

# Juveniles Processed *in the* Arizona Court System

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FY 2007



**JULY 1, 2006 - JUNE 30, 2007**

ADMINISTRATIVE OFFICE OF THE COURTS  
JUVENILE JUSTICE SERVICES DIVISION  
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# Introduction & Trends

## JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM IN FY07

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

This report provides an overview of the juveniles processed at various stages of the juvenile justice system statewide during fiscal year 2007. Selected breakdowns of unduplicated juvenile counts<sup>1</sup> 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.<sup>2</sup>

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 FY07.

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 2007, the juvenile population has continued to increase steadily, as evidenced in the Arizona Juvenile Population Estimates and Projections chart in this section.<sup>3</sup> 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 2001 through FY 2007. 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 FY07* that illustrates selected stages within the juvenile justice system and the number of juveniles processed at each stage. In the *Arizona Juvenile Court Activity FY07* 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 2001. 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.

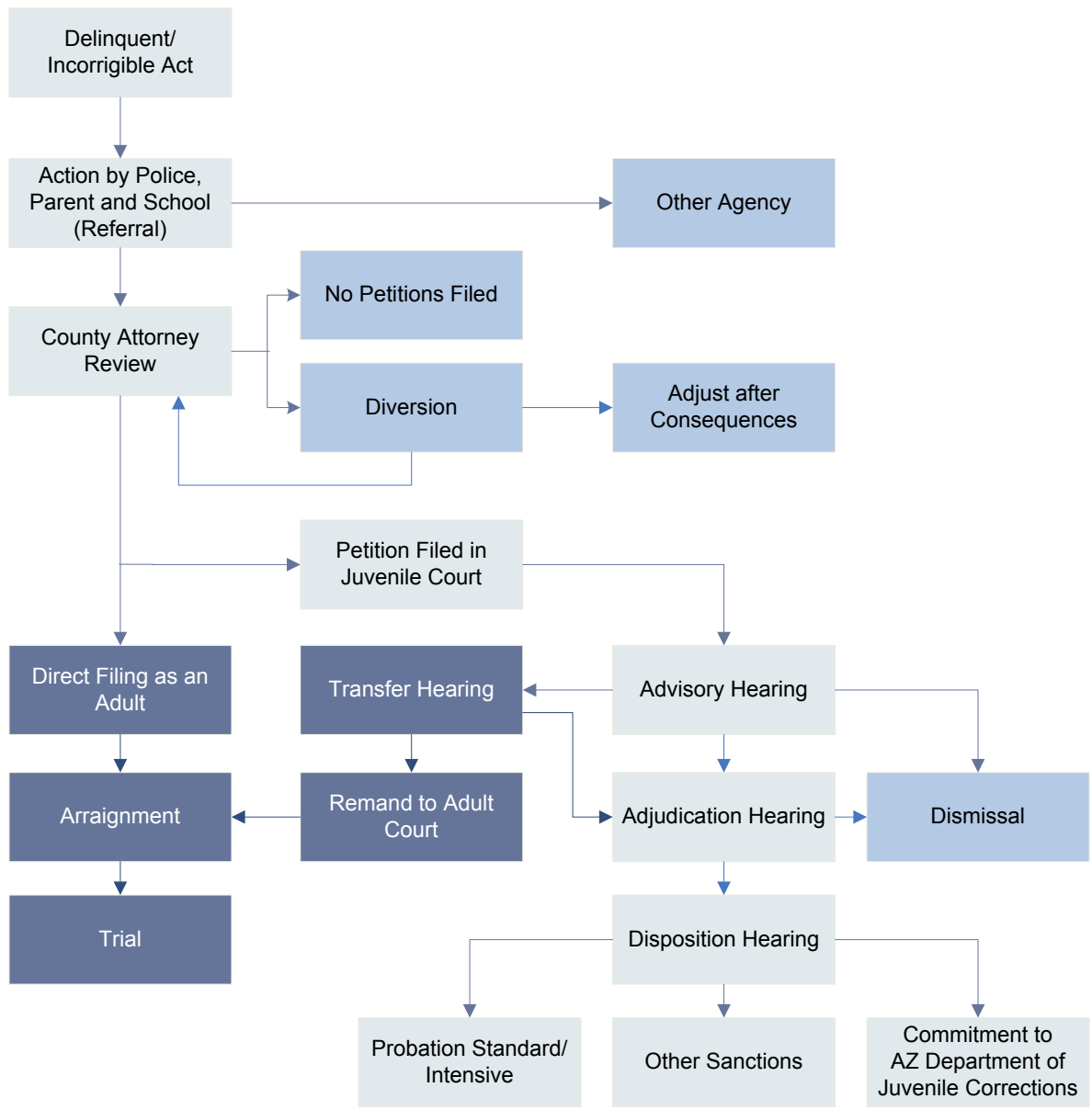
In addition to this annual report, other reports are available that describe some of the stages included in this report. For example, the Juvenile Justice Services Division also publishes the Juvenile Intensive Probation Supervision (JIPS) Annual Report. Several special reports have also been completed over the past years, including Juveniles Processed FY98 through FY07 and are all available on the Arizona Supreme Court, Juvenile Justice Services Division website at <http://www.supreme.state.az.us/jjsd>.



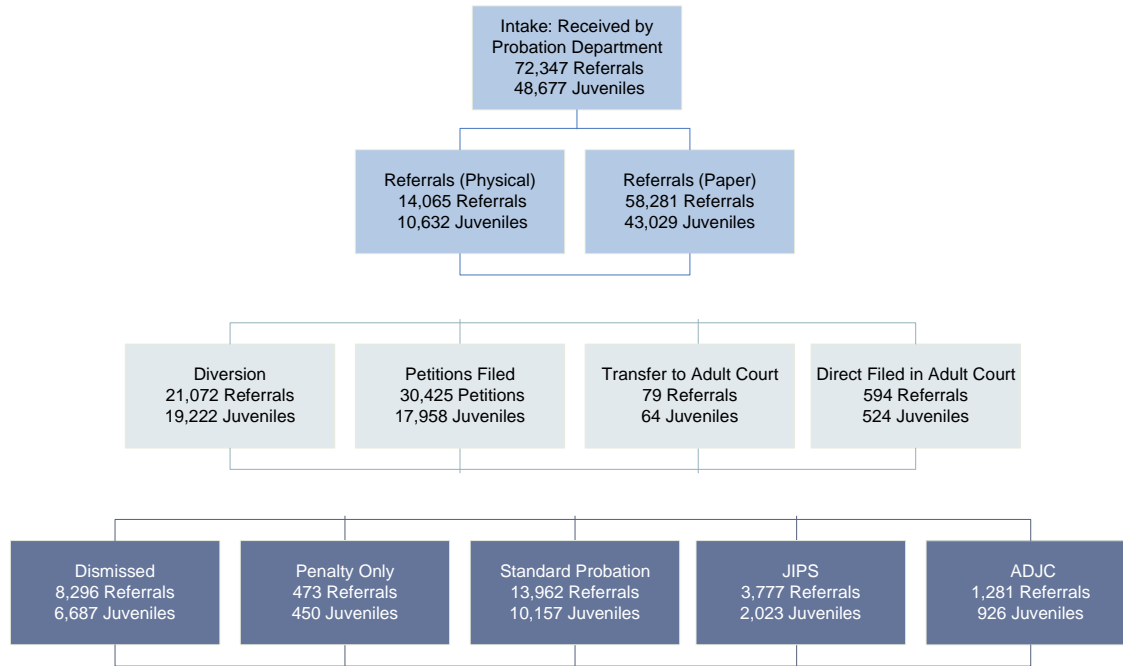
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# Juvenile Justice Flowchart

