	0.00%	-
2017	780	249	31.92%	1.0	531	68.08%	1.0	0	0.00%	-
2018	836	321	38.40%	1.2	513	61.36%	0.9	2	0.24%	-
Total	2,552	892	34.95%	1.1	1,658	64.97%	0.9	2	0.08%	-
Average	851	297	34.95%	1.1	553	64.97%	0.9	1	0.08%	-
Asian										
2016	85	21	24.71%	0.8	63	74.12%	1.1	1	1.18%	-
2017	77	18	23.38%	0.7	59	76.62%	1.1	0	0.00%	-
2018	67	19	28.36%	0.9	48	71.64%	1.1	0	0.00%	-
Total	229	58	25.33%	0.8	170	74.24%	1.1	1	0.44%	-
Average	76	19	25.33%	0.8	57	74.24%	1.1	0	0.44%	-
Unknown										
2016	122	39	31.97%	1.1	81	66.39%	1.0	2	1.64%	-
2017	144	58	40.28%	1.3	86	59.72%	0.9	0	0.00%	-
2018	138	34	24.64%	0.8	103	74.64%	1.1	1	0.72%	-
Total	404	131	32.43%	1.0	270	66.83%	1.0	3	0.74%	-
Average	135	44	32.43%	1.0	90	66.83%	1.0	1	0.74%	-
Overall Total										
2016	12,865	3,934	30.58%	-	8,911	69.27%	-	20	0.16%	-
2017	12,442	3,912	31.44%	-	8,498	68.30%	-	32	0.26%	-
2018	11,763	3,676	31.25%	-	8,065	68.56%	-	22	0.19%	-
Total	37,070	11,522	31.08%	-	25,474	68.72%	-	74	0.20%	-
Average	12,357	3,841	31.08%	-	8,491	68.72%	-	25	0.20%	-

Table 5. Disposition Decisions, CY 2016, 2017, and 2018														
	Adjudicated		Penalty Only			Probation: Standard			Probation: JIPS			ADJC		
	N	N	%	RRI	N	%	RRI	N	%	RRI	N	%	RRI	
<i>White</i>														
2016	3,200	194	6.06%	1.0	2,410	75.31%	1.0	507	15.84%	1.0	89	2.78%	1.0	
2017	3,073	177	5.76%	1.0	2,396	77.97%	1.0	412	13.41%	1.0	88	2.86%	1.0	
2018	2,910	143	4.91%	1.0	2,238	76.91%	1.0	439	15.09%	1.0	90	3.09%	1.0	
Total	9,183	514	5.60%	1.0	7,044	76.71%	1.0	1,358	14.79%	1.0	267	2.91%	1.0	
Average	3,061	171	5.60%	1.0	2,348	76.71%	1.0	453	14.79%	1.0	89	2.91%	1.0	
<i>Black</i>														
2016	1,197	121	10.11%	1.7	889	74.27%	1.0	134	11.19%	0.7	53	4.43%	1.6	
2017	1,150	93	8.09%	1.4	846	73.57%	0.9	135	11.74%	0.9	76	6.61%	2.3	
2018	1,115	68	6.10%	1.2	847	75.96%	1.0	98	8.79%	1.7	102	9.15%	3.0	
Total	3,462	282	8.15%	1.5	2,582	74.58%	1.0	367	10.60%	0.7	231	6.67%	2.3	
Average	1,154	94	8.15%	1.5	861	74.58%	1.0	122	10.60%	0.7	77	6.67%	2.3	
<i>Latinx</i>														
2016	3,714	314	8.45%	1.4	2,482	66.83%	0.9	774	20.84%	1.3	144	3.88%	1.4	
2017	3,543	286	8.07%	1.4	2,379	67.15%	0.9	725	20.46%	1.5	153	4.32%	1.5	
2018	3,339	185	5.54%	1.1	2,297	68.79%	0.9	692	20.72%	1.0	165	4.94%	1.6	
Total	10,596	785	7.41%	1.3	7,158	67.55%	0.9	2,191	20.68%	1.4	462	4.36%	1.5	
Average	3,532	262	7.41%	1.3	2,386	67.55%	0.9	730	20.68%	1.4	154	4.36%	1.5	
<i>Indigenous</i>														
2016	609	50	8.21%	1.4	459	75.37%	1.0	89	14.61%	0.9	11	1.81%	0.6	
2017	525	25	4.76%	0.8	358	68.19%	0.9	125	23.81%	1.8	17	3.24%	1.1	
2018	510	17	3.33%	0.7	355	69.61%	0.9	117	22.94%	2.4	21	4.12%	1.3	
Total	1,644	92	5.60%	1.0	1,172	71.29%	0.9	331	20.13%	1.4	49	2.98%	1.0	
Average	548	31	5.60%	1.0	391	71.29%	0.9	110	20.13%	1.4	16	2.98%	1.0	
<i>Asian</i>														
2016	62	8	12.90%	-	39	62.90%	0.8	7	11.29%	-	8	12.90%	-	
2017	59	8	13.56%	-	40	67.80%	0.9	8	13.56%	-	3	5.08%	-	
2018	48	3	6.25%	-	33	68.75%	0.9	10	20.83%	-	2	4.17%	-	
Total	169	19	11.24%	-	112	66.27%	0.9	25	14.79%	-	13	7.69%	-	
Average	56	6	11.24%	-	37	66.27%	0.9	8	14.79%	-	4	7.69%	-	
<i>Unknown</i>														
2016	79	6	7.59%	-	62	78.48%	1.0	11	13.92%	0.9	0	0.00%	-	
2017	86	5	5.81%	-	67	77.91%	1.0	13	15.12%	1.1	1	1.16%	-	
2018	94	2	2.13%	-	81	86.17%	1.1	9	9.57%	0.6	2	2.13%	-	
Total	259	13	5.02%	-	210	81.08%	1.1	33	12.74%	0.9	3	1.16%	-	
Average	86	4	5.02%	-	70	81.08%	1.1	11	12.74%	0.9	1	1.16%	-	
<i>Overall Total</i>														
2016	8,861	693	7.82%	-	6,341	71.56%	-	1,522	17.18%	-	305	3.44%	-	
2017	8,436	594	7.04%	-	6,086	72.14%	-	1,418	16.81%	-	338	4.01%	-	
2018	8,016	418	5.21%	-	5,851	72.99%	-	1,365	17.03%	-	382	4.77%	-	
Total	25,313	1,705	6.74%	-	18,278	72.21%	-	4,305	17.01%	-	1,025	4.05%	-	
Average	8,438	568	6.74%	-	6,093	72.21%	-	1,435	17.01%	-	342	4.05%	-	

