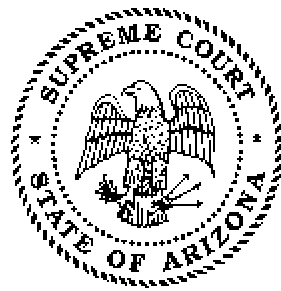


JUVENILES PROCESSED IN THE  
ARIZONA COURT SYSTEM FY03

July 1, 2002 to June 30, 2003



October 2003

Arizona Supreme Court  
Administrative Office of the Courts  
Juvenile Justice Services Division

TO  
**Frank Carmen**  
*Leader*  
*Visionary*  
*Guide*

**Dedication**

This edition of *Juveniles Processed* is dedicated to Frank Carmen in appreciation of his 10 years of leadership as the Director of the Juvenile Justice Services Division of the Arizona Supreme Court (1993-2003). Frank exemplifies the commitment to juveniles and juvenile justice to which we all aspire.

**JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM IN FY2003**  
July 1, 2002 to June 30, 2003

**TABLE OF CONTENTS**

Introduction and Trends.....	1
Juveniles Referred .....	10
Juveniles Detained .....	13
Juveniles Diverted .....	17
Juveniles with Petitions Filed .....	22
Juveniles with Dispositions of Dismissed .....	25
Juveniles with Dispositions of Penalty Only .....	28
Juveniles with Dispositions to Standard Probation .....	31
Juveniles with Dispositions to JIPS .....	35
Juveniles with Dispositions to ADJC .....	39
Juveniles Direct Filed in and Transferred to Adult Court .....	43
Juveniles Direct Filed in Adult Court.....	45
Juveniles Transferred to Adult Court .....	49
Population Estimates & Projections .....	53
Notes .....	54
Glossary of Juvenile Justice Terms .....	57

## LIST OF TABLES, GRAPHS AND CHARTS

Introduction/Trends	
Juvenile Justice Flow Chart .....	3
Arizona Juvenile Court Activity FY03 .....	4
Referrals, Petitions Filed, Juveniles Referred and Juveniles Petitioned	
Fiscal Years 1998 - 2003 .....	5
The Number of Juveniles Dispositioned to Probation, Intensive Probation,	
ADJC and Adult Court: Fiscal Years 1998 - 2003 .....	7
Pathways for Juveniles Transferred and/or Direct Filed in	
Adult Court: Fiscal Years 1998 - 2003 .....	9
Juveniles Referred	
County.....	10
Gender.....	11
Ethnicity.....	11
Age.....	11
Education Status .....	11
Number of Prior Referrals .....	12
Severity of Most Serious Offense .....	12
Offense Class of Most Serious Offense .....	12
Juveniles Detained	
County.....	14
Gender.....	15
Ethnicity.....	15
Age.....	15
Education Status .....	15
Number of Prior Referrals .....	16
Severity of Most Serious Offense .....	16
Offense Class of Most Serious Offense .....	16
Juveniles Diverted	
County.....	19
Gender.....	20
Ethnicity.....	20
Age.....	20
Education Status .....	20
Number of Prior Referrals .....	21
Severity of Most Serious Offense .....	21
Offense Class of Most Serious Offense .....	21
Juveniles with Petitions Filed	
County.....	22
Gender.....	23
Ethnicity.....	23

Juveniles with Petitions Filed (continued)	
Age .....	23
Education Status .....	23
Number of Prior Referrals .....	24
Severity of Most Serious Offense .....	24
Offense Class of Most Serious Offense .....	24
Juveniles with Dispositions of Dismissed	
County.....	25
Gender.....	26
Ethnicity.....	26
Age .....	26
Education Status .....	26
Number of Prior Referrals .....	27
Severity of Most Serious Offense .....	27
Offense Class of Most Serious Offense .....	27
Juveniles with Dispositions of Penalty Only	
County.....	28
Gender.....	29
Ethnicity.....	29
Age .....	29
Education Status .....	29
Number of Prior Referrals .....	30
Severity of Most Serious Offense .....	30
Offense Class of Most Serious Offense .....	30
Juveniles with Dispositions to Standard Probation	
County.....	32
Gender.....	33
Ethnicity.....	33
Age .....	33
Education Status .....	33
Number of Prior Referrals .....	34
Severity of Most Serious Offense .....	34
Offense Class of Most Serious Offense .....	34
Juveniles with Dispositions to JIPS	
County.....	36
Gender.....	37
Ethnicity.....	37
Age .....	37
Education Status .....	37
Number of Prior Referrals .....	38
Severity of Most Serious Offense .....	38
Offense Class of Most Serious Offense .....	38

Juveniles with Dispositions to ADJC	
County.....	40
Gender.....	41
Ethnicity.....	41
Age.....	41
Education Status .....	41
Number of Prior Referrals .....	42
Severity of Most Serious Offense .....	42
Offense Class of Most Serious Offense .....	42
Juveniles Direct Filed in and Transferred to Adult Court	
Pathways for Juveniles Filed in Adult Court.....	44
County: Direct Filed in and Transferred to Adult Court .....	44
Juveniles Direct Filed in Adult Court	
County.....	46
Gender.....	47
Ethnicity.....	47
Age.....	47
Education Status .....	47
Number of Prior Referrals .....	48
Severity of Most Serious Offense .....	48
Offense Class of Most Serious Offense .....	48
Juveniles Transferred to Adult Court	
County.....	50
Gender.....	51
Ethnicity.....	51
Age.....	51
Education Status .....	51
Number of Prior Referrals .....	52
Severity of Most Serious Offense .....	52
Offense Class of Most Serious Offense .....	52
Population	
Arizona Juvenile Population Estimates and Projections: Ages 8 - 17.....	53

# **JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM IN FY2003**

July 1, 2002 to June 30, 2003

## **INTRODUCTION**

This is the tenth publication of Juveniles Processed in the Arizona Court System. The data for this report are drawn each year from the fifteen Juvenile Courts' Juvenile On-Line Tracking Systems (JOLTS). JOLTS is the automated juvenile court information management system that has been operational in Maricopa County Juvenile Court for more than 20 years, and statewide for ten full years. Each Juvenile Court actively participates in collecting and maintaining the data to ensure quality and accuracy.

This report provides an overview of the juveniles processed at various stages of the juvenile justice system statewide during fiscal year 2003. Selected breakdowns of unduplicated juvenile counts<sup>1</sup> are presented at the following stages: Referral; Detention; Diversion; Petition; Dispositions of Dismissed, Penalty Only, Standard Probation, Juvenile Intensive Probation Supervision, Arizona Department of Juvenile Corrections; and Juveniles Direct Filed in and Transferred to Adult Court.

The characteristics of juveniles at each of these stages are contained in this report. 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>

Note that not all of these juveniles processed entered the system during this fiscal year, as some may have entered the previous fiscal year but received a disposition during this fiscal year. Therefore, the juveniles included in this report were all processed at least at one point in the system during this year. That is, one or more of the stages presented in this report happened during the year. The juveniles were referred, detained, diverted, petitioned, had at least one disposition from the court, and/or were direct filed in and/or transferred to adult court, at one point during FY03.

The number of juveniles processed in the juvenile justice system is influenced by several factors, including legislative actions, law enforcement and prosecutorial practices, and the number of juveniles ages 8 to 17 years old in the Arizona population. Through the year 2003, the number of juveniles in the population has continued to increase steadily, as can be seen in the Arizona Juvenile Population Estimates and Projections chart in the population section.<sup>3</sup>

The flow chart of the juvenile justice system in this section of the report is followed by a chart entitled *Arizona Juvenile Court Activity* that illustrates selected stages within the juvenile justice system and the number of juveniles processed at each of these stages. In the *Arizona Juvenile Court Activity* chart, all stages show both duplicated and unduplicated counts of juveniles. Since a juvenile may receive more than one referral in a given year and more than one referral may have the same disposition, the number of referrals and the number of juveniles at each stage will not be the same. Thus, the number of referrals gives a sense of the workload generated by these juveniles at each stage.

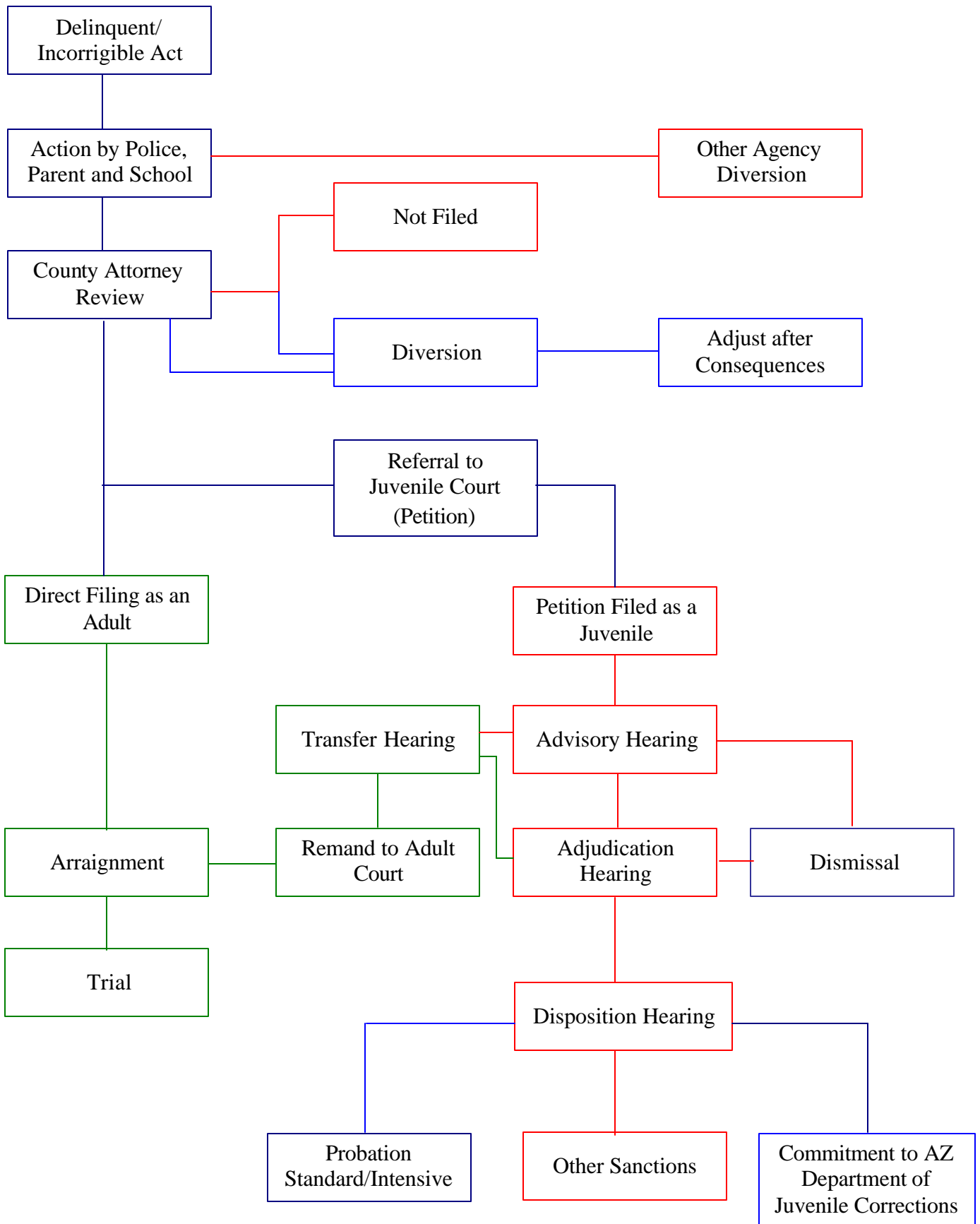
Several graphs are included in this section to portray trends over the past six years. The first series of graphs shows data on referrals, juveniles referred, petitions filed and juveniles with petitions filed. Referrals may include more than one referral for a youth, whereas the juveniles referred figure shows the number of unique youth. The same distinction is made between petitions filed (includes counts of multiple petitions per youth) and juveniles with petitions filed (unduplicated). The second series of graphs shows the number of juveniles in each of four dispositions for each of the past six years. The number for each disposition is unduplicated, but, if a youth experienced more than one disposition during the year, he or she would be counted once in each disposition category. The last graph shows the pathways to adult court: judicial transfer, mandatory direct file, mandatory prior conviction direct file, chronic direct file, and discretionary direct file. Each pathway reflects the number of juveniles who were sent to adult court through that particular channel. While the number of juveniles in each pathway is unduplicated, a juvenile may appear in more than one pathway.

In addition to this report that is published annually, other reports are available that describe some of the stages included herein. For example, the Juvenile Justice Services Division also publishes the Juvenile Intensive Probation Supervision (JIPS) Annual Report. Several special reports have also been completed over the past several years summarizing studies of specific juvenile programs or issues. These studies include: *Choices on the Edge: Maryvale Community Assessment*, the *Arizona Juvenile Justice Evaluation*, the *PIC-ACT Study*, the *Juvenile Commitment Guidelines Departure Research Project*, the *Juvenile Justice Treatment Evaluation Pilot Project Outcomes Report*, the *Treatment Evaluation Pilot Project Final Report*, the *Survey of Arizona Juvenile Justice Service Providers*, the *Arizona Juvenile Transfer Study*, the *Initial Evaluation of Treatment Services for Juveniles Receiving Treatment in Arizona from January 1, 1994 to June 30, 1994*, and the *Empirical Validation of the Arizona Risk/Needs Instrument and Assessment Process*.<sup>4</sup> Juveniles Processed FY98, FY99, FY00, FY01, FY02 and FY03 are available on the Internet at <http://www.supreme.state.az.us/jjsd/>.

Analysis of data on juveniles processed in the Arizona court system is ongoing in order to identify the treatment needs of juveniles, to determine what works in meeting those needs and obtaining the best outcomes, to identify the most cost effective allocation of resources and to develop the most effective partnerships with local communities to provide for public safety and juvenile accountability. Information from this report and others, in addition to past and ongoing studies, is important for public policy makers, juvenile justice professionals, and Arizona's citizens to understand, formulate, and address current and future juvenile justice issues.

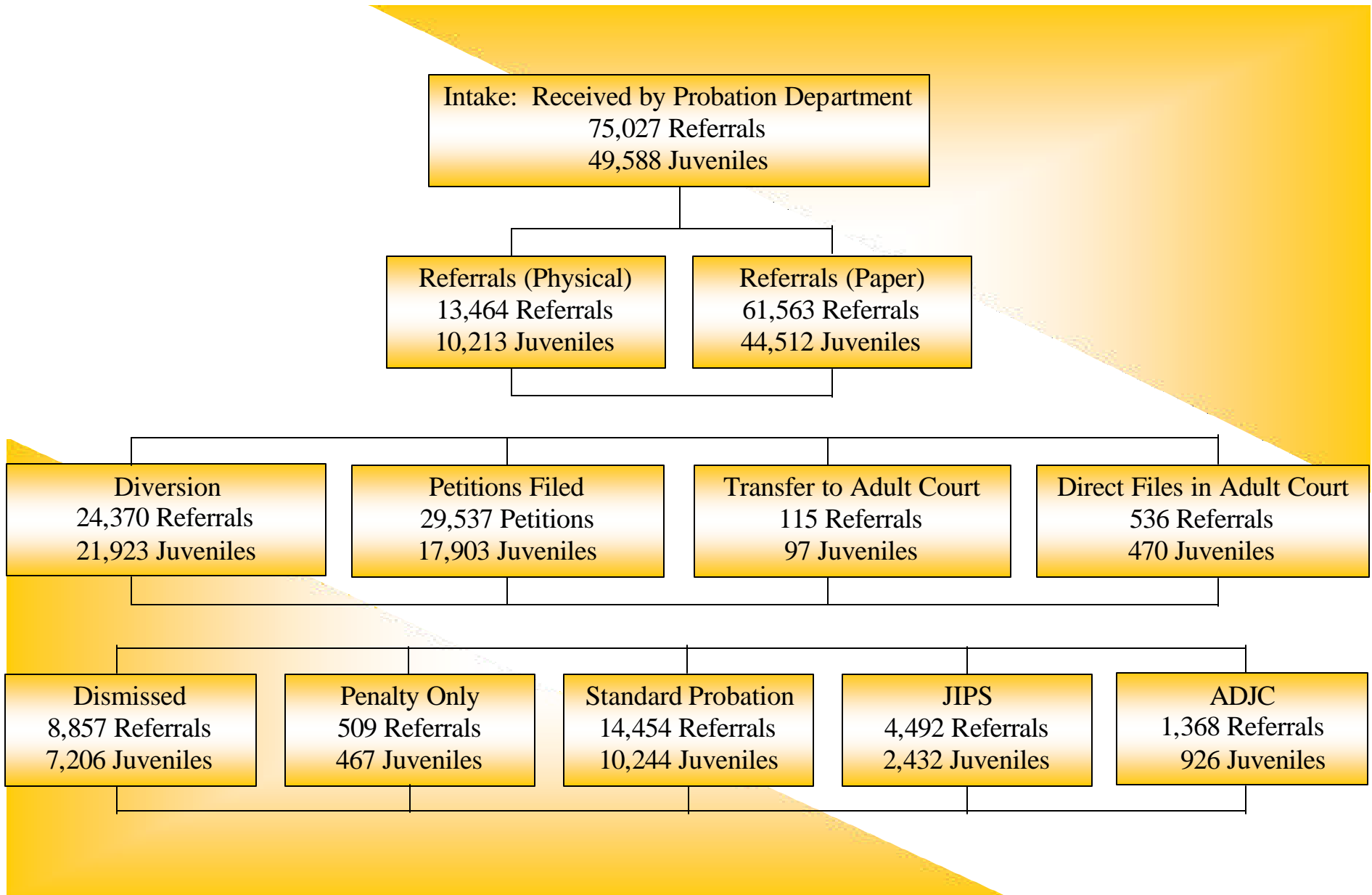


# JUVENILE JUSTICE FLOW CHART



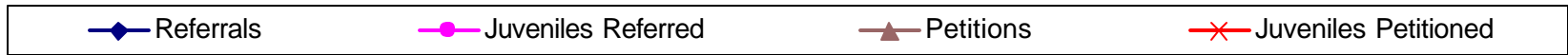
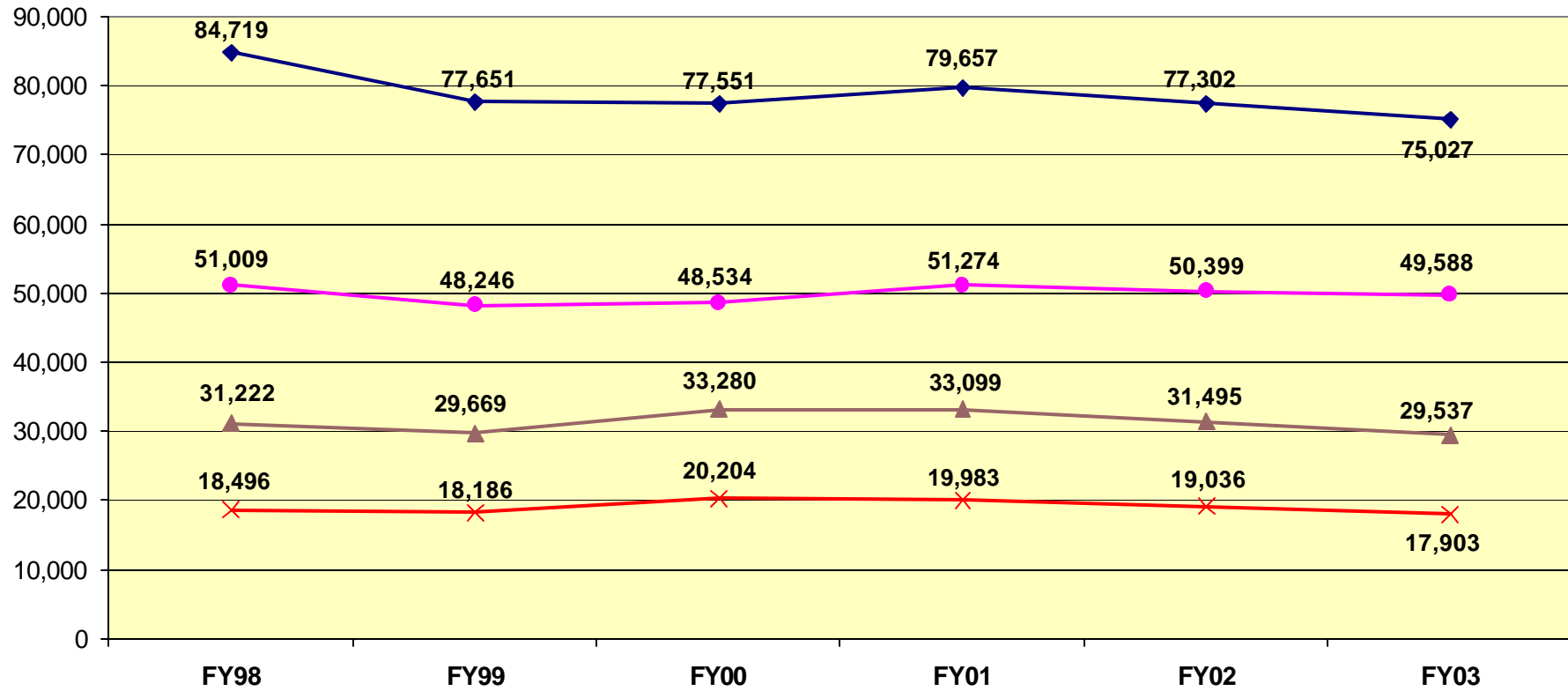
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# ARIZONA JUVENILE COURT ACTIVITY FY03