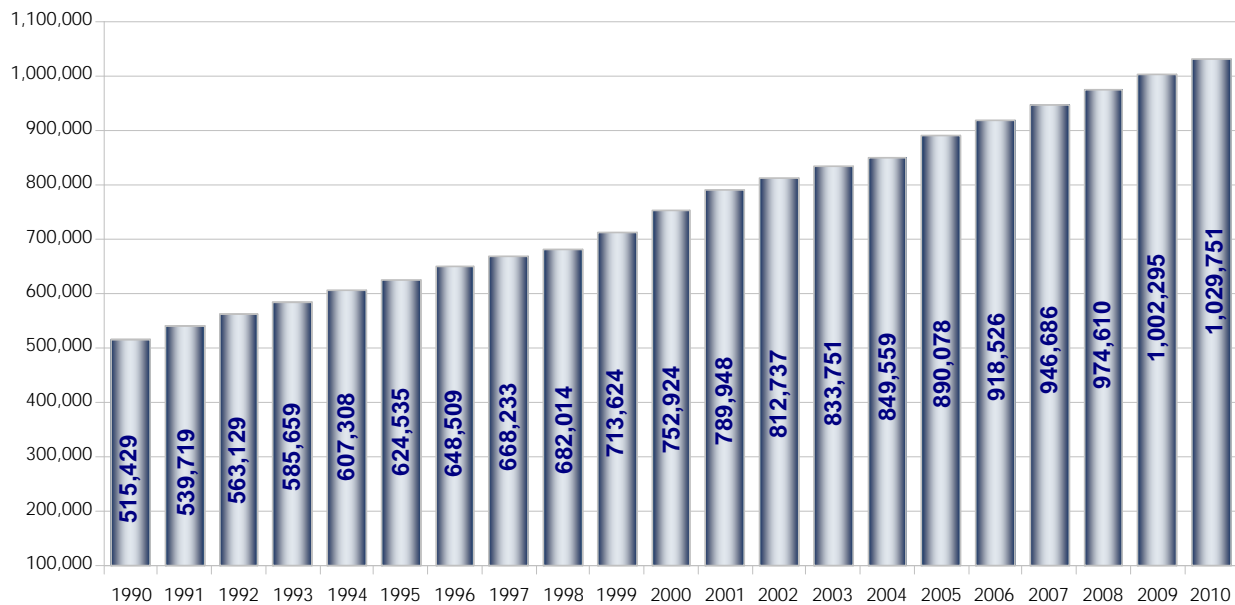


## Arizona Juvenile Court Activity FY07



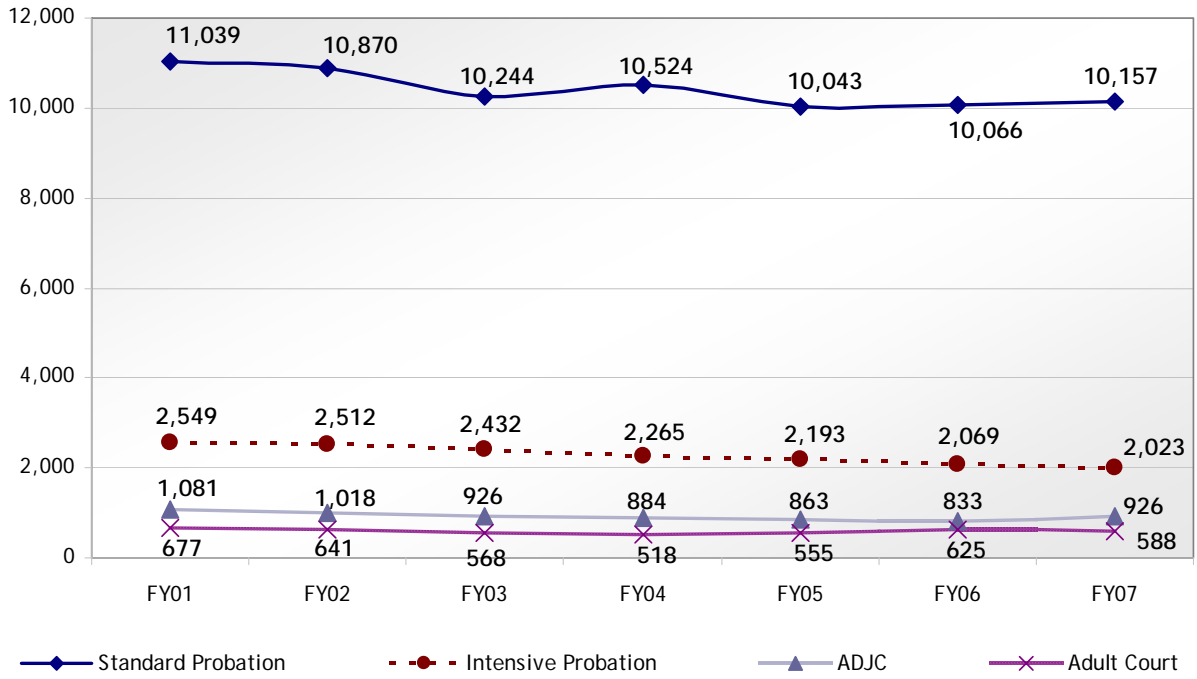
**Data Source:** Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division; Fifteen Juvenile Courts' Juvenile On-Line Tracking System (JOLTS), July 01, 2006 to June 30, 2007

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

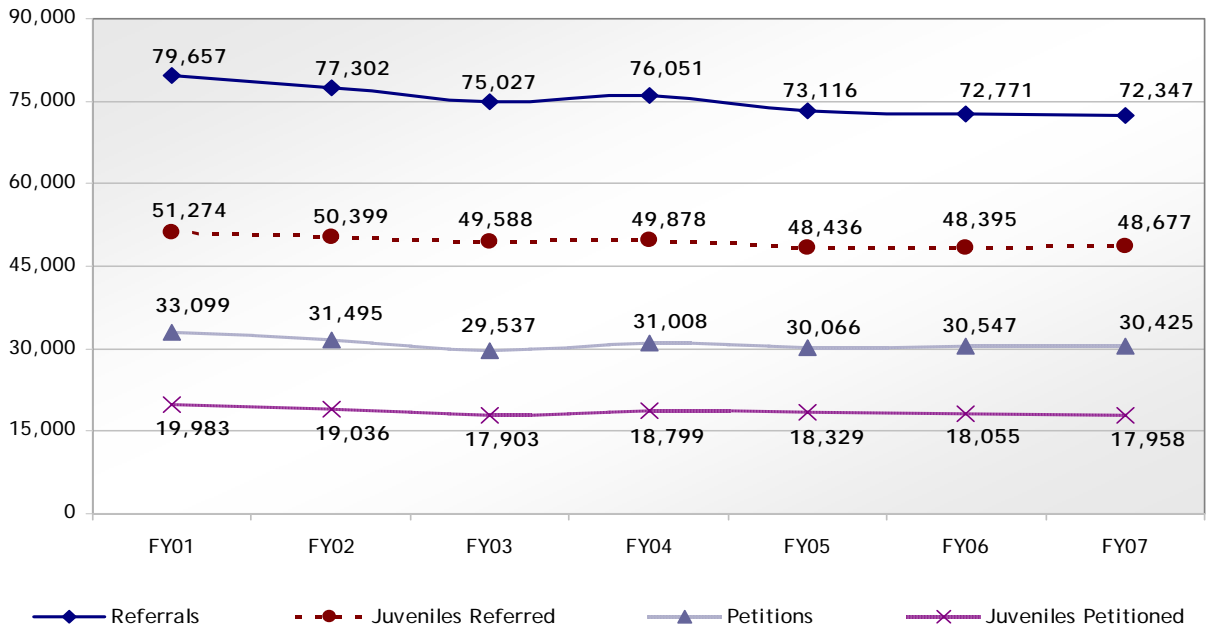


1995 - 1999 Population Estimates: Arizona Department of Economic Security, Research Administration, Population Statistics Unit.  
 2000 Population Estimate: US Census Bureau, Single Age Estimates  
 2001 - 2004 Population Projections: Constructed using Linear Regression Model by AOC/JJSD.  
 2005 - 2010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

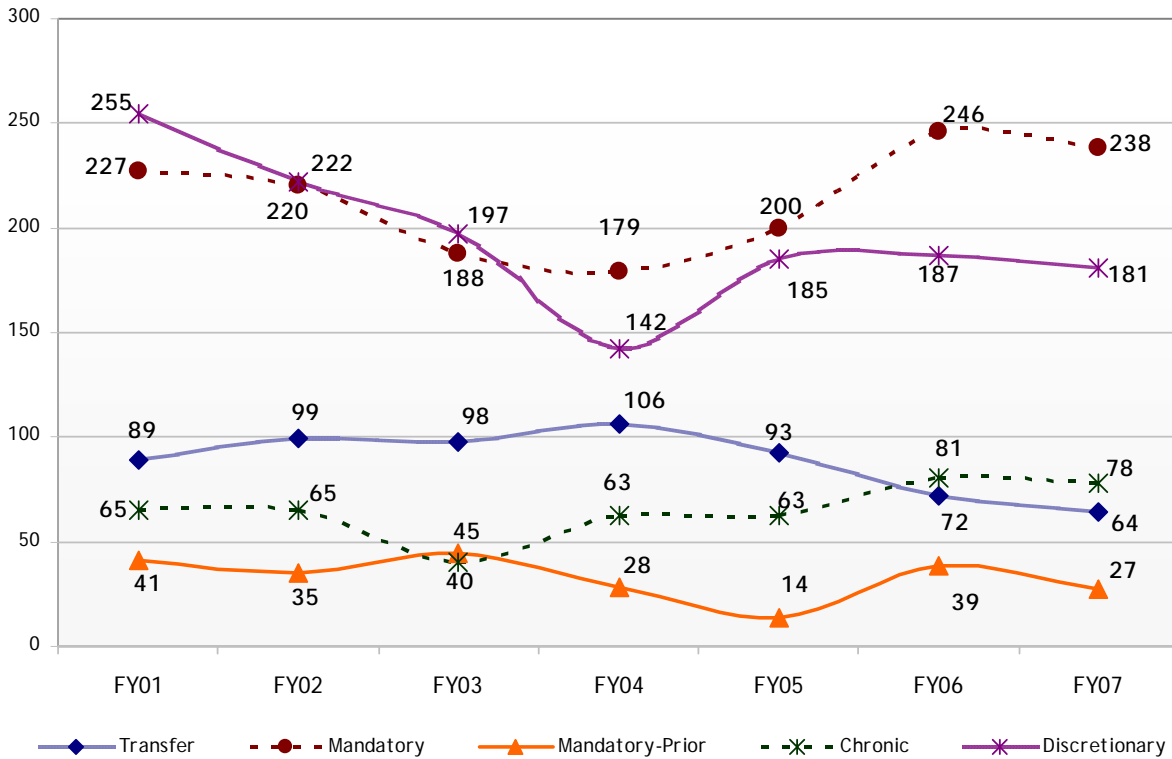
The Number of Juveniles Dispositioned to Probation, Intensive Probation, ADJC and Adult Court - Fiscal Years 2001 - 2007



Referrals, Petitions Filed and Juveniles Referred and Petitioned Fiscal Years 2001 - 2007



### Pathways for Juveniles Transferred and/or Direct Filed in Adult Court Fiscal Years 2001 - 2007<sup>1</sup>



This year's chart uses current information. This reflects updated information. A new chart covering the last five years is included in "Selected Topics" section following this year's Direct Filed and Transferred information.

# Juveniles Referred

## ARIZONA SUPERIOR COURT SYSTEM, FY07

*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 FY07. 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 2007, there were estimated 946,686 juveniles ages 8 to 18 in Arizona. From July 1, 2006 to June 30, 2007, 5.1% of these juveniles (48,677) were referred at least once to Arizona's juvenile courts. This represents about 1 in every 19.4 juveniles. These 48,677 juveniles generated 72,347 referrals at an average of 1.5 referrals per juvenile.