Glossary of Juvenile Justice Terms

Adjudication: The proceeding in which the juvenile is found to be delinquent. In some respects, an “adjudication” for a delinquent offense is the juvenile court’s equivalent of a “criminal conviction” in adult court.

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 and facilitates 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.

Delinquent Juvenile: A delinquent juvenile is 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 defined as the temporary confinement of a juvenile in a physically restricting facility. Juveniles are typically held in detention pending court hearings for purposes of public safety, their own protection, or as a consequence for misbehavior. This report is concerned with detention as a result of a referral and not as a consequence.

Disposition: Disposition refers to the process by which the juvenile court judge decides the best court action for the juvenile. It is comparable to “sentencing” in the adult system.

Direct Filed in Adult Court: A.R.S. §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 15, 16, or 17 years of age and is accused of any of the following offenses”: first degree murder; second degree murder; forcible sexual assault; armed robbery; any unknown violent offenses defined as aggravated assault, aggravated assault with a deadly weapon, drive by shooting, and discharging a firearm at a structure; a felony offense committed by a juvenile who has two prior and separate adjudications; and any offense joined to the unknown offenses. The county attorney also has statutorily defined discretion for direct filing.

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.

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 ADJC and unknown institutional or out-of-home placements. Statute requires that all juveniles adjudicated for a second felony offense must be placed on JIPS, committed to ADJC, or sent to adult court.

Non-Adjudication: Includes cases where the petition is filed but the case may be dismissed or the juvenile turns 18 or is transferred to an unknown jurisdiction or absconds.

No Petition Filed: Includes judicially adjusted complaints (typically juveniles assigned a consequence), absconders, complaints where there is insufficient evidence to continue, victim refusals to prosecute, and unknown reasons a petition might not be filed.

Penalty Only: A disposition involving only fines, fees, restitution, and/or community work service.

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.

Referral: Referral can be made by police, parents, school officials, probation officers or unknown 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 to 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. Statute 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.

References

- National Center for Juvenile Justice. (n.d.a) *Easy Access to Juvenile Populations: 1990-2019* [Population Calculator]. Retrieved March 16, 2021 from https://www.ojjdp.gov/ojstatbb/ezapop/asp/profile_selection.asp
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