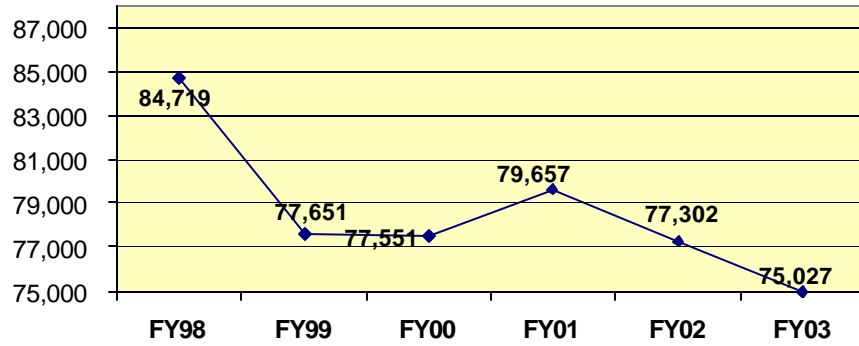


**Data Source:** Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division; Fifteen Juvenile Courts' Juvenile On-Line Tracking System (JOLTS), July 1, 2002 to June 30, 2003

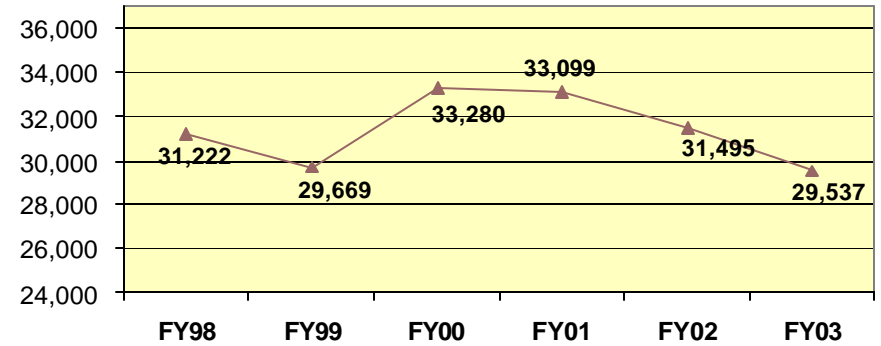
### Referrals, Petitions Filed and Juveniles Referred and Petitioned Fiscal Years 1998 - 2003



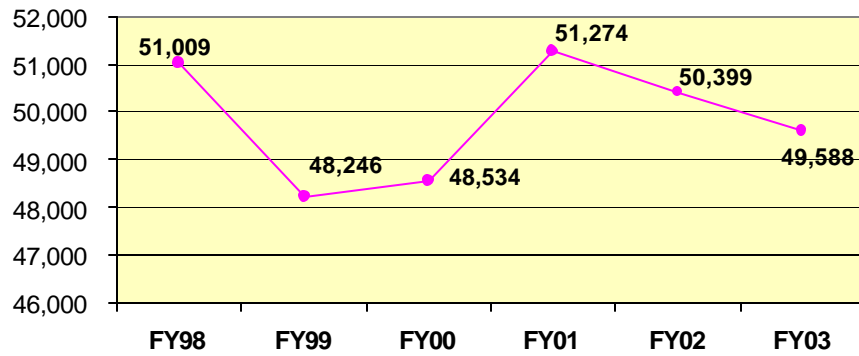
**Referrals**



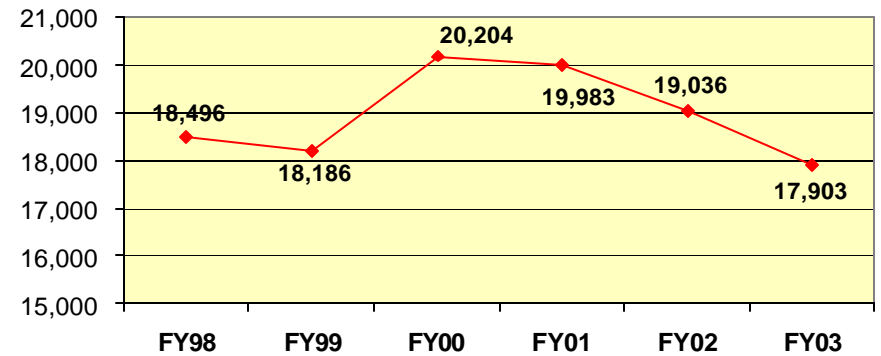
**Petitions**



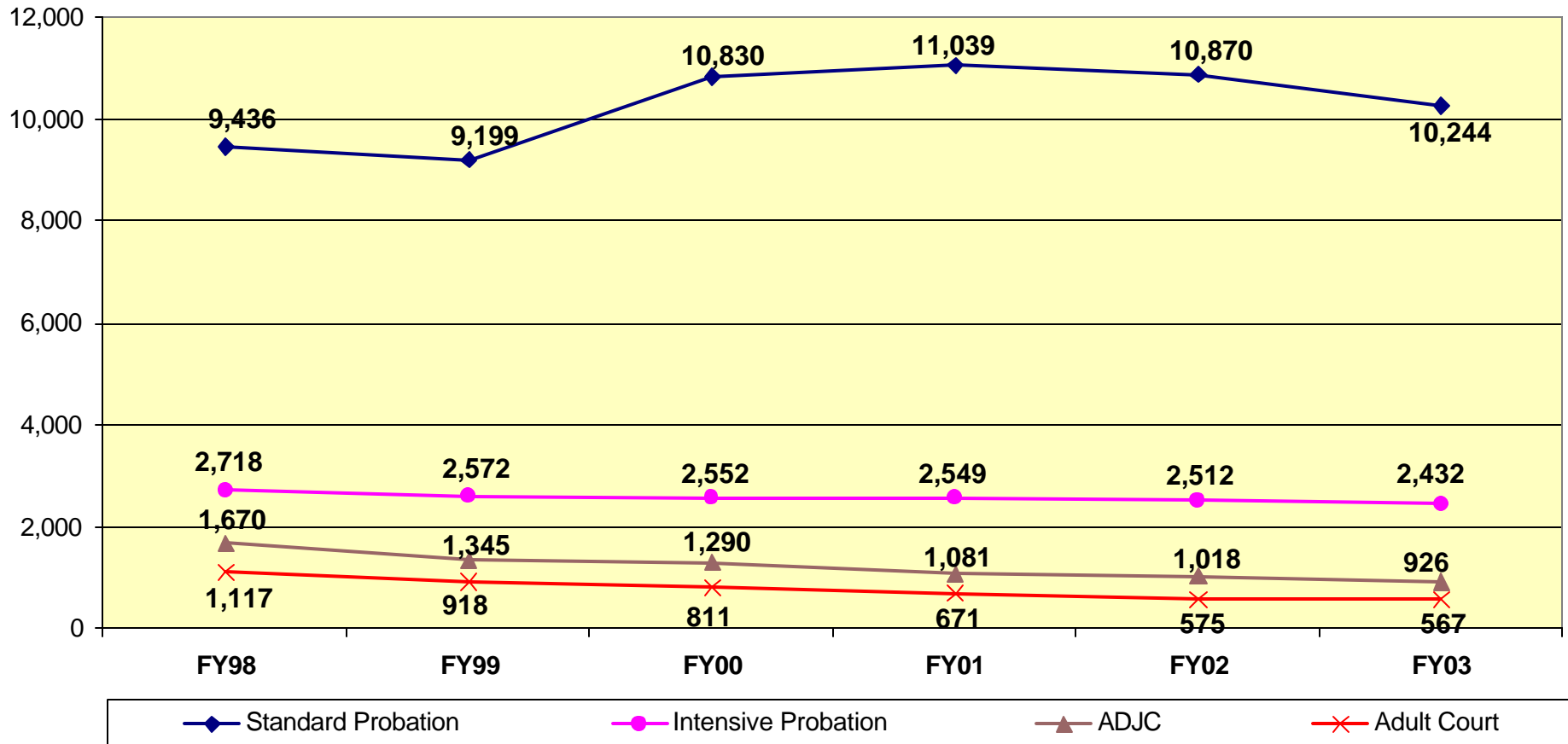
**Juveniles Referred**

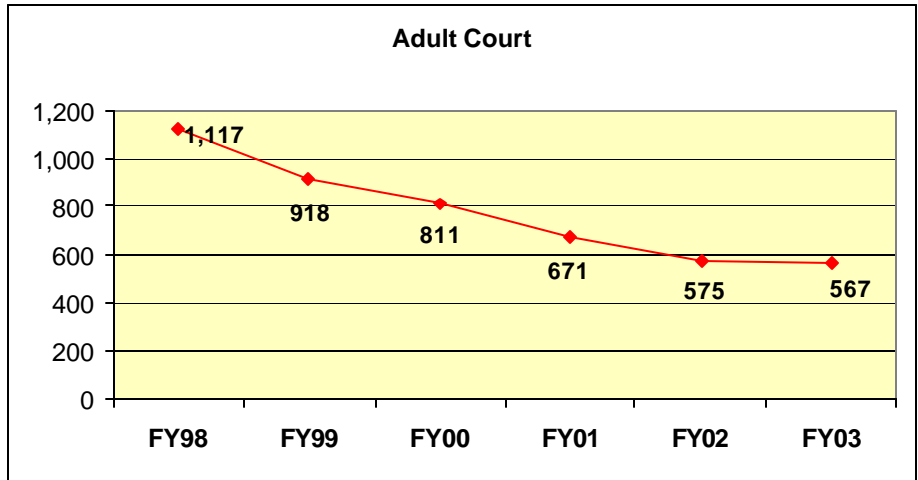
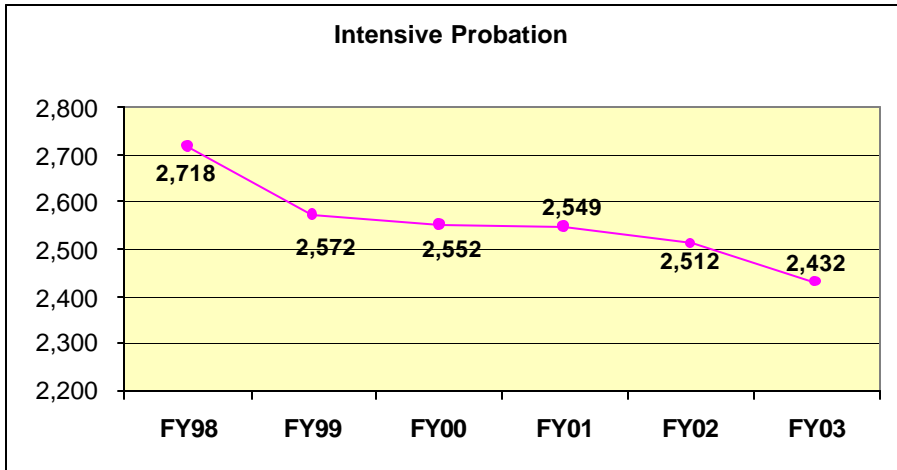
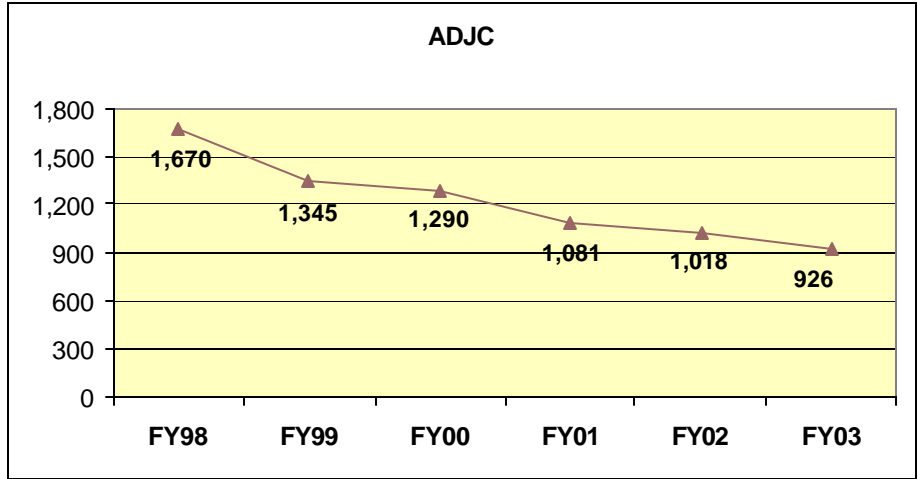
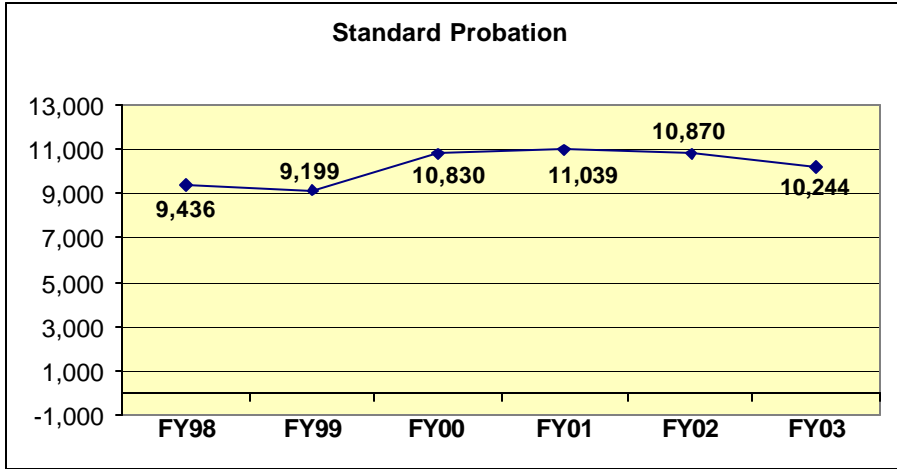


**Juveniles Petitioned**

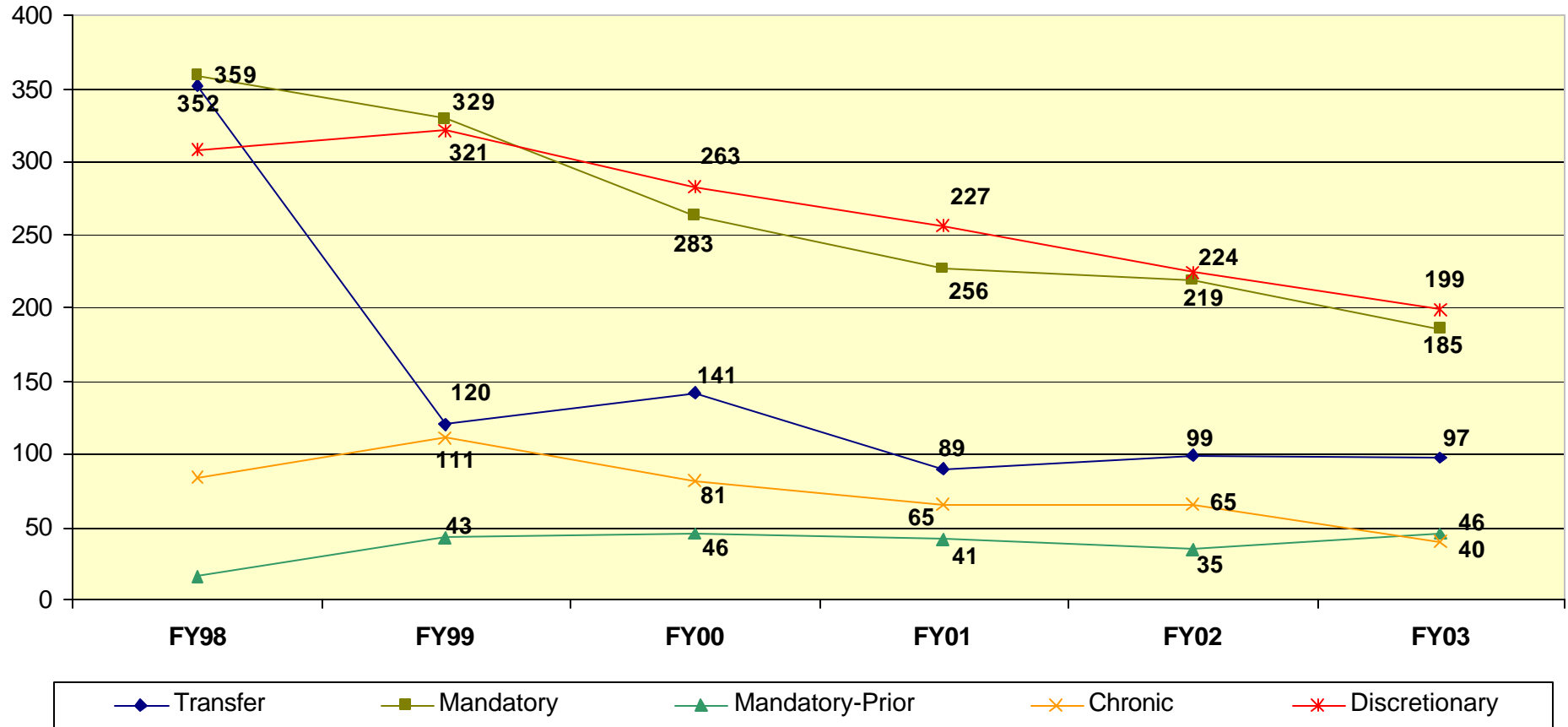


**The Number of Juveniles Dispositioned to Probation, Intensive Probation, ADJC and Adult court  
Fiscal Years 1998 - 2003**





## Pathways for Juveniles Transferred and/or Direct Filed in Adult Court Fiscal Years 1998 - 2003<sup>5</sup>





## JUVENILES REFERRED TO THE ARIZONA SUPERIOR COURT SYSTEM IN FY03

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 FY03. The juveniles are those for whom a report was submitted to the Juvenile Court alleging that the youth committed a delinquent act or demonstrated incorrigible behavior.