**Table 1.1 County: Juveniles Referred FY07**

Apache	258	0.50 %
Cochise	1,215	2.50
Coconino	1,318	2.71
Gila	841	1.73
Graham	462	0.95
Greenlee	98	0.20
La Paz	151	0.31
Maricopa	25,437	52.26
Mohave	1,927	3.96
Navajo	917	1.88
Pima	8,921	18.33
Pinal	2,171	4.46
Santa Cruz	601	1.23
Yavapai	1,713	3.52
Yuma	2,647	5.44
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Table 1.2 Gender: Juveniles Referred FY07**

Male	32,426	66.61%
Female	16,251	33.39
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Table 1.3 Age: Juveniles Referred FY07**

8	194	0.40%
9	311	0.64
10	481	0.99
11	960	1.97
12	2,010	4.13
13	4,043	8.31
14	6,576	13.51
15	9,566	19.65
16	11,006	22.61
17	12,976	26.66
Unknown	554	1.14
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Table 1.4 Ethnicity: Juveniles Referred FY07**

Hispanic	19,491	40.04 %
African American	3,787	7.78
Anglo	21,915	45.02
Native American	2,474	5.08
Asian/Pacific Islander	300	0.62
Other	103	0.21
Unknown	607	1.25
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Table 1.5 Education Status: Juveniles Referred FY07**

Enrolled	31,648	65.02 %
Not Enrolled	3,013	6.19
Expelled	86	0.18
Suspended	99	0.20
Withdrawn	184	0.38
Graduated	61	0.13
GED Program	46	0.09
Unknown	13,540	27.82
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Table 1.6 Number of Prior Referrals: Juveniles Referred FY07**

0	24,408	50.14 %
1	9,000	18.49
2	4,617	9.48
3	2,808	5.77
4	1,936	3.98
5	1,351	2.78
6	990	2.03
7	757	1.56
8 or more	2,810	5.77
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

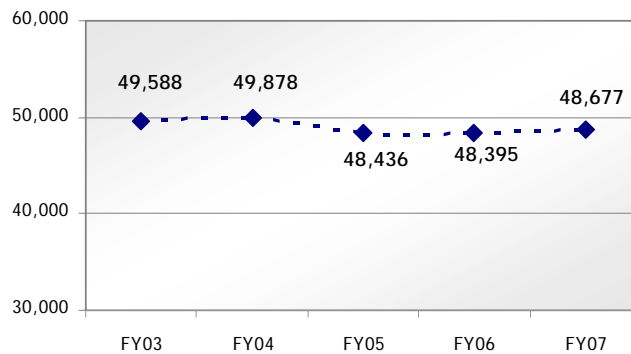
**Table 1.7 Severity of Most Serious Offense: Juveniles Referred FY07**

Felonies Against Person	2,369	4.87 %
Felonies Against Property	5,422	11.14
Obstruction of Justice: Felony & Misdemeanor	4,003	8.22
Misdemeanors Against Person	4,418	9.08
Drugs: Felony & Misdemeanor	4,999	10.27
Public Peace: Felony & Misdemeanor	12,744	26.18
Misdemeanors Against Property	5,971	12.27
Status Offenses	8,423	17.30
Administrative	328	0.67
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Table 1.8 Offense Class of Most Serious Offense: Juveniles Referred FY07**

Felony	14,558	29.91%
Misdemeanor	23,022	47.30
Violations of Probation & Ordinances	2,163	4.44
Status	8,437	17.33
Other	497	1.02
<b>TOTAL</b>	<b>48,677</b>	<b>100.0</b>

**Juveniles Referred**



For FY 2001 through FY 2007 data, refer to the graphs on page 5.

<b>Table 1.9 Top Ten Referral Categories FY07</b>		
Probation Violation	6,421	8.88 %
Truancy	5,505	7.61
Curfew	4,206	5.81
Runaway	4,136	5.72
Marijuana Possession	3,746	5.18
Alcohol	3,366	4.65
Assault – Simple	2,403	3.32
Shoplifting – Misd	2,346	3.24
Disorderly Conduct	2,243	3.10
Assault – Domestic Violence	1,792	2.48
<i>TOTAL TOP TEN REFERRALS</i>	36,164	49.99
<i>TOTAL ALL REFERRALS</i>	72,347	100.0

In FY07, 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 has been no change in the categories of the top ten offenses, only changes in rank order.

Explanations of the categories can be found in the Notes section.<sup>4</sup>

<b>Table 1.10 Top Ten Referral Categories for Previous Fiscal Years</b>			
FY2003	FY2004	FY2005	FY2006
Probation Violation 7,938	Probation Violation 7,540	Probation Violation 7,099	Probation Violation 6,169
Shoplifting – Misd 6,587	Shoplifting – Misd 6,508	Shoplifting – Misd 6,266	Truancy 5,947
Truancy 5,958	Truancy 6,300	Truancy 5,493	Shoplifting – Misd 4,984
Alcohol 5,881	Alcohol 5,976	Runaway 4,103	Runaway 4,556
Runaway 4,009	Runaway 4,013	Marijuana Possession 3,656	Curfew 3,952
Curfew 3,738	Curfew 3,752	Curfew 3,539	Marijuana Possession 3,704
Assault – DV 2,201	Marijuana Possession 3,743	Alcohol 3,276	Alcohol 3,348
Marijuana Possession 3,446	Assault – DV 2,255	Assault – Simple 2,635	Assault – Simple 2,550
Assault – Simple 3,119	Assault – Simple 2,967	Disorderly Conduct 2,459	Disorderly Conduct 2,504
Disorderly Conduct 2,523	Disorderly Conduct 2,597	Assault – Domestic Violence 1,946	Assault – Domestic Violence 2,017

Cells indicate the number of Referrals for each offense.

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# Juveniles Detained

## ARIZONA SUPERIOR COURT SYSTEM, FY07

*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.

County	Count	Percentage
Apache	131	1.08 %
Cochise	259	2.14
Coconino	294	2.43
Gila	477	3.94
Graham	185	1.53
Greenlee	21	0.17
La Paz	33	0.27
Maricopa	5,823	48.10
Mohave	410	3.39
Navajo	170	1.40
Pima	1,827	15.09
Pinal	752	6.21
Santa Cruz	275	2.27
Yavapai	569	4.70
Yuma	881	7.28
<b>TOTAL</b>	<b>12,107</b>	<b>100.0</b>

In FY07, 12,107 juveniles were detained at least once. Only 7,727 (63.8%) 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 7,727 juveniles that were detained on a referral (physical referral) represent 15.9% of the juveniles referred to the juvenile court in FY07.
- Over the past few years, juveniles detained has decreased from a high of 13,660 in FY 2002. The rate has been relatively stable over the past three years in spite of increased population.

Gender	Count	Percentage
Male	9,340	77.15%
Female	2,767	22.85
<b>TOTAL</b>	<b>12,107</b>	<b>100.0</b>

Age	Count	Percentage
8	2	0.02 %
9	13	0.11
10	39	0.32
11	80	0.66
12	233	1.92
13	650	5.37
14	1,339	11.06
15	2,347	19.39
16	3,193	26.37
17	4,151	34.29
Unknown	60	0.50
<b>TOTAL</b>	<b>12,107</b>	<b>100.0</b>

Ethnicity	Count	Percentage
Hispanic	5,581	46.10 %
African American	1,179	9.74
Anglo	4,444	36.71
Native American	782	6.46
Asian/Pacific Islander	56	0.46
Other	41	0.34
Unknown	24	0.20
<b>TOTAL</b>	<b>12,107</b>	<b>100.0</b>

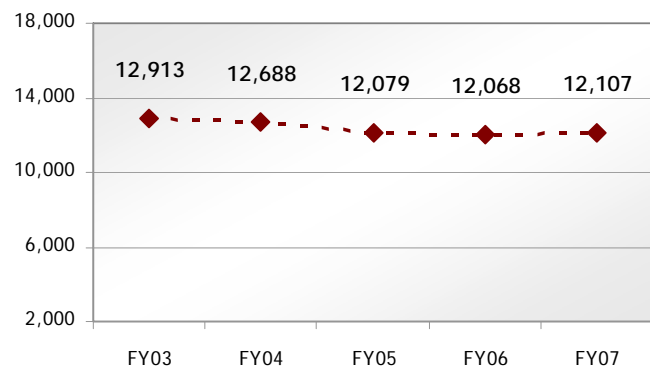
Education Status	Count	Percentage
Enrolled	5,198	42.93 %
Not Enrolled	1,245	10.28
Expelled	51	0.42
Suspended	48	0.40
Withdrawn	94	0.78
Graduated	16	0.13
GED Program	29	0.24
Unknown	5,426	44.82
<b>TOTAL</b>	<b>12,107</b>	<b>100.0</b>

Number of Referrals	Count	Percentage
0	1,912	24.74 %
1	1,014	13.12
2	877	11.35
3	703	9.10
4	590	7.64
5	487	6.30
6	368	4.76
7	328	4.24
8 or more	1,448	18.74
<b>TOTAL</b>	<b>7,727</b>	<b>100.0</b>

Offense Category	Count	Percentage
Felonies Against Person	1,153	14.92 %
Felonies Against Property	1,754	22.70
Obstruction of Justice: Felony & Misdemeanor	1,615	20.90
Misdemeanors Against Person	862	11.16
Drugs: Felony & Misdemeanor	763	9.87
Public Peace: Felony & Misdemeanor	1,043	13.50
Misdemeanors Against Property	321	4.15
Status Offenses	152	1.97
Administrative	64	0.83
<b>TOTAL</b>	<b>7,727</b>	<b>100.0</b>

Offense Class	Count	Percentage
Felony	4,226	54.69 %
Misdemeanor	2,226	28.81
Violations of Probation & Ordinances	1,065	13.78
Status	152	1.97
Other	58	0.75
<b>TOTAL</b>	<b>7,727</b>	<b>100.0</b>

### Juveniles Detained



# Juveniles Diverted

## ARIZONA SUPERIOR COURT SYSTEM, FY07

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.<sup>5</sup>

In FY07, there were 19,222 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. 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 FY07:

- 70.1% had no prior referrals.
- 61.4% had a misdemeanor as the most serious offense.