Referrals can be made by police, parents, school officials, probation officers, other agencies or individuals requesting that the Juvenile Court assume jurisdiction over the youth's conduct. Referrals can be "paper referrals" issued as citations or police reports to the Juvenile Court or "physical referrals" in which the juvenile is physically brought to the Juvenile Court.

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

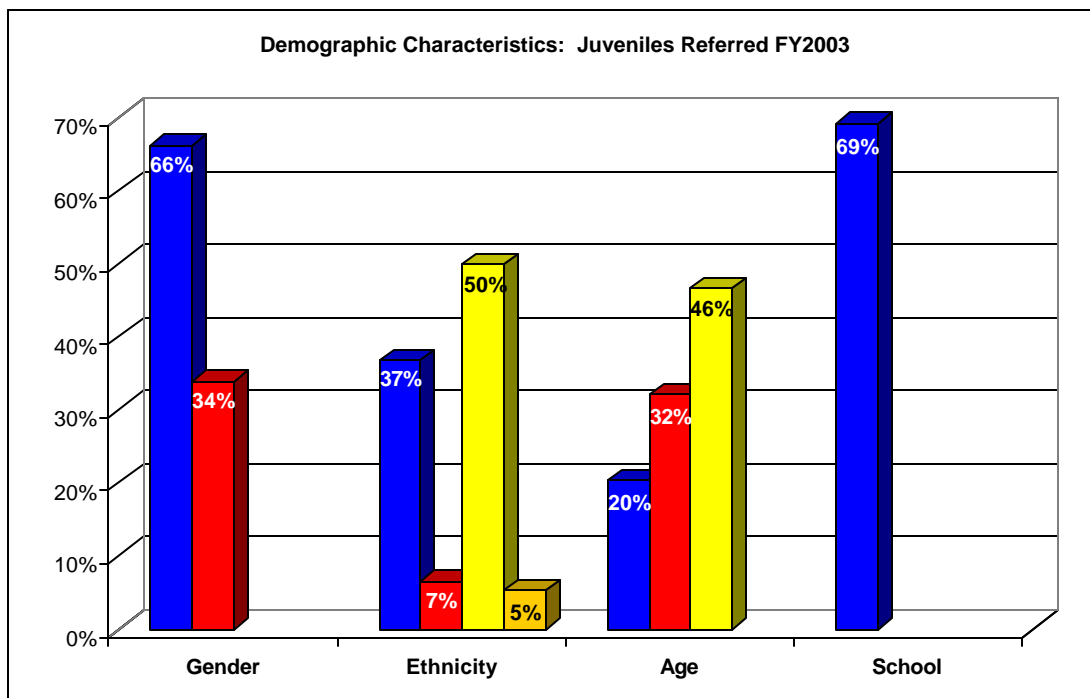
County: Juveniles Referred FY03		
Apache	282	.57%
Cochise	1,553	3.13%
Coconino	1,753	3.54%
Gila	923	1.86%
Graham	437	.88%
Greenlee	84	.17%
La Paz	204	.41%
Maricopa	24,680	49.77%
Mohave	2,218	4.47%
Navajo	1,128	2.27%
Pima	9,193	18.54%
Pinal	2,325	4.69%
Santa Cruz	702	1.42%
Yavapai	1,737	3.50%
Yuma	2,369	4.78%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

Gender: Juveniles Referred FY03		
Male	32,800	66.15%
Female	16,788	33.85%
Unknown	0	0.00%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

Ethnicity: Juveniles Referred FY03		
Hispanic	18,186	36.67%
African American	3,224	6.50%
Anglo	24,748	49.91%
Native American	2,614	5.27%
Asian/Pacific Islander	238	0.48%
Other	165	0.33%
Unknown	413	0.83%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

Age: Juveniles Referred FY03		
8	270	0.54%
9	459	0.93%
10	734	1.48%
11	1,259	2.54%
12	2,595	5.23%
13	4,734	9.55%
14	6,959	14.03%
15	8,938	18.02%
16	10,444	21.06%
17	12,607	25.42%
Unknown	589	1.19%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

Education Status: Juveniles Referred FY03		
Enrolled	34,297	69.16%
Not Enrolled	2,965	5.98%
Expelled	76	0.15%
Suspended	97	0.20%
Withdrawn	123	0.25%
Graduated	57	0.11%
GED Program	25	0.05%
Unknown	11,948	24.09%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

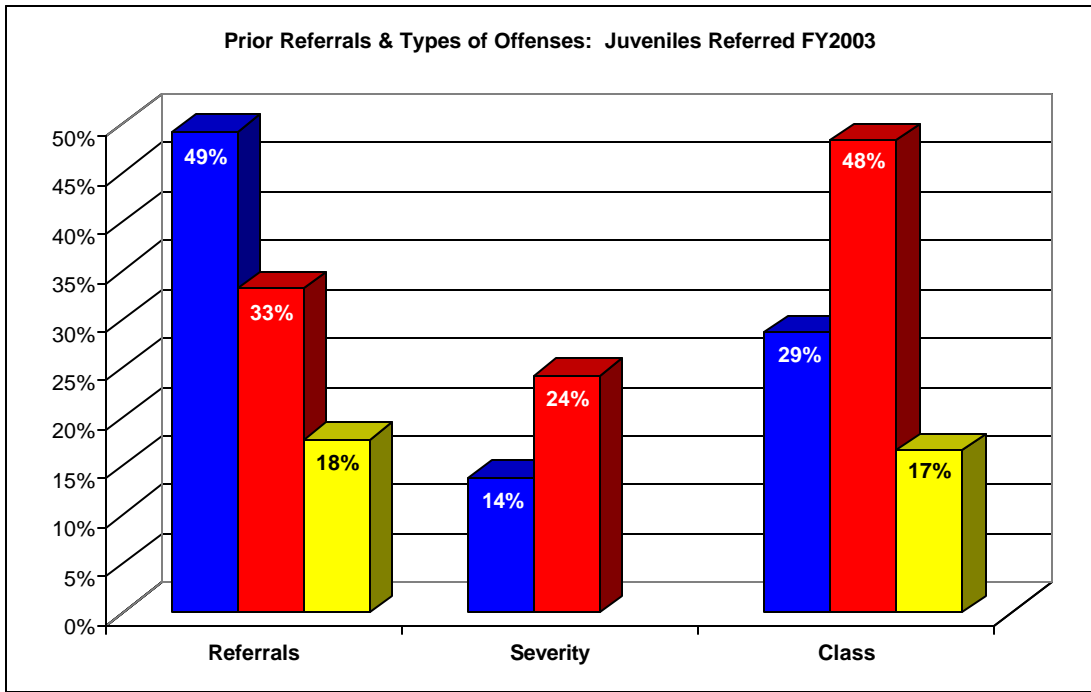


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Juveniles Referred FY03		
0	24,416	49.24%
1	8,942	18.03%
2	4,588	9.25%
3	2,894	5.84%
4	1,893	3.82%
5	1,531	3.09%
6	1,096	2.21%
7	882	1.78%
8 or more	3,346	6.75%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Referred FY03		
Felonies Against Person	2,400	4.84%
Felonies Against Property	5,290	10.67%
Obstruction of Justice: Fel. & Misd.	4,756	9.59%
Misdemeanors Against Person	4,414	8.90%
Drugs: Fel. & Misd.	4,608	9.29%
Public Peace: Fel. & Misd.	12,937	26.09%
Misdemeanors Against Property	6,724	13.56%
Status Offenses	8,178	16.49%
Citations/Administrative	281	0.57%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Referred FY03		
Felony	14,193	28.62%
Misdemeanor	23,949	48.30%
Administrative	2,656	5.36%
Status	8,203	16.54%
Other	587	1.18%
<b>TOTAL</b>	<b>49,588</b>	<b>100.00%</b>



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

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## **JUVENILES DETAINED BY THE JUVENILE COURT IN FY03**

Juvenile detention is the temporary and secure custody of juveniles under the jurisdiction of the Juvenile Court who require a restricted environment for their own protection and the safety of the community. Responsibility for maintaining a juvenile detention center that is separate and apart from an adult jail or lockup is vested with the counties.

Juvenile detention provides a range of services which supports the juvenile's physical, emotional, educational and social development. Supportive services minimally include: education, recreation, counseling, nutrition, medical and health services, reading, visitation, communication and continuous supervision. Juvenile detention also provides for a system of clinical observation and assessment.

In Arizona, a juvenile may be detained for the following reasons:

1. If there is probable cause to believe that the juvenile committed the acts alleged in the petition, and there is reasonable cause to believe:
  - a. That otherwise the juvenile would not be present at any hearing;
  - b. That the juvenile is likely to commit an offense injurious to himself or others;
  - c. That the juvenile must be held for another jurisdiction; or
  - d. That the interests of the juvenile or the public require custodial protection.
2. As a condition of probation.

Thirteen of the fifteen counties in Arizona maintain a juvenile secure care facility. Juveniles from two counties are transported to other jurisdictions when the need for secure custody is determined by the Court. These juveniles appear in their county's data as well as in the data of the county in which they were detained. Additionally, some counties have entered into contracts and/or agreements with federal agencies, tribal courts, or other state agencies to house juveniles. These juveniles are reflected in the data that follows.

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The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.

The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.

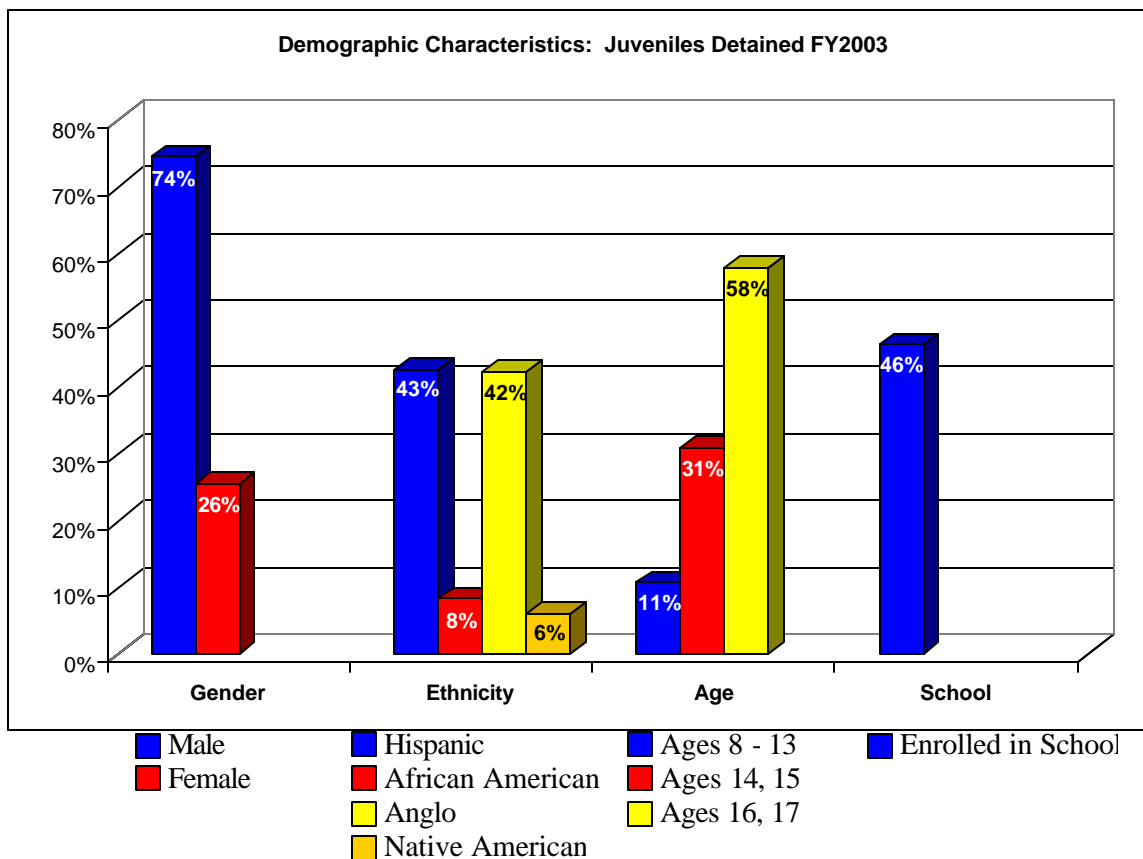
<b>County: Juveniles Detained FY03</b>		
Apache	147	1.14%
Cochise	367	2.84%
Coconino	356	2.76%
Gila	343	2.66%
Graham	190	1.47%
Greenlee	27	0.21%
La Paz	37	0.29%
Maricopa	6,186	47.91%
Mohave	388	3.00%
Navajo	256	1.98%
Pima	2,288	17.72%
Pinal	787	6.09%
Santa Cruz	253	1.96%
Yavapai	547	4.24%
Yuma	741	5.74 %
<b>TOTAL</b>	<b>12,913</b>	<b>100.00%</b>

Gender: Juveniles Detained FY03		
Male	9,614	74.45%
Female	3,299	25.55%
Unknown	0	0.00%
<b>TOTAL</b>	<b>12,913</b>	<b>100.00%</b>

Ethnicity: Juveniles Detained FY03		
Hispanic	5,497	42.57%
African American	1,065	8.25%
Anglo	5,455	42.24%
Native American	783	6.06%
Asian/Pacific Islander	40	0.31%
Other	35	0.27%
Unknown	38	0.29%
<b>TOTAL</b>	<b>12,913</b>	<b>100.00%</b>

Age: Juveniles Detained FY03		
8	6	0.05%
9	23	0.18%
10	63	0.49%
11	120	0.93%
12	334	2.59%
13	829	6.42%
14	1,572	12.17%
15	2,420	18.74%
16	3,226	24.98%
17	4,239	32.83%
Unknown	81	0.63%
<b>TOTAL</b>	<b>12,913</b>	<b>100.00%</b>

Education Status: Juveniles Detained FY03		
Enrolled	5,979	46.30%
Not Enrolled	1,240	9.60%
Expelled	32	0.25%
Suspended	52	0.40%
Withdrawn	54	0.42%
Graduated	16	0.12%
GED Program	15	0.12%
Unknown	5,525	42.79%
<b>TOTAL</b>	<b>12,913</b>	<b>100.00%</b>

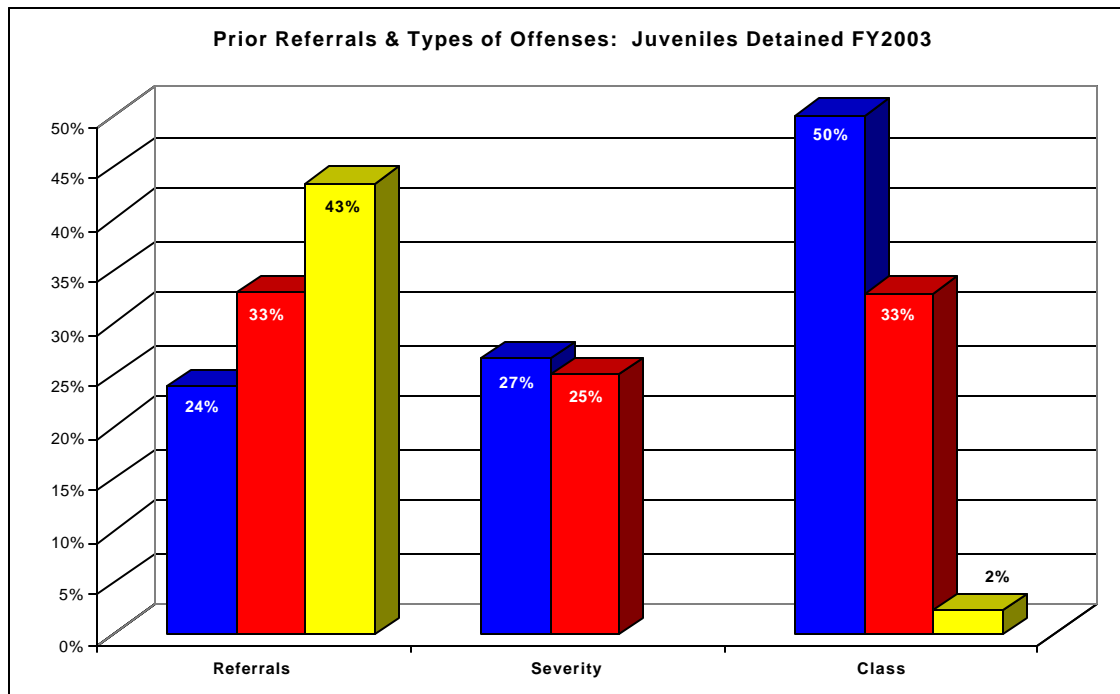




Number of Prior Referrals: Juveniles Detained FY03		
0	2,059	23.78%
1	1,159	13.39%
2	953	11.01%
3	727	8.40%
4	633	7.31%
5	527	6.09%
6	448	5.18%
7	386	4.46%
8 or more	1,765	20.39%
<b>TOTAL</b>	<b>*8,657</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Detained FY03		
Felonies Against Person	1,106	12.78%
Felonies Against Property	1,691	19.53%
Obstruction of Justice: Fel. & Misd.	1,773	20.48%
Misdemeanors Against Person	1,195	13.80%
Drugs: Fel. & Misd.	922	10.65%
Public Peace: Fel. & Misd.	1,153	13.32%
Misdemeanors Against Property	466	5.38%
Status Offenses	196	2.26%
Citations/Administrative	155	1.79%
<b>TOTAL</b>	<b>*8,657</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Detained FY03		
Felony	4,326	49.97%
Misdemeanor	2,837	32.77%
Administrative	1,244	14.37%
Status	193	2.23%
Other	57	0.66%
<b>TOTAL</b>	<b>*8,657</b>	<b>100.00%</b>



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

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

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## JUVENILES DIVERTED IN FY03

Diversion is a process which allows a juvenile to avoid formal court processing and to have the referral alleging an offense adjusted if the juvenile completes one or more conditions. To adjust is to dispose of a case without the juvenile being required to go to court. If a referral is adjusted, a petition is not filed. A petition is a document filed by the county attorney, which seeks to have a juvenile adjudicated as a delinquent or incorrigible child. The conditions to be completed are the consequences assigned in response to the juvenile's behavior.

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

1. The county attorney decides which juveniles accused of committing an incorrigible or delinquent act to divert to a community based alternative program operated by the county attorney or to a diversion program administered by the Juvenile Court. A juvenile identified as a chronic or violent offender, or who is alleged to have violated A.R.S. §28-692 (DUI) is not eligible for diversion.
2. The juvenile probation officer is required to submit a referral to the county attorney for alleged offenses that have been identified as not eligible for diversion. The county attorney is able to return a case to the juvenile probation officer for further action if prosecution is declined.
3. The juvenile probation officer is mandated to conduct an interview with a juvenile diverted to the Juvenile Court and the juvenile's parent(s) or guardian. If, during the interview, the juvenile acknowledges responsibility for the offense (based on the referral), the probation/intake officer **may** choose to begin the process of adjusting the referral. Adjustment of the referral can occur only after the juvenile completes one or more conditions (consequences), as assigned by the probation/intake officer. The consequences could be one or more of the following:
  - a. Participation in unpaid community service work.
  - b. Participation in a counseling program, which is designed to strengthen family relationships and to prevent repetitive juvenile delinquency.
  - c. Participation in an education program, approved by the court, which has as its goal the prevention of further delinquent behavior.
  - d. Participation in an education program, approved by the court, which is designed to deal with ancillary problems experienced by the juvenile, such as alcohol or drug abuse.

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

*The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.*

*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

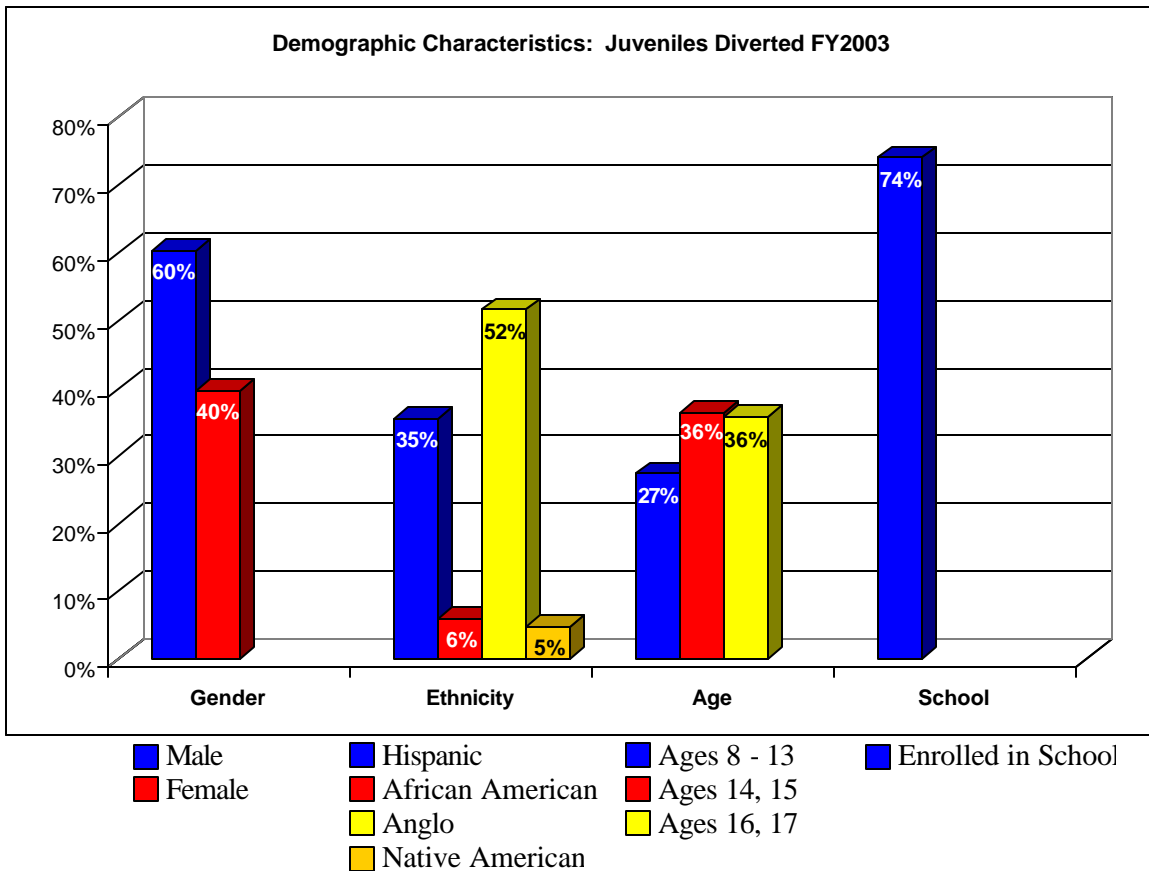
<b>County: Juveniles Diverted FY03</b>		
Apache	97	0.44%
Cochise	974	4.44%
Coconino	852	3.89%
Gila	386	1.76%
Graham	159	0.73%
Greenlee	18	0.08%
La Paz	120	0.55%
Maricopa	10,952	49.96%
Mohave	673	3.07%
Navajo	283	1.29%
Pima	4,655	21.23%
Pinal	701	3.20%
Santa Cruz	187	0.85%
Yavapai	918	4.19%
Yuma	948	4.32%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>

Gender: Juveniles Diverted FY03		
Male	13,243	60.41%
Female	8,680	39.59%
Unknown	0	0.00%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>

Ethnicity: Juveniles Diverted FY03		
Hispanic	7,775	35.47%
African American	1,325	6.04%
Anglo	11,319	51.63%
Native American	1,023	4.67%
Asian/Pacific Islander	134	0.61%
Other	88	0.40%
Unknown	259	1.18%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>

Age: Juveniles Diverted FY03		
8	169	0.77%
9	288	1.31%
10	436	1.99%
11	776	3.54%
12	1,624	7.41%
13	2,702	12.32%
14	3,638	16.59%
15	4,321	19.71%
16	4,133	18.85%
17	3,693	16.85%
Unknown	143	0.65%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>

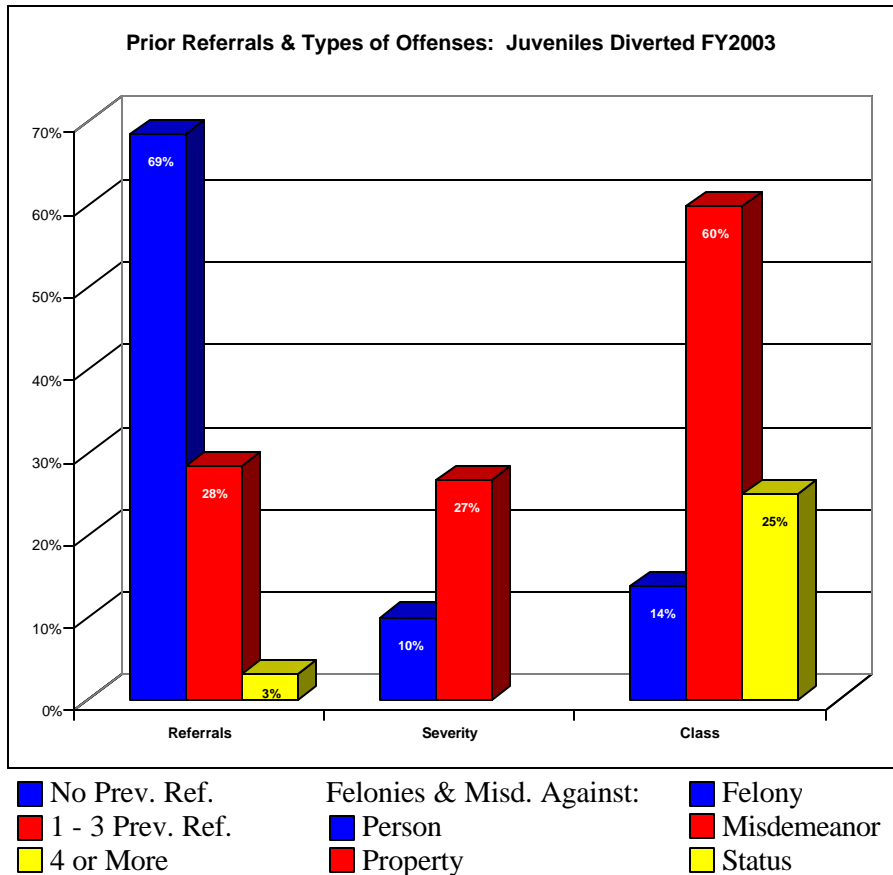
Education Status: Juveniles Diverted FY03		
Enrolled	16,239	74.07%
Not Enrolled	436	1.99%
Expelled	10	0.05%
Suspended	31	0.14%
Withdrawn	9	0.04%
Graduated	12	0.05%
GED Program	3	0.01%
Unknown	5,183	23.64%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Diverted FY03		
0	15,036	68.59%
1	4,352	19.85%
2	1,357	6.19%
3	507	2.31%
4	211	.96%
5	132	0.60%
6	67	0.31%
7	60	0.27%
8 or more	201	0.92%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Diverted d FY03		
Felonies Against Person	226	1.03%
Felonies Against Property	743	3.39%
Obstruction of Justice: Fel. & Misd.	171	0.78%
Misdemeanors Against Person	1,973	9.00%
Drugs: Fel. & Misd.	1,821	8.31%
Public Peace: Fel. & Misd.	6,457	29.45%
Misdemeanors Against Property	5,076	23.15%
Status Offenses	5,453	24.87%
Citations/Administrative	3	0.01%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Diverted FY03		
Felony	3,005	13.71%
Misdemeanor	13,107	59.79%
Administrative	283	1.29%
Status	5,465	24.93%
Other	63	0.29%
<b>TOTAL</b>	<b>21,923</b>	<b>100.00%</b>



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## JUVENILES WITH PETITIONS FILED IN FY03

A petition is a legal document filed in the juvenile court alleging that a referred juvenile is a delinquent, incorrigible, or dependent child and requesting the court to assume jurisdiction over the youth. The petition initiates the formal court hearing process of the juvenile court, and is prepared by the county attorney who determines what charges to bring against the juvenile. Juveniles Processed reports petition data on delinquent and incorrigible youth only.

A youth, under the age of 18, has committed a delinquent act if that same act committed by an adult would be a criminal offense. An incorrigible youth is one who commits an offense which would not be considered a crime if he or she were an adult. Typically, incorrigible youth are juveniles who are habitually truant from school, run away from home, or violate curfew. In addition, juveniles who refuse to obey the reasonable and proper direction of their parents or guardians can be considered incorrigible.

Information on dependent youth can be found in the Administrative Office of the Courts, Dependent Children's Services Division's Annual Reports.

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*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

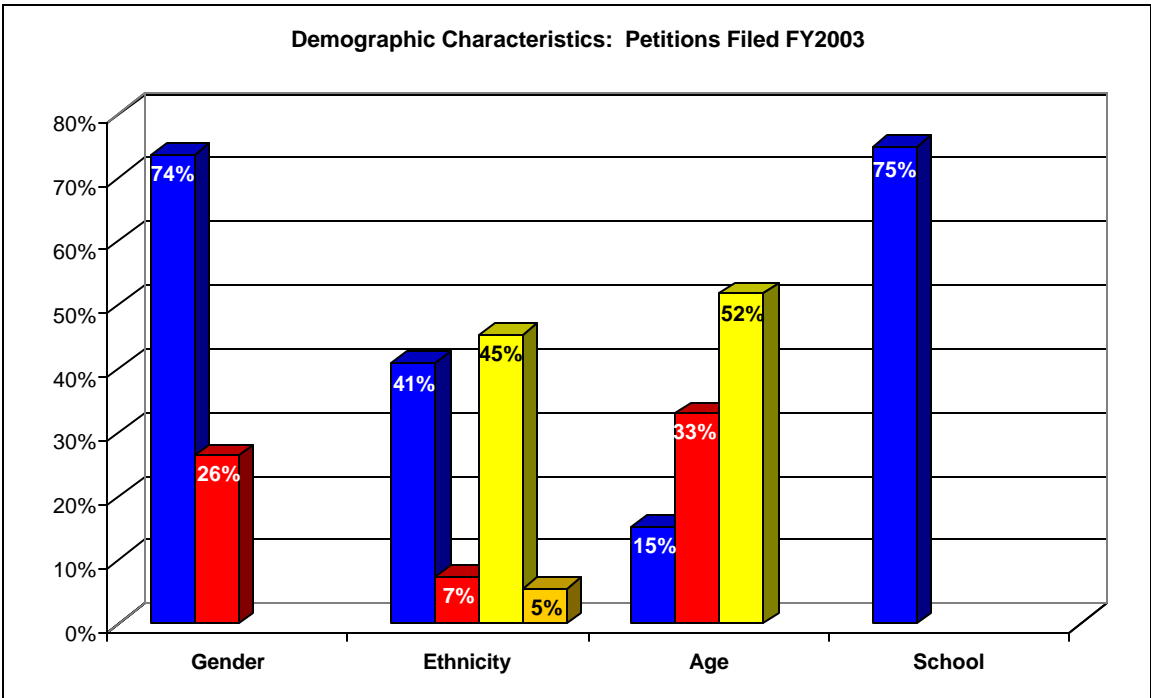
<b>County: Petitions Filed FY03</b>		
Apache	112	0.63%
Cochise	453	2.53%
Coconino	563	3.14%
Gila	344	1.92%
Graham	229	1.28%
Greenlee	46	0.26%
La Paz	69	0.39%
Maricopa	8,699	48.59%
Mohave	592	3.31%
Navajo	417	2.33%
Pima	3,280	18.32%
Pinal	979	5.47%
Santa Cruz	411	2.30%
Yavapai	612	3.42%
Yuma	1,097	6.13%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

Gender: Petitions Filed FY03		
Male	13,186	73.65%
Female	4,717	26.35%
Unknown	0	0.00%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

Ethnicity: Petitions Filed FY03		
Hispanic	7,328	40.93%
African American	1,320	7.37%
Anglo	8,111	45.31%
Native American	966	5.40%
Asian/Pacific Islander	68	0.38%
Other	45	0.25%
Unknown	65	0.36%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

Age: Petitions Filed FY03		
8	29	0.16%
9	79	0.44%
10	147	.82%
11	301	1.68%
12	663	3.70%
13	1,490	8.32%
14	2,445	13.66%
15	3,458	19.32%
16	4,345	24.27%
17	4,917	27.46%
Unknown	29	0.16%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

Education Status: Petitions Filed FY03		
Enrolled	13,403	74.86%
Not Enrolled	1,914	10.69%
Expelled	52	0.29%
Suspended	61	0.34%
Withdrawn	75	0.42%
Graduated	22	0.12%
GED Program	19	0.11%
Unknown	2,357	13.17%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

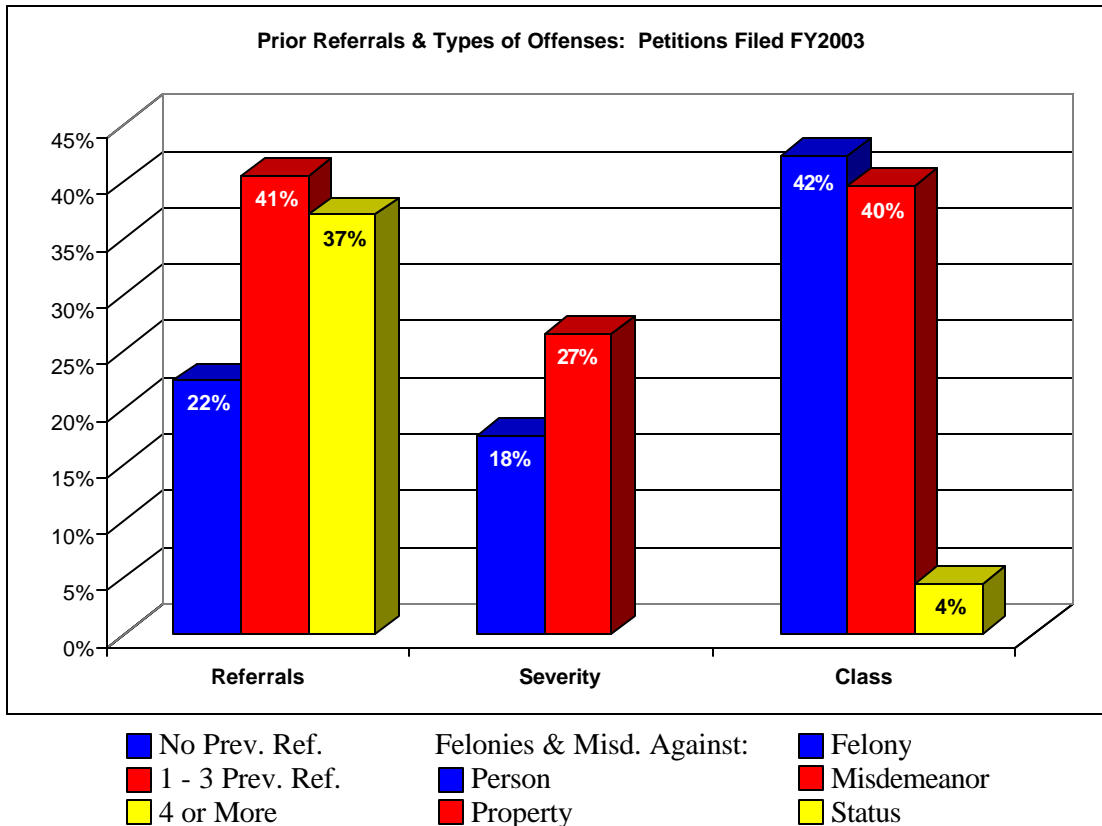


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Petitions Filed FY03		
0	4,014	22.42%
1	2,933	16.38%
2	2,441	13.63%
3	1,878	10.49%
4	1,381	7.71%
5	1,152	6.43%
6	904	5.05%
7	662	3.70%
8 or more	2,538	14.18%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

Severity of Most Serious Offense: Petitions Filed FY03		
Felonies Against Person	1,306	7.29%
Felonies Against Property	3,443	19.23%
Obstruction of Justice: Fel. & Misd.	4,422	24.70%
Misdemeanors Against Person	1,837	10.26%
Drugs: Fel. & Misd.	2,048	11.44%
Public Peace: Fel. & Misd.	2,704	15.10%
Misdemeanors Against Property	1,317	7.36%
Status Offenses	786	4.39%
Citations/Administrative	40	0.22%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Petitions Filed FY03		
Felony	7,566	42.26%
Misdemeanor	7,087	39.59%
Administrative	2,403	13.42%
Status	803	4.49%
Other	44	0.25%
<b>TOTAL</b>	<b>17,903</b>	<b>100.00%</b>



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## JUVENILES WITH DISPOSITIONS OF DISMISSED IN FY03

Referrals and petitions against juveniles can be dismissed. Dismissal means that further consideration or hearings regarding the charge are discontinued or discharged, and further action is not taken.

Dismissal of petitions can occur during the advisory or adjudication hearing process. It is possible that the charge could be dismissed for lack of evidence during either of these hearings. Similarly, a juvenile could have more than one charge pending. In this situation, the juvenile's attorney could initiate a process with the county attorney, which could result in dismissal of one charge while receiving a disposition (i.e., penalty only, probation, JIPS, or commitment to ADJC) on a second charge.