**Table 3.1 County: Juveniles Diverted FY07**

Apache	65	0.34 %
Cochise	794	4.13
Coconino	609	3.17
Gila	322	1.68
Graham	144	0.75
Greenlee	18	0.09
La Paz	64	0.33
Maricopa	10,184	52.98
Mohave	580	3.02
Navajo	150	0.78
Pima	3,882	20.20
Pinal	433	2.25
Santa Cruz	121	0.63
Yavapai	925	4.81
Yuma	931	4.84
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

**Table 3.2 Gender: Juveniles Diverted FY07**

Male	11,535	60.01 %
Female	7,687	39.99
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

**Table 3.3 Age: Juveniles Diverted FY07**

8	97	0.50 %
9	167	0.87
10	247	1.28
11	518	2.69
12	1,131	5.88
13	2,115	11.00
14	3,206	16.68
15	4,199	21.84
16	3,955	20.58
17	3,515	18.29
Unknown	72	0.37
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

<b>Table 3.4 Ethnicity: Juveniles Diverted FY07</b>		
Hispanic	7,460	38.81 %
African American	1,241	6.46
Anglo	9,164	47.67
Native American	852	4.43
Asian/Pacific Islander	141	0.73
Other	35	0.18
Unknown	329	1.71
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

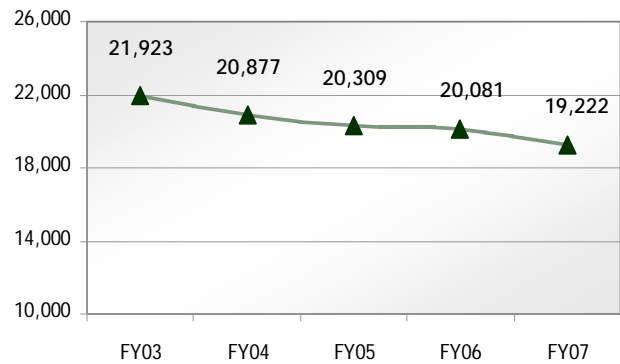
<b>Table 3.5 Education Status: Juveniles Diverted FY07</b>		
Enrolled	13,727	71.41 %
Not Enrolled	420	2.18
Expelled	14	0.07
Suspended	17	0.09
Withdrawn	32	0.17
Graduated	9	0.05
GED Program	9	0.05
Unknown	4,994	25.98
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

<b>Table 3.6 Number of Prior Referrals: Juveniles Diverted FY07</b>		
0	13,469	70.07 %
1	3,762	19.57
2	1,066	5.55
3	407	2.12
4	155	0.81
5	97	0.50
6	61	0.32
7	44	0.23
8 or more	161	0.84
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

<b>Table 3.7 Severity of Most Serious Offense: Juveniles Diverted FY07</b>		
Felonies Against Person	135	0.70 %
Felonies Against Property	670	3.49
Obstruction of Justice: Felony & Misdemeanor	113	0.59
Misdemeanors Against Person	1,914	9.96
Drugs: Felony & Misdemeanor	1,661	8.64
Public Peace: Felony & Misdemeanor	5,880	30.59
Misdemeanors Against Property	4,235	22.03
Status Offenses	4,604	23.95
Administrative	10	0.05
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

<b>Table 3.8 Offense Class of Most Serious Offense: Juveniles Diverted FY07</b>		
Felony	2,615	13.60 %
Misdemeanor	11,806	61.42
Violations of Probation & Ordinances	141	0.73
Status	4,606	23.96
Other	54	0.28
<b>TOTAL</b>	<b>19,222</b>	<b>100.0</b>

### Juveniles Diverted



# PETITIONS FILED

## ARIZONA SUPERIOR COURT SYSTEM, FY07

*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 17,958 juveniles with a petition filed during FY07. This is a slight decrease from FY06.

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%, 36.9% for FY 2007. 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 (74.8%) are between 15 and 17 years of age.

County	Petitions	Percentage
Apache	126	0.70 %
Cochise	420	2.34
Coconino	545	3.03
Gila	356	1.98
Graham	245	1.36
Greenlee	53	0.30
La Paz	55	0.31
Maricopa	9,497	52.88
Mohave	573	3.19
Navajo	300	1.67
Pima	2,638	14.69
Pinal	857	4.77
Santa Cruz	376	2.09
Yavapai	731	4.07
Yuma	1,186	6.60
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

Gender	Petitions	Percentage
Male	13,673	76.14 %
Female	4,285	23.86
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

Age	Petitions	Percentage
8	18	0.10 %
9	51	0.28
10	110	0.61
11	246	1.37
12	543	3.02
13	1,229	6.84
14	2,327	12.96
15	3,649	20.32
16	4,662	25.96
17	5,096	28.38
Unknown	27	0.15
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

Table 4.4 Ethnicity: Petitions Filed FY07		
Hispanic	7,821	43.55 %
African American	1,673	9.32
Anglo	7,225	40.23
Native American	1,049	5.84
Asian/Pacific Islander	86	0.48
Other	38	0.21
Unknown	66	0.37
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

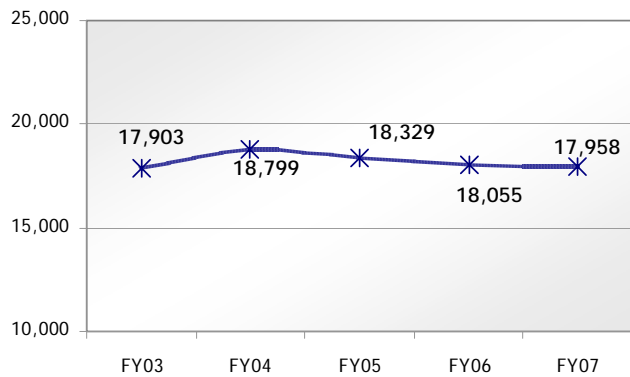
Table 4.5 Education Status: Petitions Filed FY07		
Enrolled	12,843	71.52 %
Not Enrolled	1,977	11.01
Expelled	60	0.33
Suspended	69	0.38
Withdrawn	136	0.76
Graduated	17	0.09
GED Program	33	0.18
Unknown	2,823	15.72
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

Table 4.6 Number of Prior Referrals: Petitions Filed FY07		
0	4,499	25.05 %
1	3,082	17.16
2	2,606	14.51
3	1,929	10.74
4	1,379	7.68
5	982	5.47
6	766	4.27
7	589	3.28
8 or more	2,126	11.84
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

Table 4.7 Severity of Most Serious Offense: Petitions Filed FY07		
Felonies Against Person	1,389	7.73 %
Felonies Against Property	3,728	20.76
Obstruction of Justice: Felony & Misdemeanor	3,825	21.30
Misdemeanors Against Person	1,752	9.76
Drugs: Felony & Misdemeanor	2,108	11.74
Public Peace: Felony & Misdemeanor	3,081	17.16
Misdemeanors Against Property	1,329	7.40
Status Offenses	711	3.96
Administrative	35	0.19
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

Table 4.8 Offense Class of Most Serious Offense: Petitions Filed FY07		
Felony	8,137	45.31 %
Misdemeanor	6,962	38.77
Violations of Probation & Ordinances	2,080	11.58
Status	734	4.09
Other	45	0.25
<b>TOTAL</b>	<b>17,958</b>	<b>100.0</b>

### Juveniles Petitioned



For FY 2001 through FY 2007 data, refer to the graphs on page 5.

# JUVENILES DISMISSED

## ARIZONA SUPERIOR COURT SYSTEM, FY07

*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 decrease in FY07.

**Table 5.1 County: Disposition of Dismissed FY07**

Apache	55	0.82 %
Cochise	117	1.75
Coconino	142	2.12
Gila	120	1.79
Graham	74	1.11
Greenlee	21	0.31
La Paz	55	0.82
Maricopa	3,494	52.25
Mohave	230	3.44
Navajo	86	1.29
Pima	1,128	16.87
Pinal	414	6.19
Santa Cruz	182	2.72
Yavapai	210	3.14
Yuma	359	5.37
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

**Table 5.2 Gender: Disposition of Dismissed FY07**

Male	4,902	73.31
Female	1,785	26.69
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

**Table 5.3 Age: Disposition of Dismissed FY07**

8	12	0.18 %
9	24	0.36
10	52	0.78
11	99	1.48
12	170	2.54
13	440	6.58
14	746	11.16
15	1,288	19.26
16	1,610	24.08
17	1,843	27.56
Unknown	403	6.03
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

<b>Table 5.4</b> Ethnicity: Disposition of Dismissed FY07		
Hispanic	2,747	41.08 %
African American	652	9.75
Anglo	2,899	43.35
Native American	320	4.79
Asian/Pacific Islander	33	0.49
Other	12	0.18
Unknown	24	0.36
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

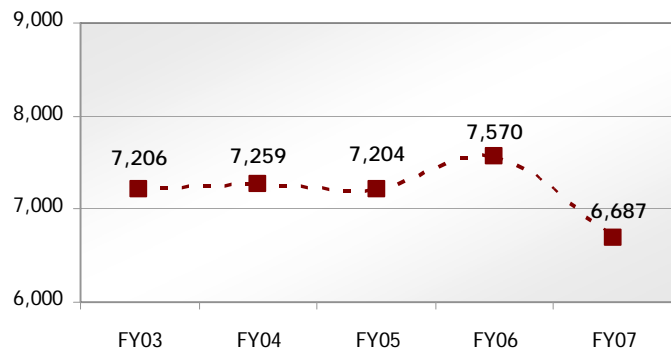
<b>Table 5.5</b> Education Status: Disposition of Dismissed FY07		
Enrolled	4,553	68.09 %
Not Enrolled	649	9.71
Expelled	21	0.31
Suspended	37	0.55
Withdrawn	45	0.67
Graduated	8	0.12
GED Program	10	0.15
Unknown	1,364	20.40
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

<b>Table 5.6</b> Number of Prior Referrals: Disposition of Dismissed FY07		
0	1,884	28.17 %
1	1,213	18.14
2	933	13.95
3	676	10.11
4	451	6.74
5	330	4.93
6	230	3.44
7	234	3.50
8 or more	736	11.01
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

<b>Table 5.7</b> Severity of Most Serious Offense: Disposition of Dismissed FY07		
Felonies Against Person	293	4.38 %
Felonies Against Property	662	9.90
Obstruction of Justice: Felony & Misdemeanor	1,240	18.54
Misdemeanors Against Person	690	10.32
Drugs: Felony & Misdemeanor	601	8.99
Public Peace: Felony & Misdemeanor	1,689	25.26
Misdemeanors Against Property	690	10.32
Status Offenses	811	12.13
Administrative	11	0.16
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

<b>Table 5.8</b> Offense Class of Most Serious Offense: Disposition of Dismissed FY07		
Felony	1,757	26.27 %
Misdemeanor	3,099	46.34
Violations of Probation & Ordinances	911	13.62
Status	810	12.11
Other	110	1.64
<b>TOTAL</b>	<b>6,687</b>	<b>100.0</b>

### Dismissed





# PENALTY ONLY

## JUVENILES WITH DISPOSITIONS OF PENALTY ONLY IN FY07

*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 increased over the past year by 12.5%. Over the last five years dispositions of penalty only have remained fairly stable.

**Table 6.1 County: Disposition of Penalty Only FY07**

Apache	0	0.00 %
Cochise	36	8.00
Coconino	37	8.22
Gila	10	2.22
Graham	7	1.56
Greenlee	0	0.00
La Paz	0	0.00
Maricopa	179	39.78
Mohave	1	0.22
Navajo	4	0.89
Pima	17	3.78
Pinal	64	14.22
Santa Cruz	38	8.44
Yavapai	1	0.22
Yuma	56	12.44
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Table 6.2 Gender: Disposition of Penalty Only FY07**

Male	348	77.33 %
Female	102	22.67
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Table 6.3 Age: Disposition of Penalty Only FY07**

8	0	0.00 %
9	1	0.22
10	2	0.44
11	5	1.11
12	6	1.33
13	14	3.11
14	26	5.78
15	41	9.11
16	88	19.56
17	247	54.89
Unknown	20	4.44
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Table 6.4 Ethnicity: Disposition of Penalty Only FY07**

Hispanic	220	48.89 %
African American	29	6.44
Anglo	162	36.00
Native American	37	8.22
Asian/Pacific Islander	1	0.22
Other	1	0.22
Unknown	0	0.00
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Table 6.5 Education Status: Disposition of Penalty Only FY07**

Enrolled	281	62.44
Not Enrolled	67	14.89
Expelled	3	0.67
Suspended	1	0.22
Withdrawn	6	1.33
Graduated	3	0.67
GED Program	3	0.67
Unknown	86	19.11
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Table 6.6 Number of Prior Referrals: Disposition of Penalty Only FY07**

0	112	24.89 %
1	80	17.78
2	64	14.22
3	45	10.00
4	34	7.56
5	29	6.44
6	19	4.22
7	9	2.00
8 or more	58	12.89
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

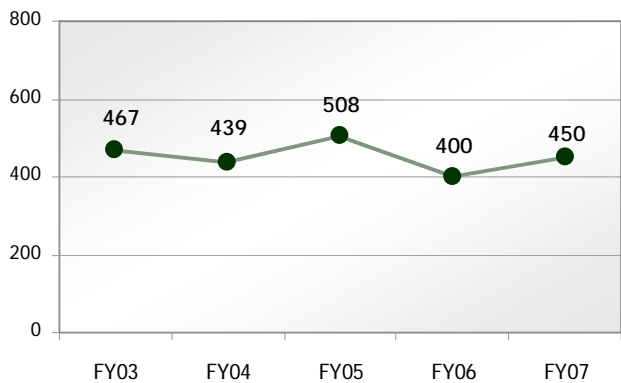
**Table 6.7 Severity of Most Serious Offense: Disposition of Penalty Only FY07**

Felonies Against Person	14	3.11 %
Felonies Against Property	36	8.00
Obstruction of Justice: Felony & Misdemeanor	66	14.67
Misdemeanors Against Person	26	5.78
Drugs: Felony & Misdemeanor	40	8.89
Public Peace: Felony & Misdemeanor	203	45.11
Misdemeanors Against Property	44	9.78
Status Offenses	21	4.67
Administrative	0	0.00
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Table 6.8 Offense Class of Most Serious Offense: Disposition of Penalty Only FY07**

Felony	103	22.89
Misdemeanor	263	58.44
Violations of Probation & Ordinances	62	13.78
Status	21	4.67
Other	1	0.22
<b>TOTAL</b>	<b>450</b>	<b>100.0</b>

**Penalty Only**



# STANDARD PROBATION

## JUVENILES WITH DISPOSITIONS OF STANDARD PROBATION IN FY07<sup>6</sup>

*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)*

County	Count	Percentage
Apache	93	0.92 %
Cochise	191	1.88
Coconino	310	3.05
Gila	182	1.79
Graham	175	1.72
Greenlee	34	0.33
La Paz	32	0.32
Maricopa	5,605	55.18
Mohave	367	3.61
Navajo	222	2.19
Pima	1,458	14.35
Pinal	363	3.57
Santa Cruz	186	1.83
Yavapai	349	3.44
Yuma	590	5.81
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

Gender	Count	Percentage
Male	7,760	76.40 %
Female	2,397	23.60
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

Age	Count	Percentage
8	3	0.03 %
9	6	0.06
10	22	0.22
11	92	0.91
12	197	1.94
13	635	6.25
14	1,317	12.97
15	2,114	20.81
16	2,607	25.67
17	3,144	30.95
Unknown	20	0.20
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

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

In FY07, 10,157 juveniles were given a disposition of standard probation. Dispositions to standard probation have decreased by 8.0% since FY01. Over the last five years dispositions of standard probation have been fairly stable.

Hispanic	4,220	41.55 %
African American	895	8.81
Anglo	4,342	42.75
Native American	604	5.95
Asian/Pacific Islander	57	0.56
Other	17	0.17
Unknown	22	0.22
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

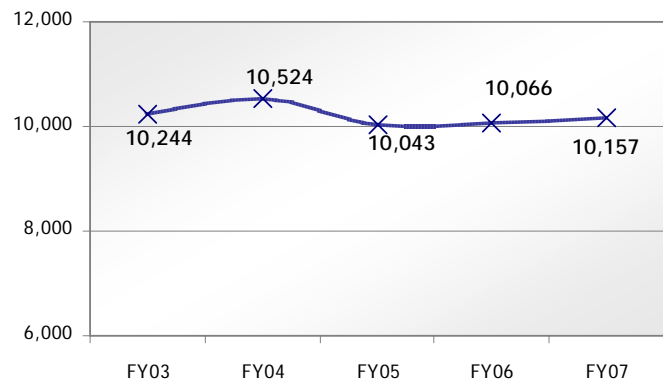
Enrolled	7,637	75.19 %
Not Enrolled	937	9.23
Expelled	30	0.30
Suspended	40	0.39
Withdrawn	64	0.63
Graduated	7	0.07
GED Program	9	0.09
Unknown	1,433	14.11
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

0	2,495	24.56 %
1	1,993	19.62
2	1,693	16.67
3	1,194	11.76
4	834	8.21
5	545	5.37
6	382	3.76
7	253	2.49
8 or more	768	7.56
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

Felonies Against Person	850	8.37 %
Felonies Against Property	2,316	22.80
Obstruction of Justice: Felony & Misdemeanor	1,827	17.99
Misdemeanors Against Person	826	8.13
Drugs: Felony & Misdemeanor	1,476	14.53
Public Peace: Felony & Misdemeanor	1,622	15.97
Misdemeanors Against Property	804	7.92
Status Offenses	293	2.88
Administrative	143	1.41
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

Felony	5,280	51.98 %
Misdemeanor	3,404	33.51
Violations of Probation & Ordinances	1,037	10.21
Status	293	2.88
Other	143	1.41
<b>TOTAL</b>	<b>10,157</b>	<b>100.0</b>

### Standard Probation



For FY 2001 through FY 2007 data, refer to the graphs on page 5.

# JIPS

## JUVENILES WITH DISPOSITIONS TO JIPS IN FY07<sup>6</sup>

*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 2003, the number of juveniles placed on JIPS has decreased by 16.8%.