Non-petition referrals can also be dismissed. Dismissal may occur for such reasons as the juvenile cannot be located, or is transferred to another jurisdiction prior to adjudication, or the county attorney did not file (e.g., the victim refused prosecution). The data that follow reflect only court dismissals.

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*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

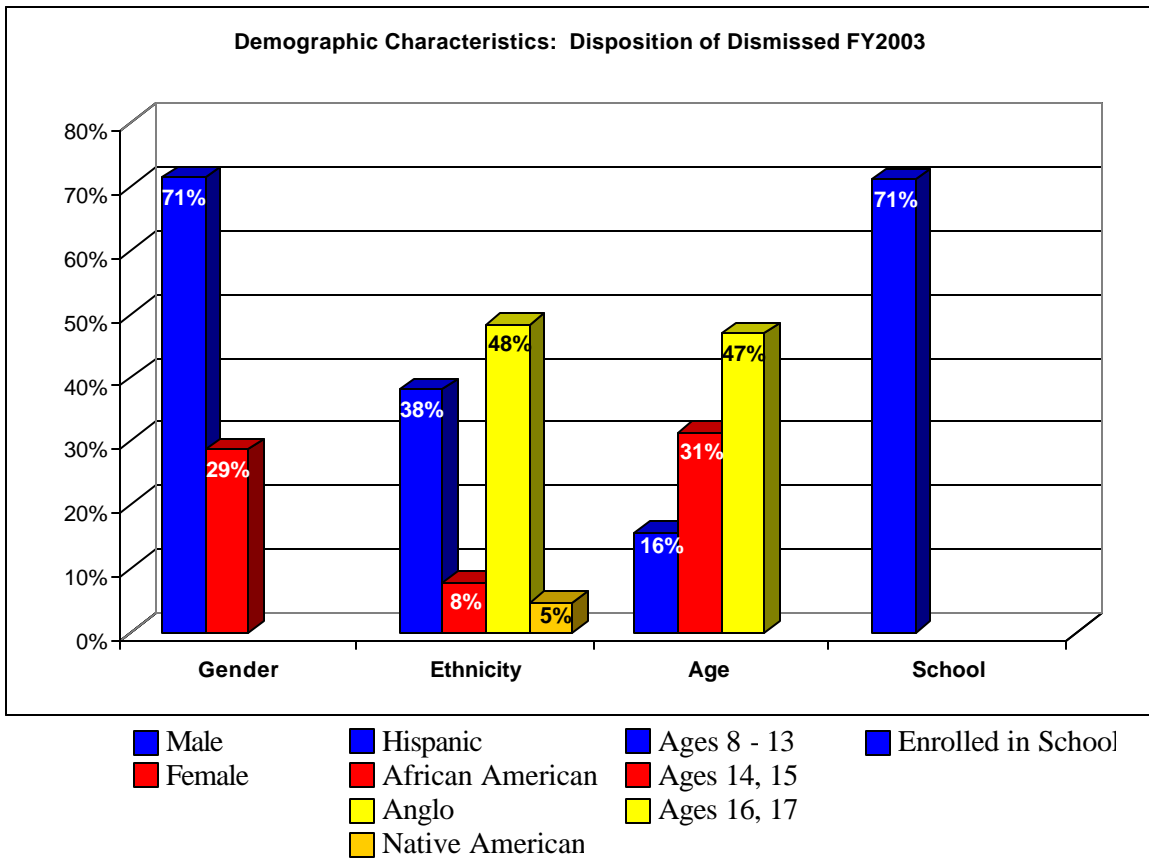
<b>County: Disposition of Dismissed FY03</b>		
Apache	99	1.37%
Cochise	179	2.48%
Coconino	172	2.39%
Gila	120	1.67%
Graham	53	0.74%
Greenlee	22	0.31%
La Paz	45	0.62%
Maricopa	3,779	52.44%
Mohave	238	3.30%
Navajo	158	2.19%
Pima	1,161	16.11%
Pinal	451	6.26%
Santa Cruz	220	3.05%
Yavapai	199	2.76%
Yuma	310	4.30%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>

Gender: Disposition of Dismissed FY03		
Male	5,141	71.34%
Female	2,065	28.66%
Unknown	0	0.00%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>

Ethnicity: Disposition of Dismissed FY03		
Hispanic	2,745	38.09%
African American	557	7.73%
Anglo	3,488	48.40%
Native American	344	4.77%
Asian/Pacific Islander	22	0.31%
Other	23	0.32%
Unknown	27	0.37%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>

Age: Disposition of Dismissed FY03		
8	8	0.11%
9	35	0.49%
10	80	1.11%
11	134	1.86%
12	290	4.02%
13	576	7.99%
14	969	13.45%
15	1,289	17.89%
16	1,559	21.63%
17	1,830	25.40%
Unknown	436	6.05%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>

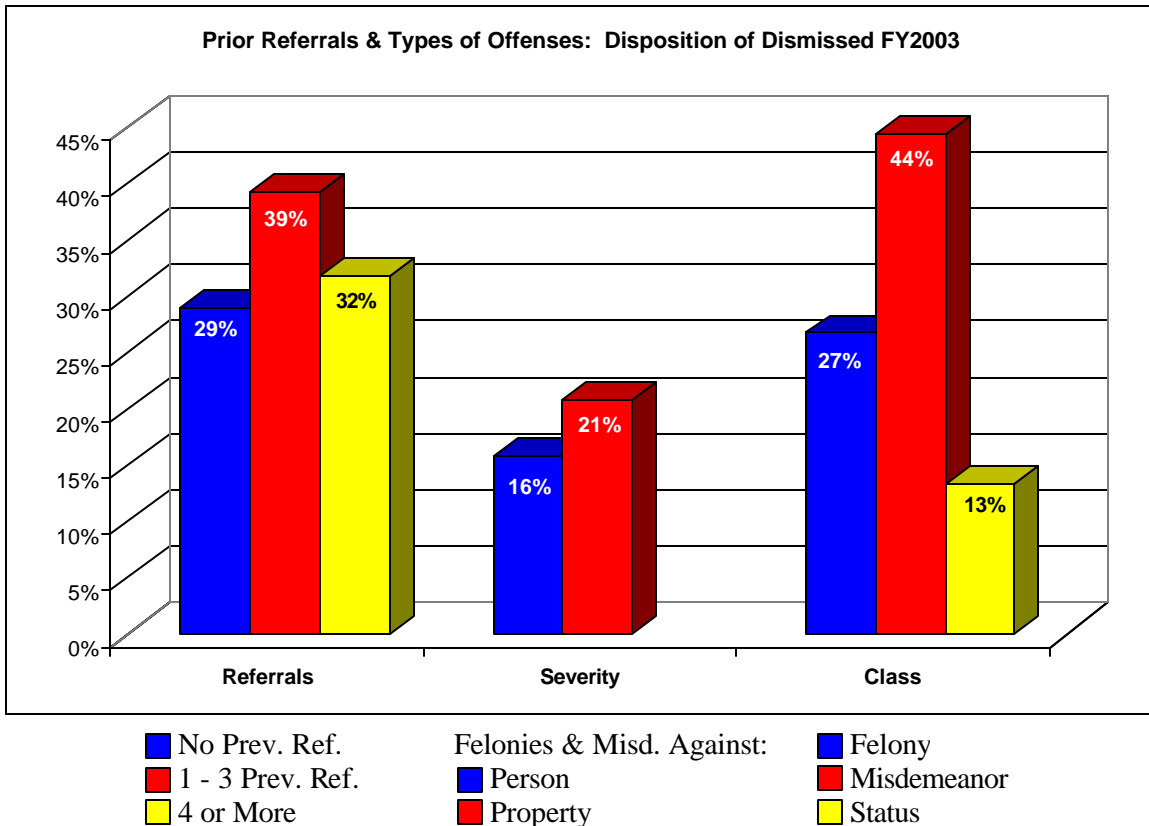
Education Status: Disposition of Dismissed FY03		
Enrolled	5,119	71.04%
Not Enrolled	654	9.08%
Expelled	20	0.28%
Suspended	22	0.31%
Withdrawn	36	0.50%
Graduated	10	0.14%
GED Program	4	0.06%
Unknown	1,341	18.61%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>



Number of Prior Referrals: Disposition of Dismissed FY03		
0	2,087	28.96%
1	1,307	18.14%
2	886	12.30%
3	637	8.84%
4	506	7.02%
5	413	5.73%
6	303	4.20%
7	244	3.39%
8 or more	823	11.42%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of Dismissed FY03		
Felonies Against Person	375	5.20%
Felonies Against Property	752	10.44%
Obstruction of Justice: Fel. & Misd.	1,312	18.21%
Misdemeanors Against Person	757	10.51%
Drugs: Fel. & Misd.	582	8.08%
Public Peace: Fel. & Misd.	1,703	23.63%
Misdemeanors Against Property	744	10.32%
Status Offenses	962	13.35%
Citations/Administrative	19	0.26%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of Dismissed FY03		
Felony	1,925	26.71%
Misdemeanor	3,196	44.35%
Administrative	1,018	14.13%
Status	962	13.35%
Other	105	1.46%
<b>TOTAL</b>	<b>7,206</b>	<b>100.00%</b>



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## JUVENILES WITH DISPOSITIONS OF PENALTY ONLY IN FY03

Adjudicated juveniles may receive a disposition of penalty only. Penalties may include but are not limited to monetary fines, community service work, and/or participation in various treatment programs to change the juvenile's behavior. Juveniles with dispositions of penalty only are not assigned to a diversion program, nor are they placed on Standard Probation, Juvenile Intensive Probation Supervision (JIPS), or committed to the Arizona Department of Juvenile Corrections.

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*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

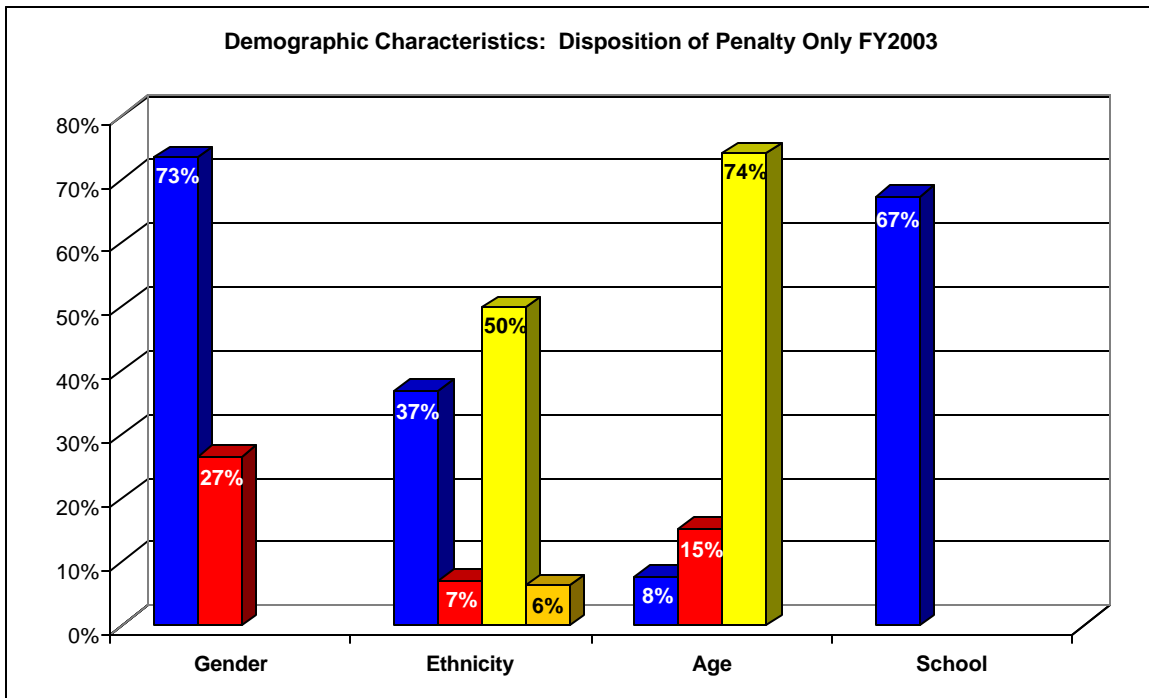
<b>County: Disposition of Penalty Only FY03</b>		
Apache	3	0.64%
Cochise	37	7.92%
Coconino	47	10.06%
Gila	2	0.43%
Graham	6	1.28%
Greenlee	1	0.21%
La Paz	1	0.21%
Maricopa	182	38.97%
Mohave	0	0.00%
Navajo	10	2.14%
Pima	27	5.78%
Pinal	92	19.70%
Santa Cruz	11	2.36%
Yavapai	3	0.64%
Yuma	45	9.64%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

Gender: Disposition of Penalty Only FY03		
Male	343	73.45%
Female	124	26.55%
Unknown	0	0.00%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

Ethnicity: Disposition of Penalty Only FY03		
Hispanic	172	36.83%
African American	33	7.07%
Anglo	233	49.89%
Native American	29	6.21%
Asian/Pacific Islander	0	0.00%
Other	0	0.00%
Unknown	0	0.00%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

Age: Disposition of Penalty Only FY03		
8	0	0.00%
9	0	0.00%
10	2	0.43%
11	7	1.50%
12	10	2.14%
13	17	3.64%
14	32	6.85%
15	39	8.35%
16	76	16.27%
17	270	57.82%
Unknown	14	3.00%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

Education Status: Disposition of Penalty Only FY03		
Enrolled	314	67.24%
Not Enrolled	64	13.70%
Expelled	0	0.00%
Suspended	2	0.43%
Withdrawn	2	0.43%
Graduated	4	0.86%
GED Program	2	0.43%
Unknown	79	16.92%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

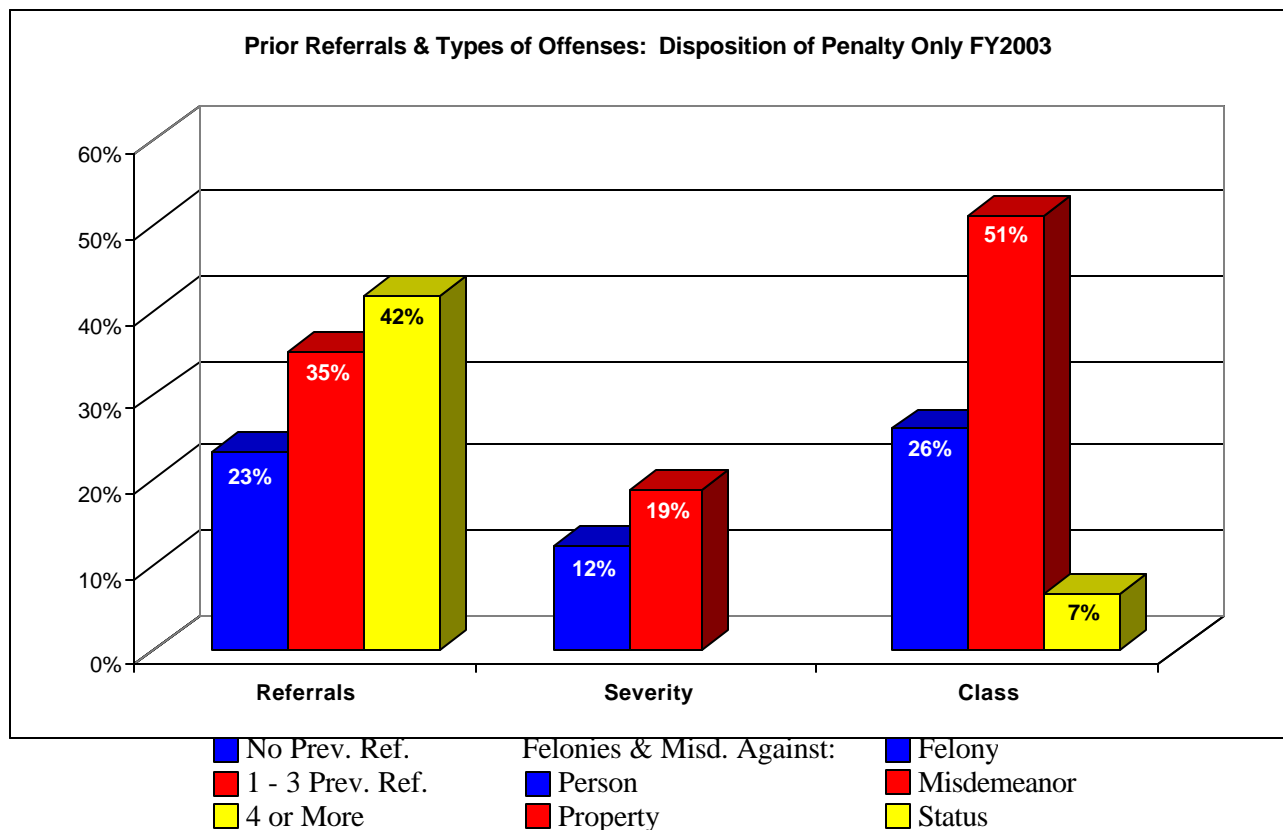


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Disposition of Penalty Only FY03		
0	108	23.13%
1	58	12.42%
2	62	13.28%
3	44	9.42%
4	44	9.42%
5	28	6.00%
6	21	4.50%
7	13	2.78%
8 or more	89	19.06%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of Penalty Only FY03		
Felonies Against Person	15	3.21%
Felonies Against Property	42	8.99%
Obstruction of Justice: Fel. & Misd.	80	17.13%
Misdemeanors Against Person	42	8.99%
Drugs: Fel. & Misd.	49	10.49%
Public Peace: Fel. & Misd.	160	34.26%
Misdemeanors Against Property	46	9.85%
Status Offenses	31	6.64%
Citations/Administrative	2	0.43%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of Penalty Only FY03		
Felony	121	25.91%
Misdemeanor	238	50.96%
Administrative	75	16.06%
Status	31	6.64%
Other	2	0.43%
<b>TOTAL</b>	<b>467</b>	<b>100.00%</b>



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## **JUVENILES WITH DISPOSITIONS OF STANDARD PROBATION IN FY03<sup>6</sup>**

Probation is defined as conditional freedom granted by the juvenile court to an adjudicated juvenile on the condition of continued good behavior and regular reporting to a probation officer. The core tenets of juvenile probation are: protection of the community, the belief that youth can make positive changes in their behavior, fostering law-abiding behavior, restitution to victims and society for the wrongs committed against them, preservation of the best interest of the child, and stability of the family unit.

Juveniles placed on probation must comply with specific terms and conditions. Although every probation treatment plan is customized to address the needs of each individual juvenile, some standard terms and conditions apply to all cases. The standard terms and conditions include scheduled contacts with a probation officer, maintaining law abiding behavior, and paying restitution to the victim. Additional terms may also be imposed depending on individual juvenile needs, such as: mandatory drug testing, curfew, school attendance, community service hours, letters of apology, attendance at counseling or treatment sessions, and restrictions on acquaintances.