**Table 8.1 County: Disposition to JIPS FY07**

Apache	15	0.74 %
Cochise	77	3.81
Coconino	60	2.97
Gila	35	1.73
Graham	30	1.48
Greenlee	11	0.54
La Paz	9	0.44
Maricopa	853	42.17
Mohave	142	7.02
Navajo	47	2.32
Pima	212	10.48
Pinal	112	5.54
Santa Cruz	42	2.08
Yavapai	133	6.57
Yuma	245	12.11
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

**Table 8.2 Gender: Disposition to JIPS FY07**

Male	1,761	87.05 %
Female	262	12.95
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

**Table 8.3 Age: Disposition to JIPS FY07**

8	0	0.00 %
9	0	0.00
10	1	0.05
11	0	0.00
12	26	1.29
13	82	4.05
14	236	11.67
15	455	22.49
16	602	29.76
17	619	30.60
Unknown	2	0.10
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

**Table 8.4 Ethnicity: Disposition to JIPS FY07**

Hispanic	985	48.69 %
African American	167	8.26
Anglo	763	37.72
Native American	96	4.75
Asian/Pacific Islander	7	0.35
Other	5	0.25
Unknown	0	0.00
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

**Table 8.5 Education Status: Disposition to JIPS FY07**

Enrolled	1,500	74.15 %
Not Enrolled	280	13.84
Expelled	18	0.89
Suspended	14	0.69
Withdrawn	27	1.33
Graduated	5	0.25
GED Program	12	0.59
Unknown	167	8.26
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

**Table 8.6 Number of Prior Referrals: Disposition to JIPS FY07**

0	88	4.35 %
1	117	5.78
2	175	8.65
3	193	9.54
4	228	11.27
5	196	9.69
6	214	10.58
7	166	8.21
8 or more	646	31.93
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

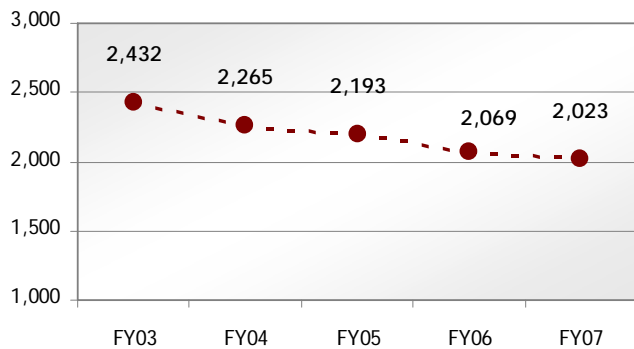
**Table 8.7 Severity of Most Serious Offense: Disposition to JIPS FY07**

Felonies Against Person	194	9.59 %
Felonies Against Property	563	27.83
Obstruction of Justice: Felony & Misdemeanor	898	44.39
Misdemeanors Against Person	62	3.06
Drugs: Felony & Misdemeanor	144	7.12
Public Peace: Felony & Misdemeanor	116	5.73
Misdemeanors Against Property	32	1.58
Status Offenses	4	0.20
Administrative	10	0.49
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

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

Felony	1,103	54.52 %
Misdemeanor	310	15.32
Violations of Probation & Ordinances	600	29.66
Status	3	0.15
Other	7	0.35
<b>TOTAL</b>	<b>2,023</b>	<b>100.0</b>

### Juvenile Intensive Probation (JIPS)



For FY 2001 through FY 2007 data, refer to the graphs on page 5.

# ADJC

## JUVENILES WITH DISPOSITIONS TO ADJC IN FY07

*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.<sup>7</sup>

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 2006 within each county.

In FY07, 926 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, but this year juveniles committed to ADJC increased from 833 in FY06 to 926 in FY07. This represents an 11.16% increase.

- 46.1% 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).
- 48.7% 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 FY07**

Apache	5	0.54 %
Cochise	19	2.05
Coconino	16	1.73
Gila	6	0.65
Graham	16	1.73
Greenlee	0	0.00
La Paz	2	0.22
Maricopa	562	60.69
Mohave	56	6.05
Navajo	11	1.19
Pima	128	13.82
Pinal	31	3.35
Santa Cruz	8	0.86
Yavapai	29	3.13
Yuma	37	4.00
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

**Table 9.2 Age: Disposition to ADJC FY07**

8	0	0.00 %
9	0	0.00
10	0	0.00
11	0	0.00
12	1	0.11
13	13	1.40
14	70	7.56
15	186	20.09
16	297	32.07
17	359	38.77
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

<b>Table 9.3 Gender: Disposition to ADJC FY07</b>		
Male	810	87.47 %
Female	116	12.53
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

<b>Table 9.4 Ethnicity: Disposition to ADJC FY07</b>		
Hispanic	443	47.84 %
African American	123	13.28
Anglo	320	34.56
Native American	36	3.89
Asian/Pacific Islander	3	0.32
Other	0	0.00
Unknown	1	0.11
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

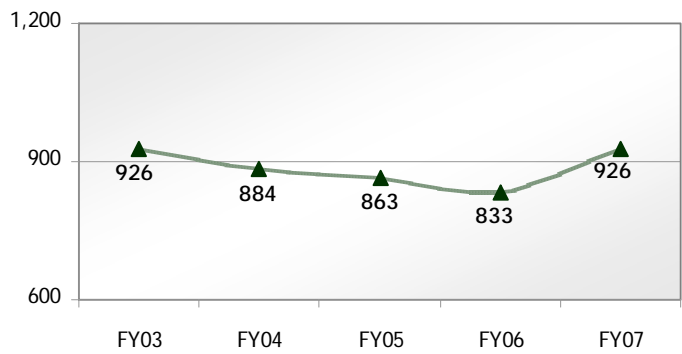
<b>Table 9.5 Education Status: Disposition to ADJC FY07</b>		
Enrolled	522	56.37 %
Not Enrolled	269	29.04
Expelled	10	1.08
Suspended	4	0.43
Withdrawn	21	2.27
Graduated	3	0.32
GED Program	6	0.65
Unknown	91	9.83
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

<b>Table 9.6 Number of Prior Referrals: Disposition to ADJC FY07</b>		
0	33	3.56 %
1	30	3.24
2	58	6.26
3	48	5.18
4	66	7.13
5	82	8.86
6	81	8.75
7	77	8.32
8 or more	451	48.70
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

<b>Table 9.7 Severity of Most Serious Offense: Disposition to ADJC FY07</b>		
Felonies Against Person	134	14.47%
Felonies Against Property	170	18.36
Obstruction of Justice: Felony & Misdemeanor	427	46.11
Misdemeanors Against Person	38	4.10
Drugs: Felony & Misdemeanor	73	7.88
Public Peace: Felony & Misdemeanor	61	6.59
Misdemeanors Against Property	23	2.48
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

<b>Table 9.8 Offense Class of Most Serious Offense: Disposition to ADJC FY07</b>		
Felony	441	47.62 %
Misdemeanor	136	14.69
Violations of Probations & Ordinances	349	37.69
<b>TOTAL</b>	<b>926</b>	<b>100.0</b>

### Arizona Department of Juvenile Corrections (ADJC)



For FY 2001 through FY 2007 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 2007 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

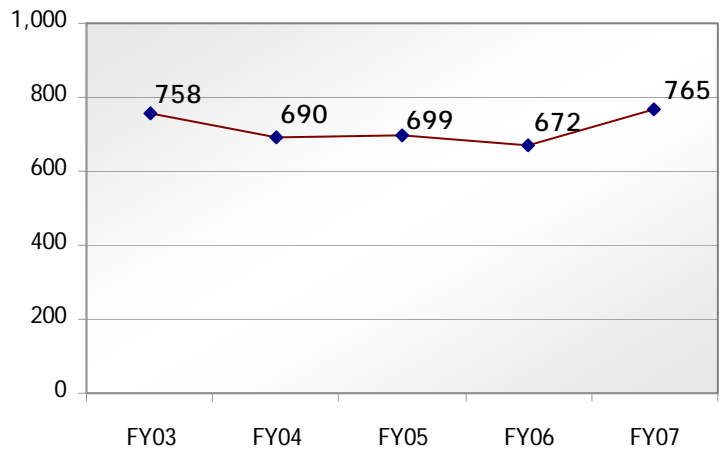


Table 10.1 Commitments FY07, 7/1/2006 – 6/30/2007				
	Original Commitment	Subsequent Commitment	Never Arrived At ADJC	TOTAL
Apache	5			5
Cochise	17	2		19
Coconino	12	4		16
Gila	5	1		6
Graham	16			16
Greenlee				0
La Paz	2			2
Maricopa	444	114	4	562
Mohave	55	1		56
Navajo	11			11
Pima	103	25		128
Pinal	27	4		31
Santa Cruz	8			8
Yavapai	25	4		29
Yuma	35	2		37
<b>TOTAL</b>	<b>765</b>	<b>157</b>	<b>4</b>	<b>926</b>

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 2007.

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.

The data in this section suggests there has been an actual drop in the number of original juveniles being committed to ADJC since FY 2003, but this trend seems to be reversing.

Charts for fiscal years 2003 through 2007 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 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	2		13
Gila	19			19
Graham	10			10
Greenlee				
La Paz	2			2
Maricopa	383	30	4	417
Mohave	37			37
Navajo	8			8
Pima	87	5		92
Pinal	15	2		17
Santa Cruz	13	1	1	15
Yavapai	18	1		19
Yuma	47			47
<i>TOTAL</i>	<i>672</i>	<i>42</i>	<i>5</i>	<i>719</i>

**Table 10.3** Commitments FY05, 7/1/2004 – 6/30/2005

	Original Commitment	Subsequent Commitment	Never Arrived At ADJC	TOTAL
Apache	11			11
Cochise	15			15
Coconino	32	4		36
Gila	11			11
Graham	6			6
Greenlee				
La Paz	5			5
Maricopa	407	20	6	433
Mohave	30			30
Navajo	7			7
Pima	79	2	1	82
Pinal	32	2		34
Santa Cruz	13	1		14
Yavapai	22			22
Yuma	29			29
<i>TOTAL</i>	<i>699</i>	<i>29</i>	<i>7</i>	<i>735</i>

<b>Table 10.4</b> Commitments FY04, 7/1/2003 – 6/30/2004				
	Original Commitment	Subsequent Commitment	Never Arrive At ADJC	TOTAL
Apache	6	1		7
Cochise	22	2		24
Coconino	17	1		18
Gila	13			13
Graham	4			4
Greenlee	2			2
La Paz	1			1
Maricopa	362	6	10	378
Mohave	33			33
Navajo	12	1		13
Pima	122	2		124
Pinal	45	2		47
Santa Cruz	11			11
Yavapai	13			13
Yuma	27			27
<i>TOTAL</i>	<i>690</i>	<i>15</i>	<i>10</i>	<i>715</i>

<b>Table 10.5</b> Commitments FY03, 7/1/2002 – 6/30/2003				
	Original Commitment	Subsequent Commitment	Never Arrived At ADJC	TOTAL
Apache	2			2
Cochise	23			23
Coconino	20	1		21
Gila	16			16
Graham	4	2		6
Greenlee	3			3
La Paz	2			2
Maricopa	323	13	5	341
Mohave	31			31
Navajo	22	1		23
Pima	193	2	1	196
Pinal	44	2	1	47
Santa Cruz	10			10
Yavapai	30			30
Yuma	35			35
<i>TOTAL</i>	<i>758</i>	<i>21</i>	<i>7</i>	<i>786</i>

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# DIRECT FILED & TRANSFERRED

## JUVENILES DIRECT FILED AND TRANSFERRED TO ADULT COURT IN FY07

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.<sup>1</sup>

#### Pathways to Adult Court

- **Mandatory:** Juveniles ages 15, 16, or 17 who commit a specified violent crime must be filed in adult court.
- **Mandatory Prior:** Juveniles previously convicted in adult court must be returned to adult court for any subsequent crimes or violations of probation.
- **Chronic:** Juveniles ages 15, 16 or 17 who have two prior felony adjudications in juvenile court and are arrested for a third felony must go to adult court.
- **Discretion:** 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 FY07**

Pathways	Number of Juveniles	% of Total
Mandatory	238	40.48 %
Mandatory Prior Conviction	27	4.59
Chronic	78	13.27
Discretionary	181	30.78
Transfer	64	10.88
<b>TOTAL</b>	<b>*588</b>	<b>100.0</b>

**Table 11.2 County: Direct Filed in and Transferred to Adult Court FY07**

County	Number of Juveniles	% of Total
Apache	0	0.00%
Cochise	0	0.00
Coconino	6	1.02
Gila	1	0.17
Graham	4	0.68
Greenlee	0	0.00
La Paz	1	0.17
Maricopa	408	69.39
Mohave	8	1.36
Navajo	2	0.34
Pima	98	16.67
Pinal	18	3.06
Santa Cruz	8	1.36
Yavapai	10	1.70
Yuma	24	4.08
<b>TOTAL</b>	<b>*588</b>	<b>100.0</b>

<sup>1</sup>The 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 FY07

Apache	0	0.00 %
Cochise	0	0.00
Coconino	6	1.15
Gila	1	0.19
Graham	4	0.76
Greenlee	0	0.00
La Paz	0	0.00
Maricopa	368	70.23
Mohave	4	0.76
Navajo	1	0.19
Pima	96	18.32
Pinal	18	3.44
Santa Cruz	8	1.53
Yavapai	1	0.19
Yuma	17	3.24
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

**Table 11.4** Gender: Juveniles Direct Filed FY07

Male	492	93.89 %
Female	32	6.11
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

**Table 11.5** Age: Juveniles Direct Filed FY07

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	5	0.95
15	63	12.02
16	156	29.77
17	297	56.68
Unknown	3	0.57
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

Table 11.6 Ethnicity: Juveniles Direct Filed FY07		
Hispanic	320	61.07 %
African American	74	14.12
Anglo	107	20.42
Native American	18	3.44
Asian/Pacific Islander	2	0.38
Other	2	0.38
Unknown	1	0.19
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

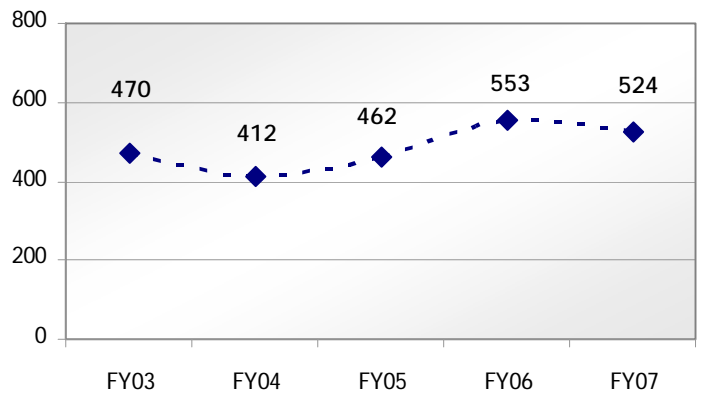
Table 11.7 Education Status: Juveniles Direct Filed FY07		
Enrolled	236	45.04 %
Not Enrolled	197	37.60
Expelled	0	0.00
Suspended	6	1.15
Withdrawn	12	2.29
Graduated	0	0.00
GED Program	2	0.38
Unknown	71	13.55
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

Table 11.8 Number of Prior Referrals: Juveniles Direct Filed FY07		
0	90	17.18 %
1	51	9.73
2	64	12.21
3	45	8.59
4	33	6.30
5	40	7.63
6	31	5.92
7	24	4.58
8 or more	146	27.86
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

Table 11.9 Severity of Most Serious Offense: Juveniles Direct Filed FY07		
Felonies Against Person	315	60.11%
Felonies Against Property	134	25.57
Obstruction of Justice: Felony & Misdemeanor	2	0.38
Misdemeanors Against Person	2	0.38
Drugs: Felony & Misdemeanor	46	8.78
Public Peace: Felony & Misdemeanor	23	4.39
Misdemeanors Against Property	2	0.38
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

Table 11.10 Offense Class of Most Serious Offense: Juveniles Direct Filed FY07		
Felony	511	97.52%
Misdemeanor	13	2.48
<b>TOTAL</b>	<b>524</b>	<b>100.0</b>

## Direct Filed to Adult Court



For FY 2001 through FY 2007 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 FY07**

Apache	0	0.00%
Cochise	0	0.00
Coconino	0	0.00
Gila	0	0.00
Graham	0	0.00
Greenlee	0	0.00
La Paz	1	1.56
Maricopa	40	62.50
Mohave	4	6.25
Navajo	1	1.56
Pima	2	3.13
Pinal	0	0.00
Santa Cruz	0	0.00
Yavapai	9	14.06
Yuma	7	10.94
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

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 FY07**

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	2	3.13
16	5	7.81
17	53	82.81
Unknown	4	6.25
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>



**Table 11.13 Gender: Juveniles Transferred FY07**

Male	62	96.88 %
Female	2	3.13
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

**Table 11.14 Ethnicity: Juveniles Transferred FY07**

Hispanic	36	56.25 %
African American	5	7.81
Anglo	21	32.81
Native American	2	3.13
Asian/Pacific Islander	0	0.00
Other	0	0.00
Unknown	0	0.00
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

**Table 11.15 Education Status: Juveniles Transferred FY07**

Enrolled	26	40.63 %
Not Enrolled	22	34.38
Expelled	1	1.56
Suspended	0	0.00
Withdrawn	0	0.00
Graduated	1	1.56
GED Program	0	0.00
Unknown	14	21.88
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

**Table 11.16 Number of Prior Referrals: Juveniles Transferred FY07**

0	7	10.94 %
1	11	17.19
2	6	9.38
3	5	7.81
4	7	10.94
5	5	7.81
6	7	10.94
7	1	1.56
8 or more	15	23.44
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

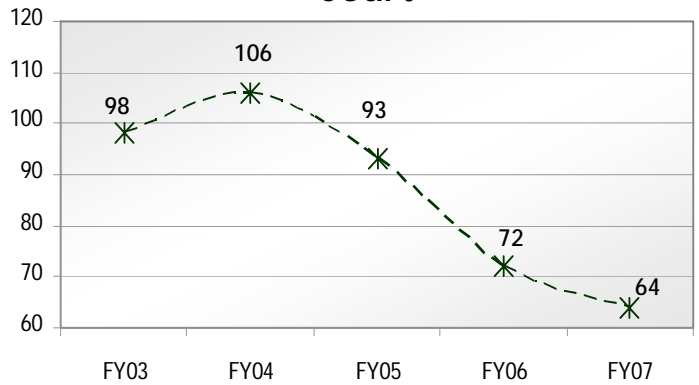
**Table 11.17 Severity of Most Serious Offense: Juveniles Transferred FY07**

Felonies Against Person	15	23.44 %
Felonies Against Property	33	51.56
Obstruction of Justice: Felony & Misdemeanor	4	6.25
Misdemeanors Against Person	1	1.56
Drugs: Felony & Misdemeanor	2	3.13
Public Peace: Felony & Misdemeanor	9	14.06
Misdemeanors Against Property	0	0.00
Status Offenses	0	0.00
Citations/Administrative	0	0.00
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

**Table 11.18 Offense Class of Most Serious Offense: Juveniles Transferred FY07**

Felony	59	92.19 %
Misdemeanor	5	7.81
<b>TOTAL</b>	<b>64</b>	<b>100.0</b>

### Juveniles Transferred to Adult Court



For FY 2001 through FY 2007 data, refer to the graphs on page 5.

# DIRECT FILED & TRANSFERRED - UPDATE

JUVENILES DIRECT FILED AND TRANSFERRED TO ADULT COURT FROM FY 2003 THRU FY 2006

Review of the information previously published over the past few years indicated that some undercount was reported. As information was updated over time, this undercount has not previously been examined. The following information is a correction to the previously published information.