Once a juvenile has been placed on probation, the juvenile probation officer monitors the juvenile's compliance with the terms and conditions of their probation. The probation officer works closely with the juvenile and their family as well as members of the community including teachers, victims, treatment providers and others involved in the life of the juvenile and their family. The court can impose multiple restrictions and provide resources to help the juvenile. If the youth does not choose to comply or chooses to continue violating the law, the probation officer will refer the juvenile back to the court. The court may in turn impose more severe liberty restrictions, including detention, placement in the JIPS program or commitment to the Arizona Department of Juvenile Corrections.

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The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.

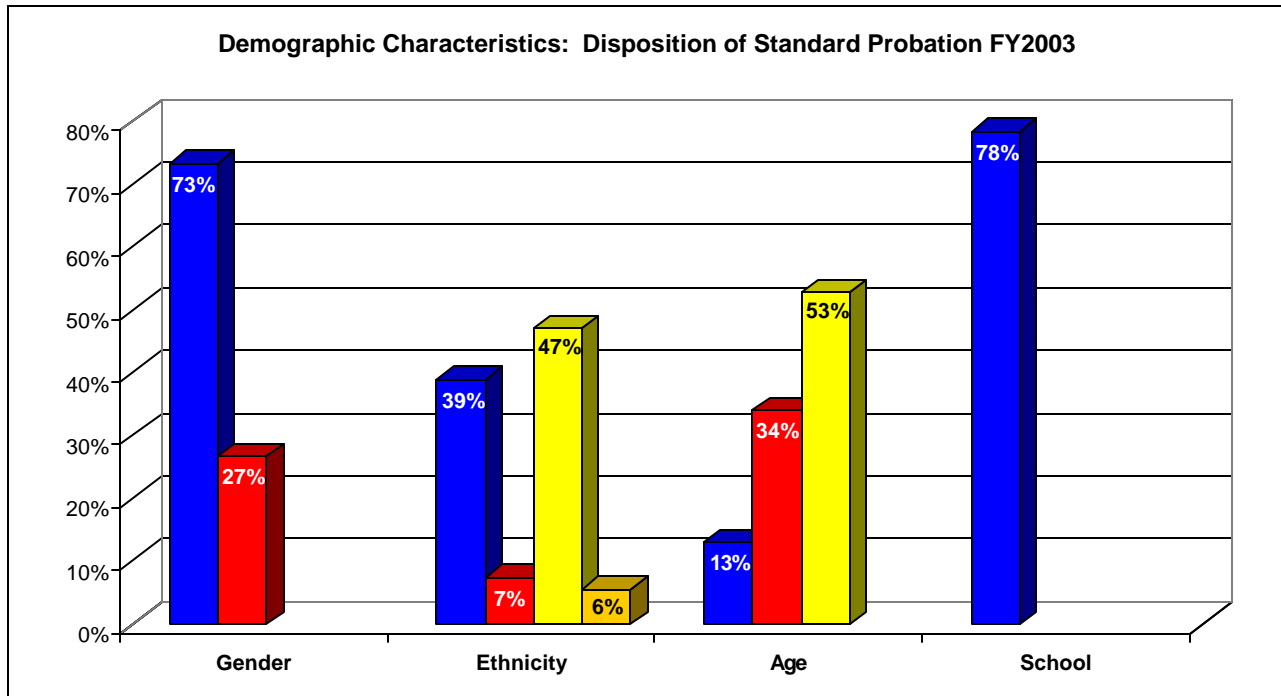
<b>County: Disposition of Standard Probation FY03</b>		
Apache	68	0.66%
Cochise	178	1.74%
Coconino	391	3.82%
Gila	173	1.69%
Graham	174	1.70%
Greenlee	34	0.33%
La Paz	35	0.34%
Maricopa	5,575	54.42%
Mohave	246	2.40%
Navajo	292	2.85%
Pima	1,777	17.35%
Pinal	262	2.56%
Santa Cruz	242	2.36%
Yavapai	286	2.79%
Yuma	511	4.99%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>

Gender: Disposition of Standard Probation FY03		
Male	7,504	73.25%
Female	2,740	26.75%
Unknown	0	0.00%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>

Ethnicity: Disposition of Standard Probation FY03		
Hispanic	3,991	38.96%
African American	757	7.39%
Anglo	4,828	47.13%
Native American	564	5.51%
Asian/Pacific Islander	45	0.44%
Other	35	0.34%
Unknown	24	0.23%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>

Age: Disposition of Standard Probation FY03		
8	3	0.03%
9	9	0.09%
10	42	0.41%
11	109	1.06%
12	327	3.19%
13	848	8.28%
14	1,447	14.13%
15	2,032	19.84%
16	2,528	24.68%
17	2,885	28.16%
Unknown	14	0.14%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>

Education Status: Disposition of Standard Probation FY03		
Enrolled	8,030	78.39%
Not Enrolled	887	8.66%
Expelled	26	0.25%
Suspended	29	0.28%
Withdrawn	33	0.32%
Graduated	6	0.06%
GED Program	6	0.06%
Unknown	1,227	11.98%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>



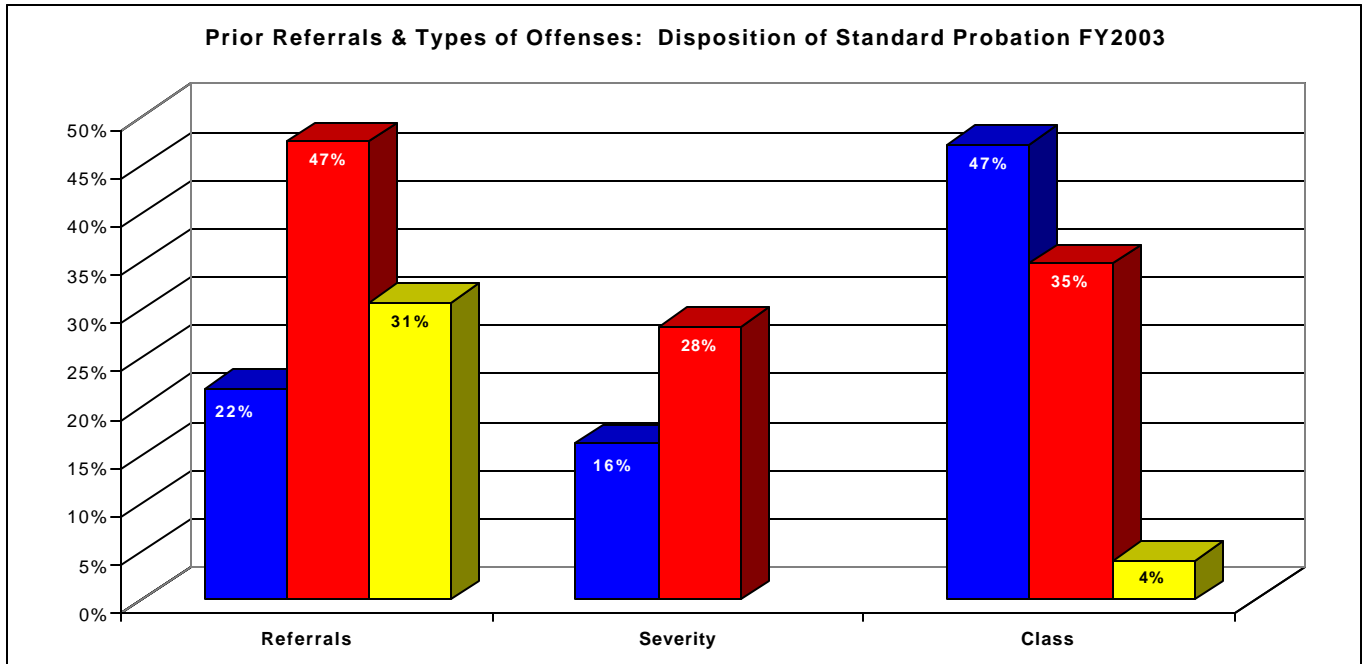
- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School



Number of Prior Referrals: Disposition of Standard Probation FY03		
0	2,238	21.85%
1	1,914	18.68%
2	1,675	16.35%
3	1,268	12.38%
4	920	8.98%
5	633	6.18%
6	478	4.67%
7	301	2.94%
8 or more	817	7.98%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of Standard Probation FY03		
Felonies Against Person	767	7.49%
Felonies Against Property	2,076	20.27%
Obstruction of Justice: Fel. & Misd.	2,214	21.61%
Misdemeanors Against Person	883	8.62%
Drugs: Fel. & Misd.	1,353	13.21%
Public Peace: Fel. & Misd.	1,561	15.24%
Misdemeanors Against Property	821	8.01%
Status Offenses	416	4.06%
Citations/Administrative	153	1.49%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of Standard Probation FY03		
Felony	4,825	47.10%
Misdemeanor	3,556	34.71%
Administrative	1,291	12.60%
Status	417	4.07%
Other	155	1.51%
<b>TOTAL</b>	<b>10,244</b>	<b>100.00%</b>



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

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## **JUVENILES WITH DISPOSITIONS OF JIPS IN FY03<sup>6</sup>**

Juvenile Intensive Probation Supervision (JIPS) is a sentencing consequence used by the juvenile court judges for those youth who are in need of a higher level of supervision and a highly structured program. The program was enacted into law in 1987. The intent of this legislation was to create a program which would allow juvenile delinquents to remain at home under increased supervision and structure rather than be placed in either a residential treatment facility or the Arizona Department of Juvenile Corrections (ADJC). Financial considerations weighed heavily in the formation of the program, as JIPS is a less costly alternative than ADJC or residential treatment.

JIPS differs from standard probation in the increased frequency of face to face contacts between the juvenile and the JIPS officer, the requirement to actively participate in 32 hours of structured activities per week, the liberty restrictions concerning unsupervised time out of the home, the frequency of drug testing on demand, and the lower caseload ratio. Additional information about the program is available in the JIPS Annual Report. The figures reported in the JIPS Annual Report may differ from those reported in Juveniles Processed because the JIPS Annual Report includes all juveniles whose cases were active during the fiscal year. The Juveniles Processed report includes only juveniles dispositioned to JIPS during the fiscal year.

Disposition or placement on JIPS is usually reserved for certain situations. Specifically, only juveniles who are adjudicated for delinquent acts or for violations of probation originating from a delinquent act are eligible for JIPS. The first type of youth placed in the program is one who would otherwise have been recommended for placement in an out-of-home institutional or residential setting. The second type of youth is one who, when considering the nature of the offense, their prior delinquent history, or risk to the community, have demonstrated a need for a highly structured, closely supervised program of probation emphasizing surveillance, education, work, and home detention. A third discreet category of youth placed on JIPS are those adjudicated for a second felony offense. In these cases, the Juvenile Court is limited to the three choices cited in A.R.S. §8-341. These options are JIPS, ADJC or prosecution as an adult.

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The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.

The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.

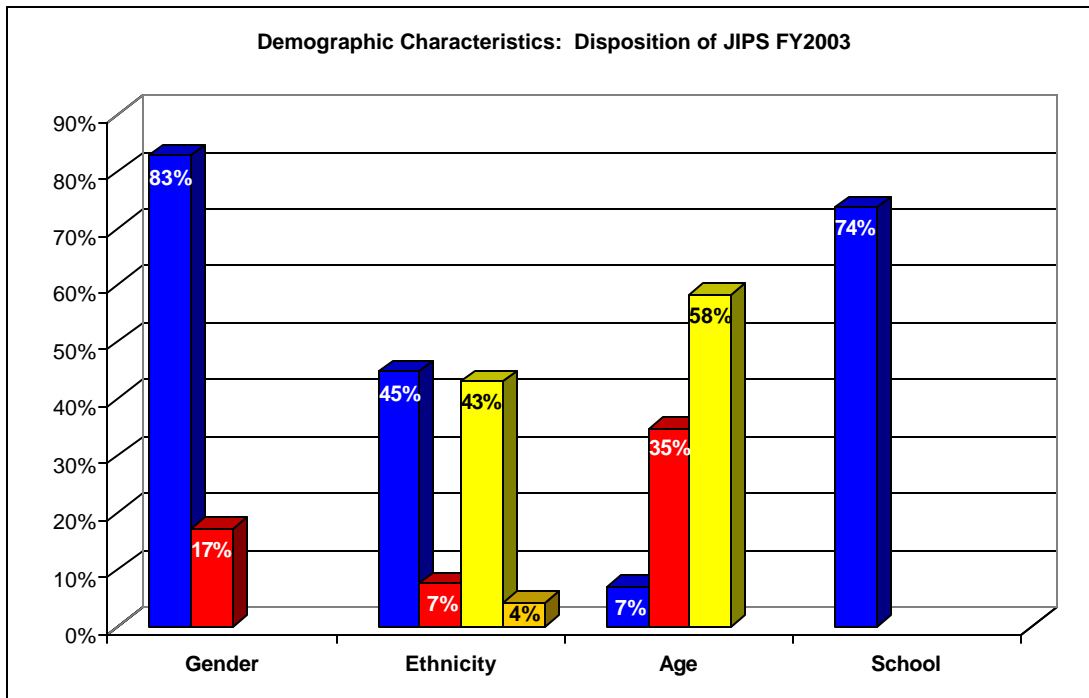
<b>County: Disposition of JIPS FY03</b>		
Apache	22	0.90%
Cochise	109	4.48%
Coconino	55	2.26%
Gila	44	1.81%
Graham	32	1.32%
Greenlee	9	0.37%
La Paz	6	0.25%
Maricopa	1,087	44.70%
Mohave	114	4.69%
Navajo	72	2.96%
Pima	347	14.27%
Pinal	137	5.63%
Santa Cruz	38	1.56%
Yavapai	125	5.14%
Yuma	235	9.66%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

Gender: Disposition of JIPS FY03		
Male	2,013	82.77%
Female	419	17.23%
Unknown	0	0.00%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

Ethnicity: Disposition of JIPS FY03		
Hispanic	1,087	44.70%
African American	181	7.44%
Anglo	1,047	43.05%
Native American	103	4.24%
Asian/Pacific Islander	5	0.21%
Other	8	0.33%
Unknown	1	0.04%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

Age: Disposition of JIPS FY03		
8	0	0.00%
9	0	0.00%
10	2	0.08%
11	6	0.25%
12	37	1.52%
13	125	5.14%
14	290	11.92%
15	554	22.78%
16	665	27.34%
17	752	30.92%
Unknown	1	0.04%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

Education Status: Disposition of JIPS FY03		
Enrolled	1,788	73.52%
Not Enrolled	407	16.74%
Expelled	11	0.45%
Suspended	13	0.53%
Withdrawn	13	0.53%
Graduated	4	0.16%
GED Program	3	0.12%
Unknown	193	7.94%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

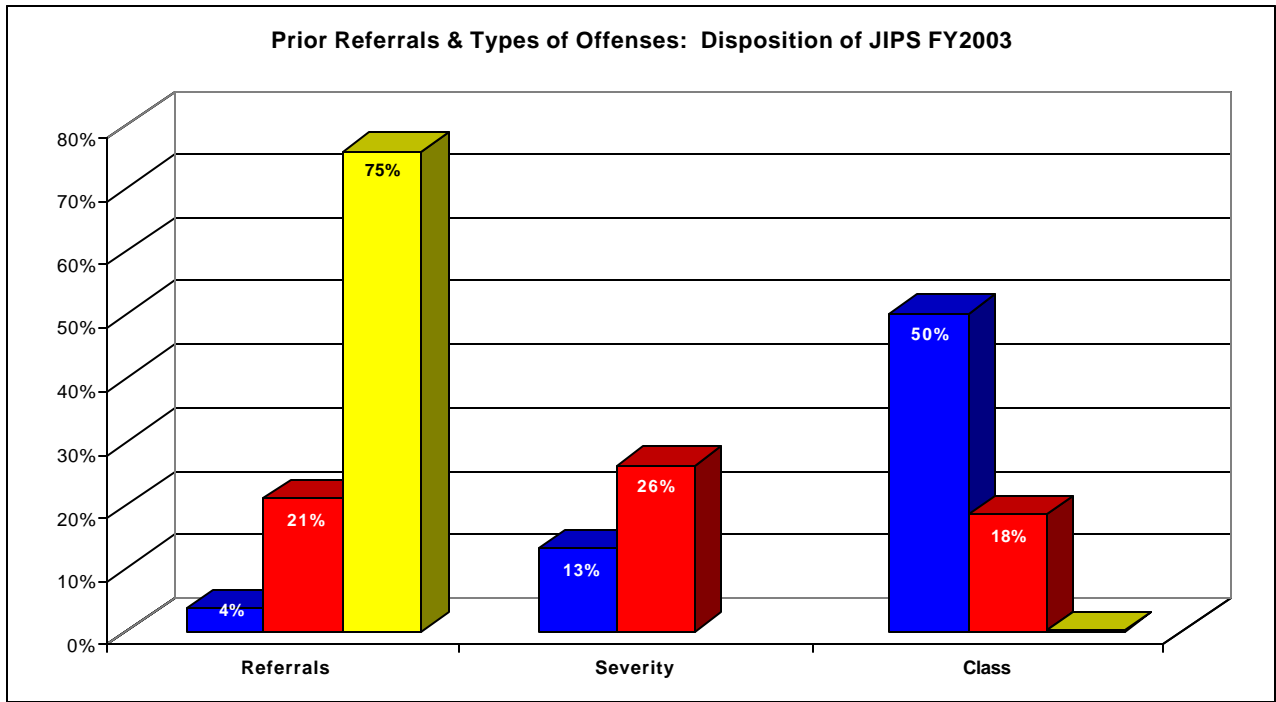


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Disposition of JIPS FY03		
0	86	3.54%
1	128	5.26%
2	166	6.83%
3	216	8.88%
4	260	10.69%
5	298	12.25%
6	252	10.36%
7	216	8.88%
8 or more	810	33.31%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition of JIPS FY03		
Felonies Against Person	232	9.54%
Felonies Against Property	578	23.77%
Obstruction of Justice: Fel. & Misd.	1,119	46.01%
Misdemeanors Against Person	82	3.37%
Drugs: Fel. & Misd.	204	8.39%
Public Peace: Fel. & Misd.	147	6.04%
Misdemeanors Against Property	54	2.22%
Status Offenses	4	0.16%
Citations/Administrative	12	0.49%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition of JIPS FY03		
Felony	1,218	50.08%
Misdemeanor	447	18.38%
Administrative	752	30.92%
Status	4	0.16%
Other	11	0.45%
<b>TOTAL</b>	<b>2,432</b>	<b>100.00%</b>



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

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## JUVENILES WITH DISPOSITIONS TO ADJC IN FY03

Disposition of a juvenile to the Arizona Department of Juvenile Corrections (ADJC) is governed by statute and the Arizona Judicial Code of Administration. Arizona Revised Statutes §8-342 (A) provides: “A child under the age of eight years shall not be committed to the department of juvenile corrections nor shall a dependent or incorrigible child be awarded to the department of juvenile corrections.” Arizona Revised Statutes §8-246(C), as amended, mandates: 1) the use of risk and needs assessment to determine appropriate disposition of juveniles; 2) development of commitment guidelines for use by juvenile court judges for dispositions of juveniles to ADJC; and 3) development of length of stay guidelines consistent with treatment and public safety concerns.

The primary purpose of the commitment guidelines is to prescribe factors the court must consider, in addition to other relevant facts, when committing youth to the care and custody of ADJC. The legislative intent is that commitment to ADJC should be reserved for those juveniles whom the court believes need 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 are as follows:

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

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*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

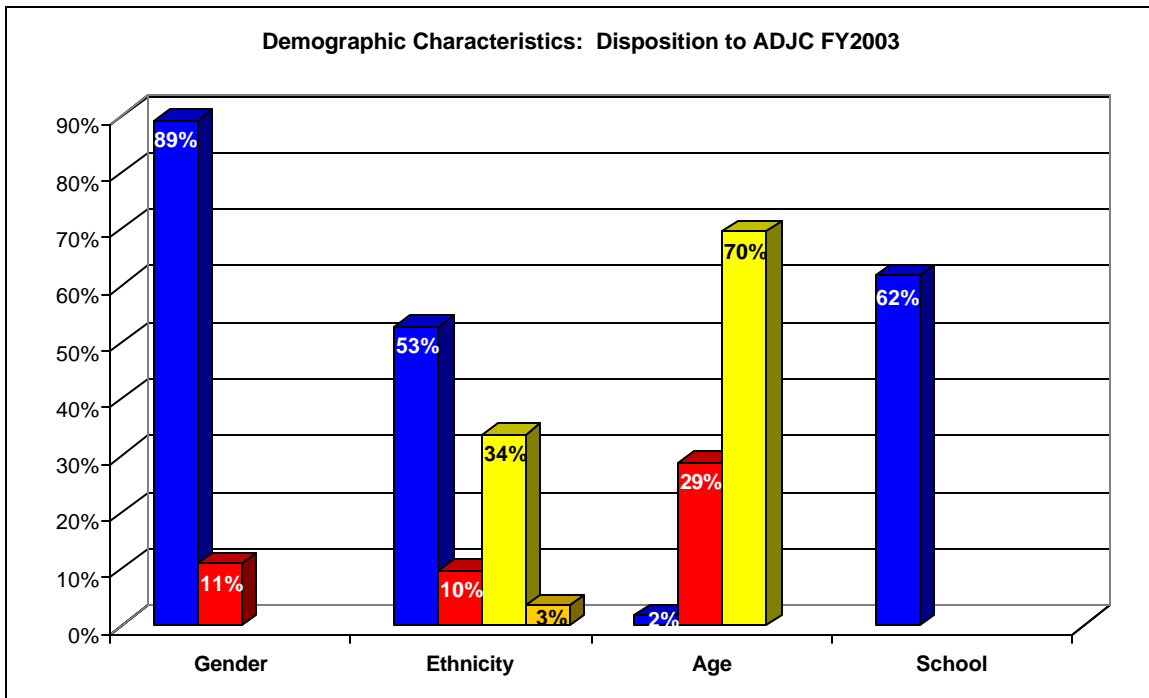
<b>County: Disposition to ADJC FY03</b>		
Apache	3	0.32%
Cochise	28	3.02%
Coconino	22	2.38%
Gila	16	1.73%
Graham	7	0.76%
Greenlee	3	0.32%
La Paz	2	0.22%
Maricopa	392	42.33%
Mohave	35	3.78%
Navajo	23	2.48%
Pima	251	27.11%
Pinal	58	6.26%
Santa Cruz	10	1.08%
Yavapai	36	3.89%
Yuma	40	4.32%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

Gender: Disposition to ADJC FY03		
Male	825	89.09%
Female	101	10.91%
Unknown	0	0.00%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

Ethnicity: Disposition to ADJC FY03		
Hispanic	488	52.70%
African American	89	9.61%
Anglo	313	33.80%
Native American	32	3.46%
Asian/Pacific Islander	1	0.11%
Other	2	0.22%
Unknown	1	0.11%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

Age: Disposition to ADJC FY03		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	4	0.43%
13	12	1.30%
14	76	8.21%
15	190	20.52%
16	314	33.91%
17	330	35.64%
Unknown	0	0.00%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

Education Status: Disposition to ADJC FY03		
Enrolled	572	61.77%
Not Enrolled	231	24.95%
Expelled	6	0.65%
Suspended	11	1.19%
Withdrawn	9	0.97%
Graduated	2	0.22%
GED Program	1	0.11%
Unknown	94	10.15%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

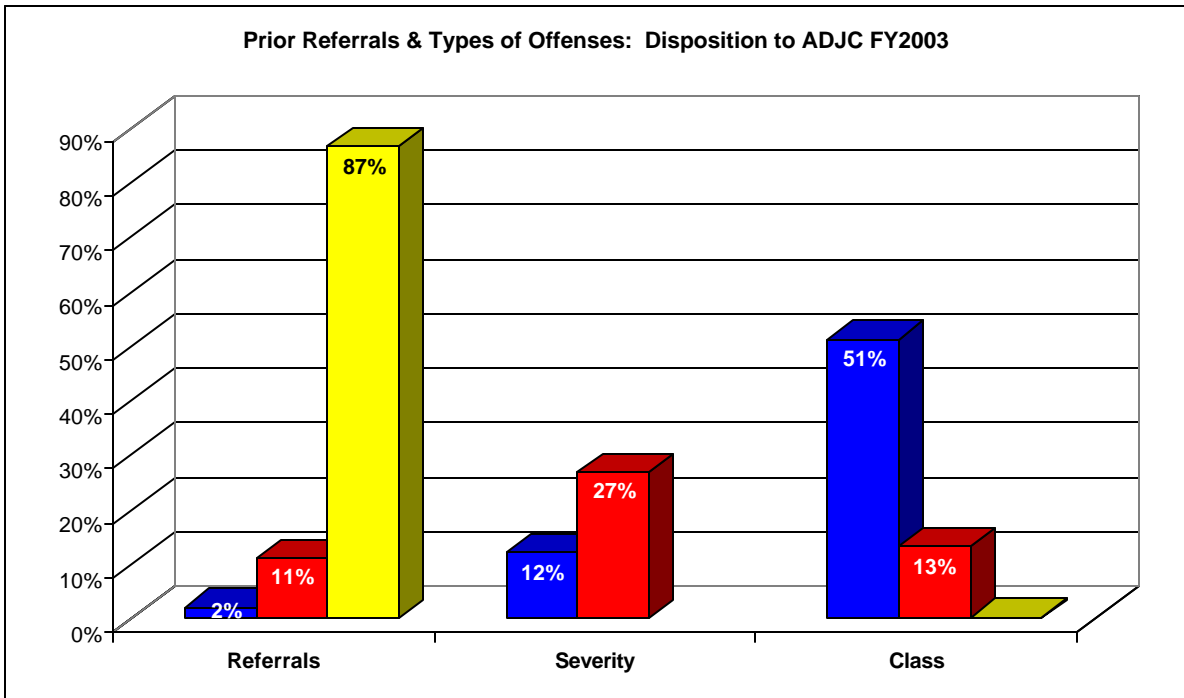


- Male
- Female
- Hispanic
- African American
- Anglo
- Native American
- Ages 8 - 13
- Ages 14, 15
- Ages 16, 17
- Enrolled in School

Number of Prior Referrals: Disposition to ADJC FY03		
0	20	2.16%
1	27	2.92%
2	33	3.56%
3	44	4.75%
4	46	4.97%
5	69	7.45%
6	76	8.21%
7	81	8.75%
8 or more	530	57.24%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

Severity of Most Serious Offense: Disposition to ADJC FY03		
Felonies Against Person	83	8.96%
Felonies Against Property	238	25.70%
Obstruction of Justice: Fel. & Misd.	432	46.65%
Misdemeanors Against Person	30	3.24%
Drugs: Fel. & Misd.	67	7.24%
Public Peace: Fel. & Misd.	58	6.26%
Misdemeanors Against Property	12	1.30%
Status Offenses	3	0.32%
Citations/Administrative	3	0.32%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Disposition to ADJC FY03		
Felony	474	51.19%
Misdemeanor	123	13.28%
Administrative	324	34.99%
Status	3	0.32%
Other	2	0.22%
<b>TOTAL</b>	<b>926</b>	<b>100.00%</b>



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

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## **JUVENILES DIRECT FILED IN AND TRANSFERRED TO ADULT COURT IN FY03**

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

### **Juveniles Direct Filed in Adult Court Juveniles Transferred to Adult Court**

The circumstances for trying juveniles as if they were adults are presented here as pathways to adult court. Essentially, five pathways have been identified. They are briefly described below. The numbers of youth who were filed in adult court through one of these pathways are presented on the next page. Since the Direct Filed section and the Transfer section include all dispositions specific to those sections, the tables in this section include duplicate counts.<sup>1</sup>

#### **Pathways to Adult Court**

- **Mandatory:** Juveniles ages 15, 16, or 17 who commit a specified violent crime must be filed in adult court.
- **Mandatory Prior:** Juveniles previously convicted in adult court must be returned to adult court for any subsequent crimes or violations of probation.
- **Chronic:** Juveniles ages 15, 16 or 17 who have two prior felony adjudications in juvenile court and are arrested for a third felony must go to adult court.
- **Discretion of County Attorney:** Juveniles who are 14 and chronic offenders or are 14 or older and commit one of a list of specified offenses may be filed in adult court.
- **Transfer:** Juveniles who do not meet the above criteria may still be transferred by the juvenile court depending on a number of factors such as the type and severity of the offense and the juvenile's record and previous history. The county attorney may request an order of the juvenile court transferring jurisdiction to the criminal division of the Superior Court for prosecution of any juvenile charged with a felony.

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<b>Pathways for Juveniles Filed in Adult Court FY03</b>		
<b>Pathways</b>	<b>Number of Juveniles</b>	<b>% of Total</b>
Transfer	97	2.55%
Mandatory	185	39.36%
Mandatory - Prior	46	9.79%
Chronic	40	8.51%
Discretionary	199	39.79%
<b>TOTAL</b>	<b>*567</b>	<b>100.00%</b>

<b>County: Direct Filed in and Transferred to Adult Court FY03</b>		
Apache	0	0.00%
Cochise	15	2.65%
Coconino	6	1.06%
Gila	12	2.12%
Graham	1	0.18%
Greenlee	1	0.18%
La Paz	0	0.00%
Maricopa	353	62.26%
Mohave	8	1.41%
Navajo	5	0.88%
Pima	106	18.69%
Pinal	23	4.06%
Santa Cruz	7	1.23%
Yavapai	9	1.59%
Yuma	21	3.70%
<b>TOTAL</b>	<b>*567</b>	<b>100.00%</b>

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

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## JUVENILES DIRECT FILED IN ADULT COURT IN FY03

The fiscal year beginning July 1, 1997 brought dramatic changes to the juvenile justice system due to the passage of Proposition 102 in November, 1996 and the subsequent enabling legislation effective July 21, 1997. Among the provisions of the constitutional amendment was the prosecution as an adult of any juvenile age 15 or older accused of murder, forcible sexual assault, armed robbery or other violent offenses. Direct filings of juveniles in adult court in FY97 were restricted to juveniles who were charged with murder, forcible sexual assault and armed robbery. The addition of filings of juveniles in adult court for “other violent offenses” is based on the definitions contained in the enabling legislation, Senate Bill 1446.

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

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

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

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

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*The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.*

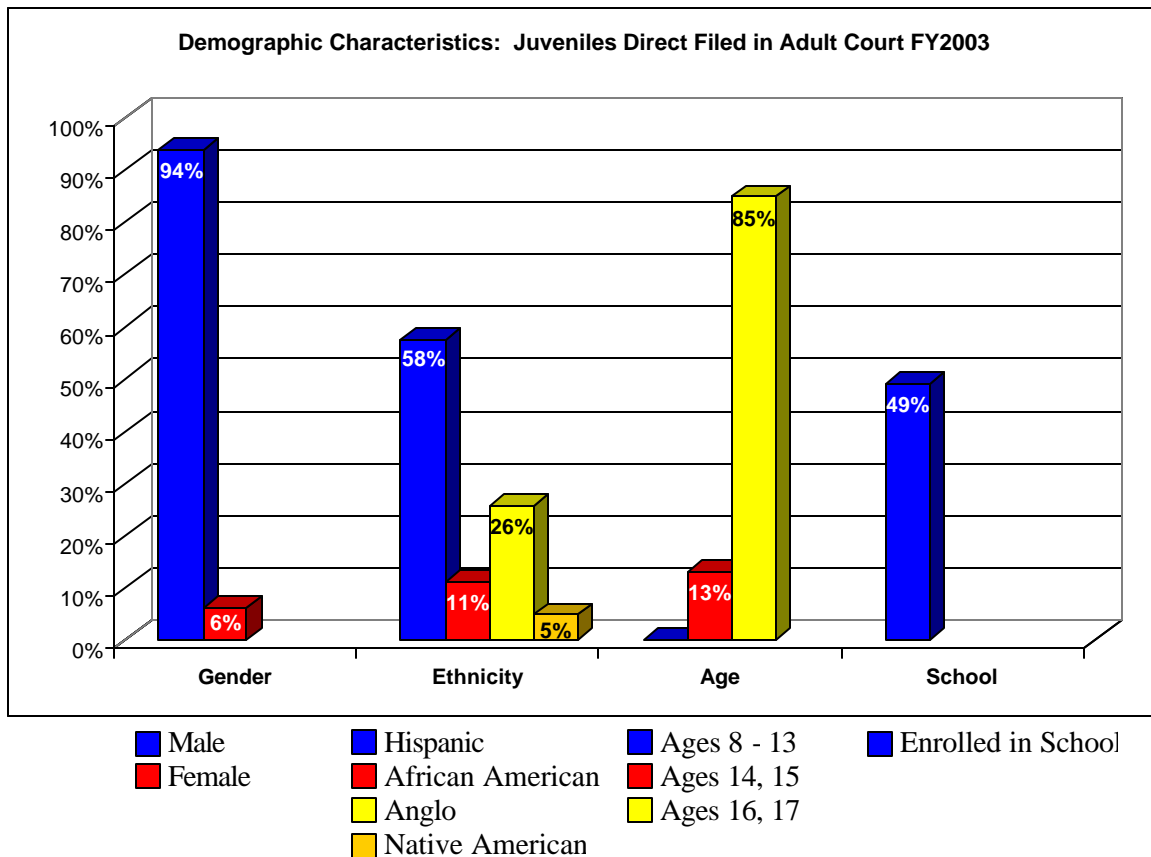
<b>County: Juveniles Direct Filed in Adult Court FY03</b>		
Apache	0	0.00%
Cochise	11	2.34%
Coconino	6	1.28%
Gila	1	0.21%
Graham	1	0.21%
Greenlee	1	0.21%
La Paz	0	0.00%
Maricopa	301	64.04%
Mohave	4	0.85%
Navajo	4	0.85%
Pima	96	20.43%
Pinal	22	4.68%
Santa Cruz	7	1.49%
Yavapai	5	1.06%
Yuma	11	2.34%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>

Gender: Juveniles Direct Filed FY03		
Male	441	93.83%
Female	29	6.17%
Unknown	0	0.00%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>

Ethnicity: Juveniles Direct Filed FY03		
Hispanic	271	57.66%
African American	53	11.28%
Anglo	121	25.74%
Native American	23	4.89%
Asian/Pacific Islander	0	0.00%
Other	1	0.21%
Unknown	1	0.21%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>

Age: Juveniles Direct Filed FY03		
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	10	2.13%
15	52	11.06%
16	130	27.66%
17	269	57.23%
Unknown	9	1.91%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>

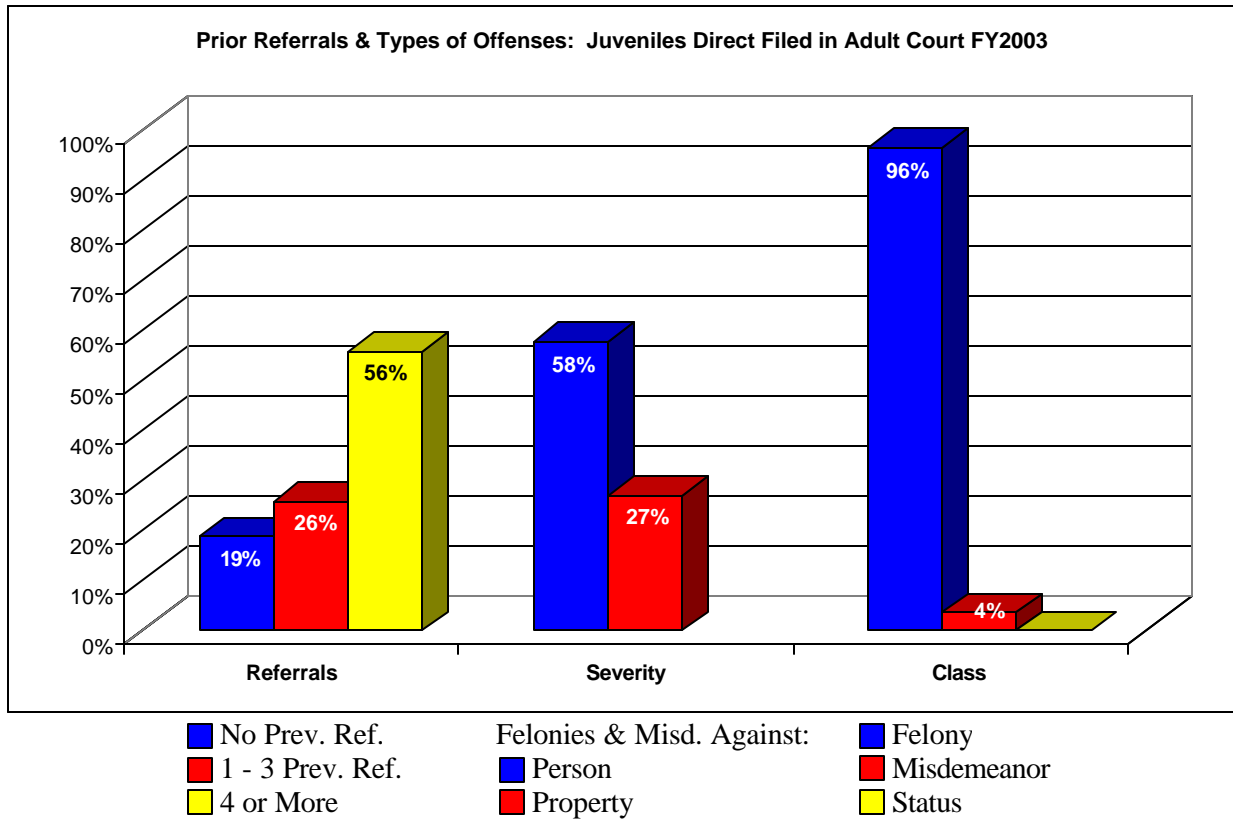
Education Status: Juveniles Direct Filed FY03		
Enrolled	231	49.15%
Not Enrolled	154	32.77%
Expelled	0	0.00%
Suspended	3	0.64%
Withdrawn	1	0.21%
Graduated	1	0.21%
GED Program	1	0.21%
Unknown	79	16.81%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Direct Filed FY03		
0	88	18.72%
1	49	10.43%
2	39	8.30%
3	33	7.02%
4	28	5.96%
5	23	4.89%
6	30	6.38%
7	28	5.96%
8 or more	152	32.34%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>

Severity of Most Serious Offense: Juveniles Direct Filed FY03		
Felonies Against Person	265	56.38%
Felonies Against Property	117	24.89%
Obstruction of Justice: Fel. & Misd.	4	0.85%
Misdemeanors Against Person	6	1.28%
Drugs: Fel. & Misd.	55	11.70%
Public Peace: Fel. & Misd.	13	2.77%
Misdemeanors Against Property	9	1.91%
Status Offenses	0	0.00%
Citations/Administrative	1	0.21%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Direct Filed FY03		
Felony	452	96.17%
Misdemeanor	17	3.62%
Administrative	0	0.00%
Status	0	0.00%
Other	1	0.21%
<b>TOTAL</b>	<b>470</b>	<b>100.00%</b>



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## **JUVENILES TRANSFERRED TO ADULT COURT IN FY03**

Prior to FY97 and the passage of Proposition 102, the sole pathway to adult court for juveniles was through the judicial transfer process. The implementation of Senate Bill (SB) 1446 initiated the shift from judicial transfers to direct filing in adult court by the county attorney as the primary pathway to adult court. In SB 1446, there were also changes to the process whereby juveniles are transferred to adult court, as reflected in A.R.S. §8-327. This statute determines the procedures for the state to request a transfer to adult court and the factors a judge must consider in the decision to transfer. Previously the transfer process was based on the Rules of Procedure of Juvenile Court. These provisions were effective July 21, 1997, shortly after the beginning of FY98.