**Table 11.19** Pathways for Juveniles Filed in Adult Court FY 06

Pathways	Number of Juveniles	% of Total
Mandatory	246	39.36%
Mandatory Prior Conviction	39	6.24
Chronic	81	12.96
Discretionary	187	29.92
Transfer	72	11.52
<b>TOTAL</b>	<b>625</b>	<b>100.0</b>

**Table 11.20** County: Direct Filed in and Transferred to Adult Court FY 06

Apache	0	0.00 %
Cochise	4	0.64
Coconino	10	1.60
Gila	1	0.16
Graham	3	0.48
Greenlee	0	0.00
La Paz	0	0.00
Maricopa	437	69.92
Mohave	7	1.12
Navajo	2	0.32
Pima	117	18.72
Pinal	15	2.40
Santa Cruz	2	0.32
Yavapai	8	1.28
Yuma	19	3.04
<i>TOTAL</i>	<b>625</b>	<b>100.0</b>

**Table 11.21** Pathways for Juveniles Filed in Adult Court FY 05

Pathways	Number of Juveniles	% of Total
Mandatory	200	36.04%
Mandatory Prior Conviction	14	2.52
Chronic	63	11.35
Discretionary	185	33.33
Transfer	93	16.76
<b>TOTAL</b>	<b>555</b>	<b>100.0</b>

**Table 11.22** County: Direct Filed in and Transferred to Adult Court FY 05

Apache	0	0.00 %
Cochise	2	0.36
Coconino	5	0.90
Gila	2	0.36
Graham	0	0.00
Greenlee	0	0.00
La Paz	0	0.00
Maricopa	397	71.53
Mohave	14	2.52
Navajo	2	0.36
Pima	93	16.76
Pinal	10	1.80
Santa Cruz	7	1.26
Yavapai	12	2.16
Yuma	11	1.98
<i>TOTAL</i>	<b>555</b>	<b>100.0</b>

**Table 11.23** Pathways for Juveniles Filed in Adult Court FY 04

Pathways	Number of Juveniles	% of Total
Mandatory	179	34.56%
Mandatory Prior Conviction	28	5.41
Chronic	63	12.16
Discretionary	142	27.41
Transfer	106	20.46
<b>TOTAL</b>	<b>518</b>	<b>100.0</b>

**Table 11.24** County: Direct Filed in and Transferred to Adult Court FY 04

Apache	2	0.39%
Cochise	4	0.77
Coconino	9	1.74
Gila	4	0.77
Graham	1	0.19
Greenlee	1	0.19
La Paz	0	0.00
Maricopa	330	63.71
Mohave	7	1.35
Navajo	1	0.19
Pima	118	22.78
Pinal	16	3.09
Santa Cruz	2	0.39
Yavapai	12	2.32
Yuma	11	2.12
<i>TOTAL</i>	518	100.0

**Table 11.25** Pathways for Juveniles Filed in Adult Court FY 03

Pathways	Number of Juveniles	% of Total
Mandatory	188	33.10%
Mandatory Prior Conviction	45	7.92
Chronic	40	7.04
Discretionary	197	34.68
Transfer	98	17.25
<b>TOTAL</b>	<b>568</b>	<b>100.0</b>

**Table 11.26** County: Direct Filed in and Transferred to Adult Court FY 03

Apache	0	0.00 %
Cochise	14	2.46
Coconino	6	1.06
Gila	12	2.11
Graham	1	0.18
Greenlee	0	0.00
La Paz	0	0.00
Maricopa	355	62.50
Mohave	9	1.58
Navajo	5	0.88
Pima	107	18.84
Pinal	22	3.87
Santa Cruz	7	1.23
Yavapai	9	1.58
Yuma	21	3.70
<i>TOTAL</i>	568	100.0

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# GENDER

## JUVENILES REFERRED IN FY07

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 FY07. 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 rose slightly, 351 or a 1.01% increase. Females referred show a slight decrease, 69 or 0.42%, in FY07.

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 FY07

	Female	Male
Referral	33.39 %	66.61 %
Detention	22.85	77.15
Diversion	39.99	60.01
Petitioned	23.66	76.14
Dismissed	26.69	73.31
Penalty Only	22.67	77.33
Standard Probation	23.60	76.40
JIPS	12.95	87.05
ADJC	12.40	87.60
Direct Filed	6.11	93.89
Transferred	3.13	96.88

**Average Age**

For the juveniles referred in FY07, girls entered the juvenile justice system for the first time at the same age as boys (average age of 14.3 for girls compared to 14 for boys). This is 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 (25.7%); status (26.1%); and misdemeanors against property (15.6%). On the other hand, apart from public peace offenses (26.4%), 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 2003 the proportion of both gender's felonies have remained fairly stable. The female proportions have a range from 17.4% in FY03 and FY07 to 18.1% in FY05, while male proportions have a range from 34.4% in FY03 to 36.2% in FY07 increasing slightly each year.

	Age	#
Female	14.3	16,251
Male	14.0	32,426
<i>TOTAL</i>		48,677

	Female	Male
Felonies Against Person	2.4%	6.1%
Felonies Against Property	6.2	13.6
Obstruction of Justice: Fel. & Misd.	6.2	9.2
Misdemeanors Against Person	10.1	8.5
Drugs: Fel. & Misd.	7.0	11.9
Public Peace: Fel. & Misd.	25.7	26.4
Misdemeanors Against Property	15.6	10.6
Status Offenses	26.1	12.9
Administrative	0.6	0.7
<i>TOTAL</i>	100.0	100.0

	Female	Male
<b>Felony</b>		
2003	2,923 (17.4%)	11,267 (34.4%)
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%)
<b>Misdemeanor</b>		
2003	8,698 (51.8%)	15,364 (46.9%)
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%)

**Table 12.5 Juveniles Referred in FY07 Who Received Treatment (Tx) in FY07**

	Total Referred	Rec'd Tx	%
Female	16,251	4,137	25.5%
Male	32,426	10,221	31.5
<b>TOTAL</b>	<b>48,677</b>	<b>14,358</b>	

**Table 12.6 FY07 Treatment Expenditures by Category Percentage of Total Dollars Spent**

	% Female	% Male
Ancillary Services	4.7 %	5.8 %
Behavioral Support Service	2.6	2.9
Competency Restoration	0.2	0.5
Delinquency Prevention	10.4	4.8
Evaluation and Diagnosis	6.4	6.7
Foster Home	0.2	0.2
Functional Family Therapy	0.5	0.4
Out-of-Home	47.3	42.5
Outpatient	10.0	7.5
R.A.F.T.	1.2	0.4
Sex Offender	0.2	19.5
Substance Abuse	16.2	8.7
<b>TOTAL</b>	<b>100.0%</b>	<b>100.0%</b>
<b>TOTAL EXPENDITURE</b>	<b>\$3,361,381.20</b>	<b>\$12,273,594.64</b>

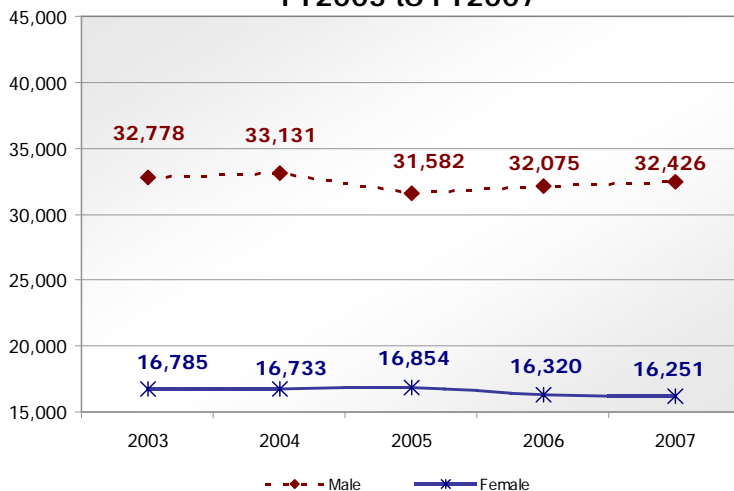
**Treatment Received**

Of the 16,251 girls referred in FY07, 25.5% received treatment services during the year compared to 31.5% of the boys.

On average, \$812.52 was spent on treatment for girls and \$1,200.82 was spent on boys.

The largest allocation of treatment monies for both boys (42.5%) and girls (47.3%) 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 (19.5%) and for girls it was substance abuse (16.2%).

**Referrals by Gender  
FY2003 to FY2007**



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# NOTES

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## JUVENILES PROCESSED FY07

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 FY07" and "County: Direct Filed and Transferred to Adult Court FY07". 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-Domestic Violence** offenses involve assaults (i.e., intimidation, attempted injury, child abuse, endangerment, custodial interference) which are linked to domestic violence.
- c. **Assault-Simple** offenses are typically misdemeanor assault offenses which may include simple assault, facilitation and solicitation of assault.
- d. **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.
- e. **Disorderly Conduct** offenses are felony and misdemeanors which may involve disturbing the peace, unlawful assembly, and disorderly conduct with a weapon.
- 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 \$250.
- 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. §28-692 (DUI) is not eligible for diversion.
2. The juvenile probation officer is required to submit a referral to the county attorney for alleged offenses that have been identified as not eligible for diversion. The county attorney is able to return a case to the juvenile probation officer for further action if prosecution is declined.
3. The juvenile probation officer is mandated to conduct an interview with a juvenile diverted to the Juvenile Court and the juvenile's parent(s) or guardian. If, during the interview, the juvenile acknowledges responsibility for the offense (based on the referral), the probation/intake officer **may** choose to begin the process of adjusting the referral. Adjustment of the referral can occur only after the juvenile completes one or more conditions (consequences), as assigned by the probation/intake officer. The consequences could be one or more of the following:
  - a. Participation in unpaid community service work.
  - b. Participation in a counseling program, which is designed to strengthen family relationships and to prevent repetitive juvenile delinquency.
  - c. Participation in an education program, approved by the court, which has as its goal the prevention of further delinquent behavior.
  - d. Participation in an education program, approved by the court, which is designed to deal with ancillary problems experienced by the juvenile, such as alcohol or drug abuse.
  - e. Participation in a non-residential program of rehabilitation or supervision offered by the court or offered by the community youth serving agency and approved by the court.
  - f. Payment of restitution to the victim of the delinquent act.
  - g. Payment of a monetary assessment.

4. The county attorney or the Juvenile Court, in cooperation with the county attorney, can establish community based alternative programs. Community based alternative programs and diversion programs must ensure that the participation of both the juvenile and victim are voluntary, and that the juvenile accepts responsibility for the delinquent or incorrigible act.
  5. The participants in a community based alternative program agree on any legally reasonable consequence for the juvenile offender, with the exception of confinement. The program participants, juvenile and juvenile's parents(s) or guardian and victim may sign a written contract agreeing on resolution of the matter in which the parent(s) or guardian agree to ensure that the juvenile complies with the contract.
  6. If a juvenile complies with the consequences set forth by the probation officer or community based alternative program, the county attorney will not file a petition in Juvenile Court.
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

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## 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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