An order to transfer is based on findings of a preponderance of evidence of probable cause that: the offense was committed, the juvenile committed the offense, and a transfer would best serve public safety. The determination of whether public safety would be served is based on the following factors as stated in A.R.S. §8-327 D:

1. The seriousness of the offense involved
2. The record and previous history of the juvenile, including previous contacts with the courts and law enforcement, previous periods of any court ordered probation and the results of that probation
3. Any previous commitments of the juvenile to juvenile residential placements and secure institutions
4. If the juvenile was previously committed to the Department of Juvenile Corrections for a felony offense
5. If the juvenile committed another felony offense while the juvenile was a ward of the department of juvenile corrections
6. If the juvenile committed the alleged offense while participating in, assisting, promoting or furthering the interests of a criminal street gang, a criminal syndicate or a racketeering enterprise
7. The views of the victim of the offense
8. If the degree of the juvenile's participation in the offense was relatively minor but not so minor as to constitute a defense to prosecution
9. The juvenile's mental and emotional condition
10. The likelihood of the juvenile's reasonable rehabilitation through the use of services and facilities that are currently available to the juvenile court

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The information presented in this section characterizes individual youth (unduplicated). For those youth who were referred more than once during the fiscal year, information from the most recent referral is reported.

The table below shows the distribution of youth across the counties in Arizona. On the following two pages, demographic and offense-specific information are presented. Selected data from the tables at the top of each page are also presented in the related graph at the bottom of each page.

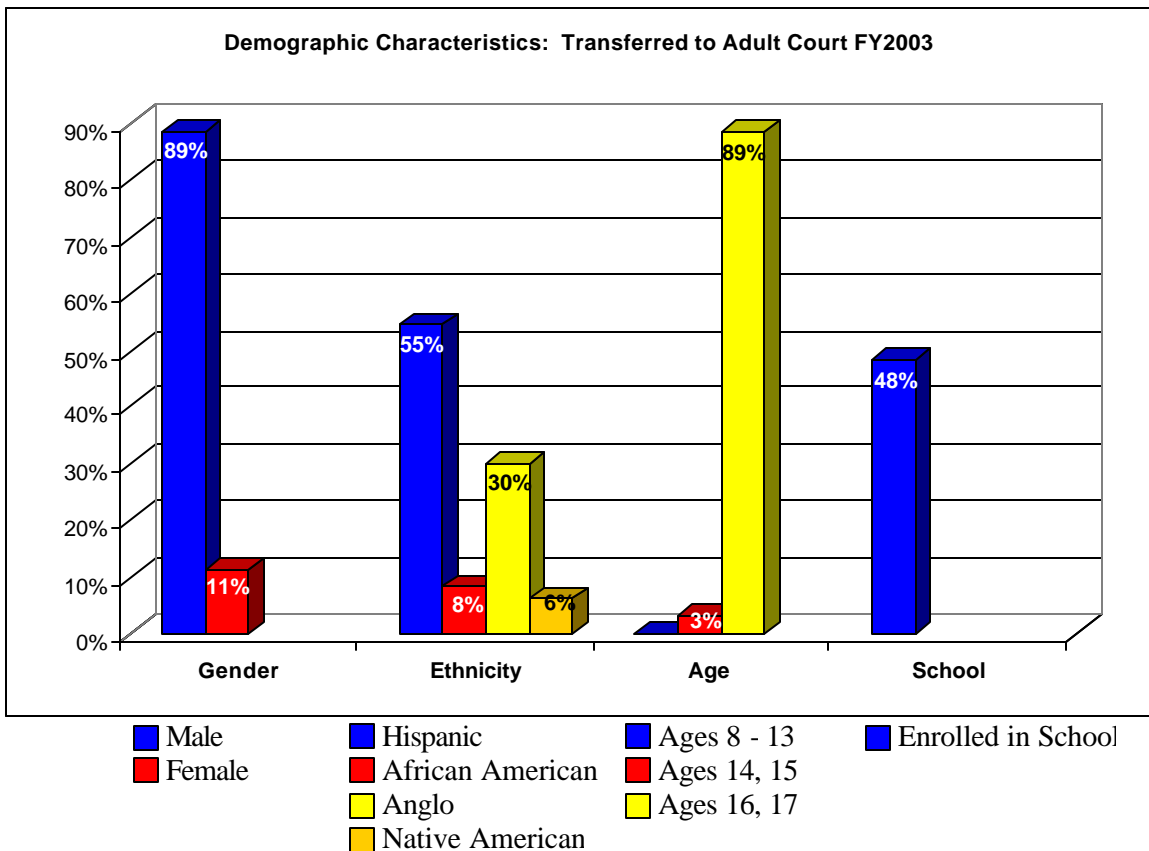
<b>County: Juveniles Transferred to Adult Court FY03</b>		
Apache	0	0.00%
Cochise	4	4.12%
Coconino	0	0.00%
Gila	11	11.34%
Graham	0	0.00%
Greenlee	0	0.00%
La Paz	0	0.00%
Maricopa	52	53.61%
Mohave	4	4.12%
Navajo	1	1.03%
Pima	10	10.31%
Pinal	1	1.03%
Santa Cruz	0	0.00%
Yavapai	4	4.12%
Yuma	10	10.31%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>

Gender: Juveniles Transferred FY03		
Male	86	88.66%
Female	11	11.34%
Unknown	0	0.00%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>

Ethnicity: Juveniles Transferred FY03		
Hispanic	53	54.64%
African American	8	8.25%
Anglo	29	29.90%
Native American	6	6.19%
Asian/Pacific Islander	0	0.00%
Other	0	0.00%
Unknown	1	1.03%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>

Age: Juveniles Transferred FY03		
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	3	3.09%
16	6	6.19%
17	80	82.47%
Unknown	8	8.25%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>

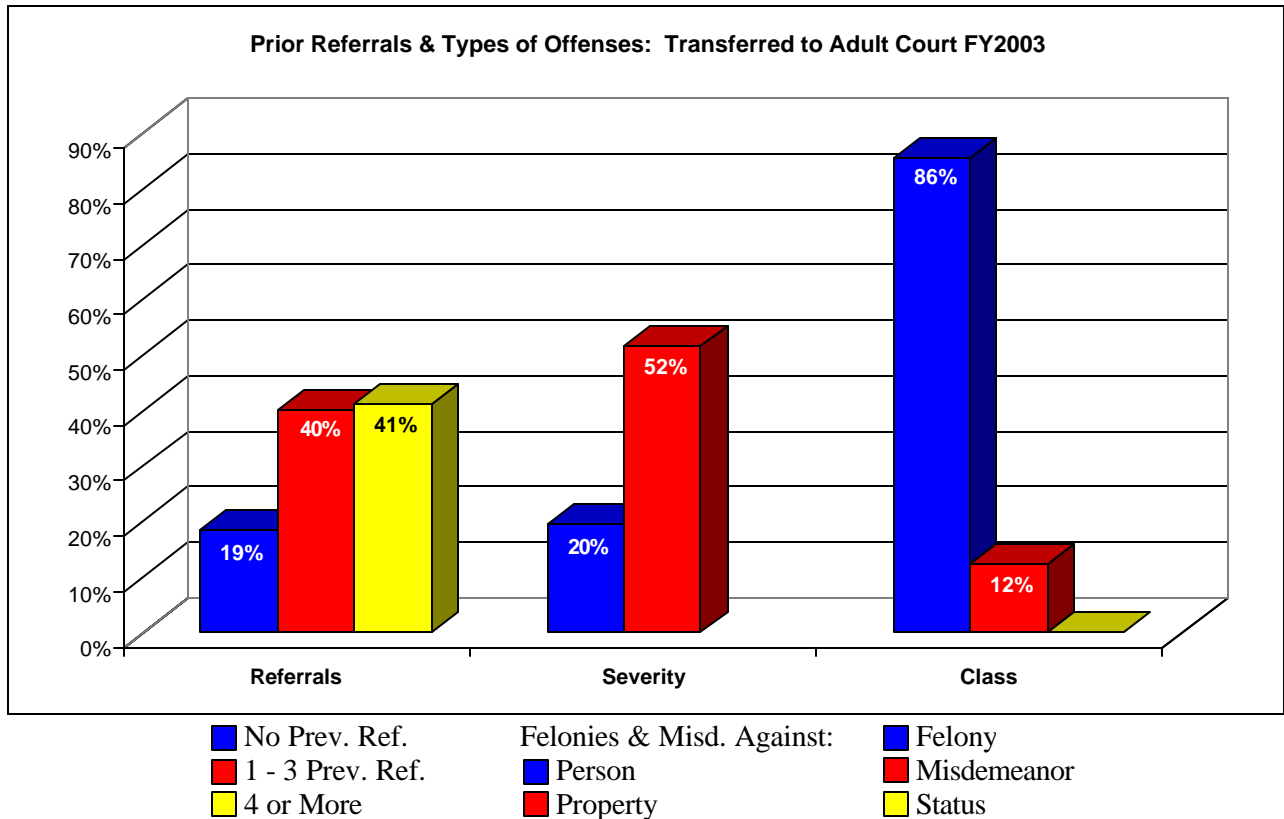
Education Status: Juveniles Transferred FY03		
Enrolled	47	48.45%
Not Enrolled	22	22.68%
Expelled	0	0.00%
Suspended	0	0.00%
Withdrawn	2	2.06%
Graduated	0	0.00%
GED Program	1	1.03%
Unknown	25	25.77%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>



Number of Prior Referrals: Juveniles Transferred FY03		
0	18	18.56%
1	12	12.37%
2	13	13.40%
3	14	14.43%
4	6	6.19%
5	2	2.06%
6	6	6.19%
7	0	0.00%
8 or more	26	26.80%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>

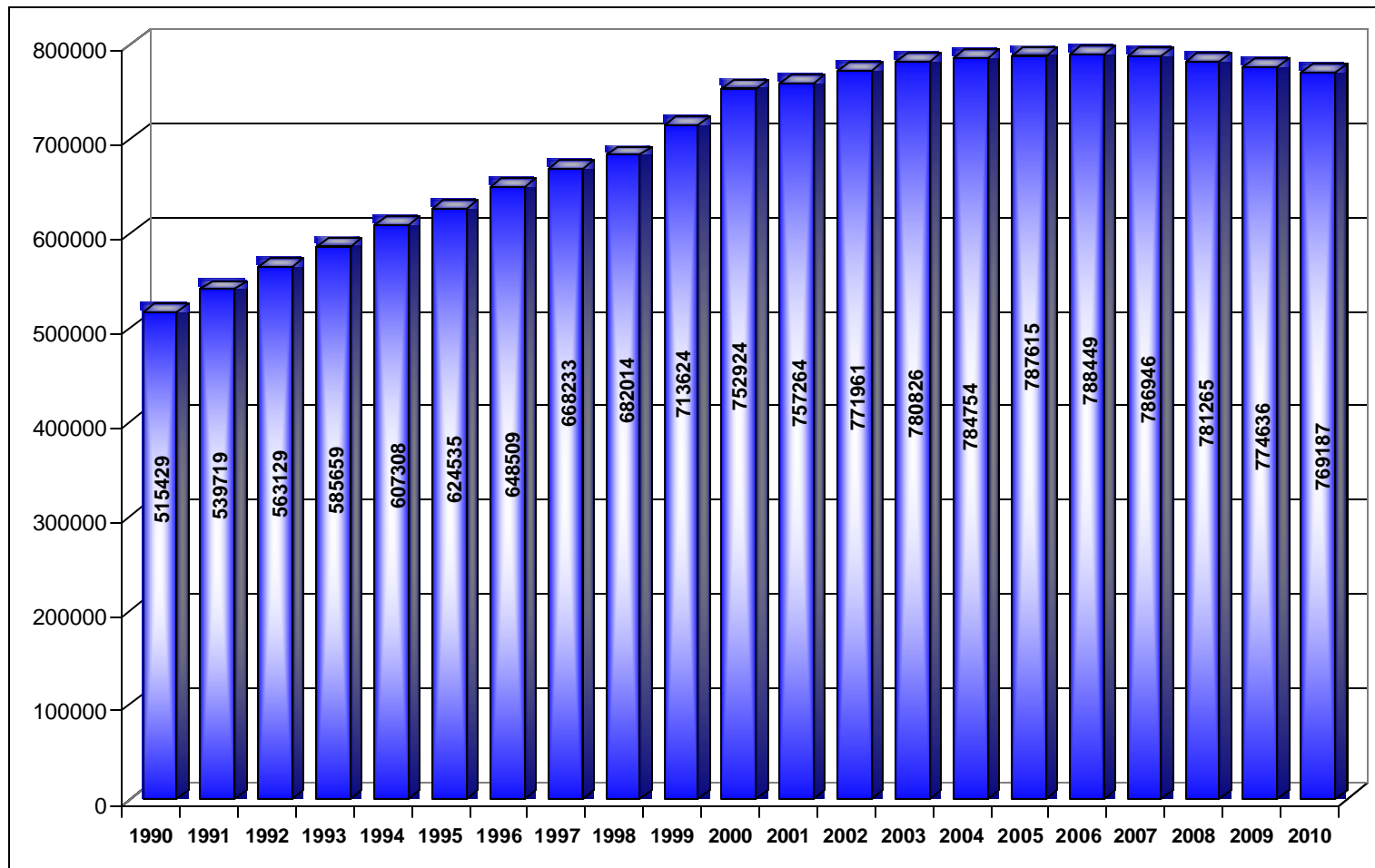
Severity of Most Serious Offense: Juveniles Transferred FY03		
Felonies Against Person	18	18.56%
Felonies Against Property	50	51.55%
Obstruction of Justice: Fel. & Misd.	5	5.15%
Misdemeanors Against Person	1	1.03%
Drugs: Fel. & Misd.	12	12.37%
Public Peace: Fel. & Misd.	11	11.34%
Misdemeanors Against Property	0	0.00%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>

Offense Class of Most Serious Offense: Juveniles Transferred FY03		
Felony	83	85.57%
Misdemeanor	12	12.37%
Administrative	2	2.06%
Status	0	0.00%
Other	0	0.00%
<b>TOTAL</b>	<b>97</b>	<b>100.00%</b>



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



1995 - 1999 Population Estimates: Arizona Department of Economic Security, Research Administration, Population Statistics Unit.  
 2000 Population Estimate: US Census Bureau, Single Age Estimates  
 2001 - 2010 Population Projections: Constructed using Linear Regression Model by AOC/JJSD.

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## NOTES

1. The number of juveniles in each stage is an unduplicated count. Juveniles at each stage are counted once. A juvenile could be counted more than once if assigned more than one disposition during the fiscal year. For example, if a juvenile was diverted and later placed on probation for a new offense in the same year, the juvenile would be counted twice, once for diversion and once for probation. Additionally, 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 Transferred and/or Direct Filed in Adult Court FY02" and "County: Direct Filed and Transferred to Adult Court FY02". In these tables, if a juvenile is direct filed and transferred, the juvenile would be counted twice, once for any transfer and once for any direct file.

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

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.

Citations/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 through 2000 and population estimates through 2010.

4. For further information, see:

Bartsch, David and Noriega, Donna. *Juvenile Justice Treatment Evaluation Pilot Project Outcomes Report*. Phoenix, AZ: Arizona Supreme Court, Administrative Office of the Courts, Juvenile Justice Services Division, July, 1999.

Deloitte Consulting. *Arizona Juvenile Justice Evaluation*. Sacramento, California: A Report Prepared for the Arizona State Legislature Juvenile Justice Committee, December, 1988.

Gottfredson, Don M. and Gottfredson, Stephen D. *Empirical Evaluation of the Progressively Increasing Consequences Act Program*. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, September, 1995.

LeCroy, Craig W., Ashford, Jose B., Krysik, J., and Milligan, K. B. *Initial Evaluation of Treatment Services for Juveniles Receiving Treatment in Arizona from January 1, 1994 to June 30, 1994*. Phoenix, AZ. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, May, 1997.

LeCroy, Craig W., Krysik, Judy, and Palumbo, Dennis. *Empirical Validation of the Arizona Risk/Needs Instrument and Assessment Process*. Phoenix, AZ. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, December, 1998.

McNulty, Elizabeth W. and Russell, J. Neil. *Juvenile Commitment Guidelines Departure Research Project*. Phoenix, AZ: Administrative Office of the Courts, Juvenile Justice Services Division, September, 1995.

McNulty, Elizabeth W. *Juvenile Transfer Study: Juveniles Transferred to Adult Court 1994*. Phoenix, AZ: Administrative Office of the Courts, Juvenile Justice Services Division, February, 1996.

Salk, Elliot. *Treatment Evaluation Pilot Project Final Report*. Phoenix, AZ: A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, June, 1999.

Saizow, Hildy & Welch, Nancy. *Choices on the Edge: Maryvale Community Assessment*. A report prepared for the Arizona Building Blocks Initiative, Arizona Supreme Court, Administrative Office of the Courts, September, 2003.

Vicki Romero & Associates, Inc. *Survey of Arizona Juvenile Justice Service Providers: Final Report*. A report prepared for the Administrative Office of the Courts, Juvenile Justice Services Division, August, 1995.

5. 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.
6. Data on dispositions to Standard Probation and JIPS include juveniles who are continued on Standard Probation and JIPS.

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## **GLOSSARY OF JUVENILE JUSTICE TERMS**

**ADJUDICATION HEARING:** In the juvenile court, the adjudication hearing is the proceeding in which a juvenile is found to be a delinquent, incorrigible or dependent youth. The hearing is relatively formal and is attended by the judicial officer, county attorney, defense attorney and the juvenile. The parents/guardians and a juvenile probation officer may also attend, along with any victims or witnesses required. The adjudication hearing is sometimes compared to the trial process in adult court, without the jury. In some respects, an "adjudication" for a delinquent offense is the juvenile court's equivalent of a "criminal conviction" in adult court.

**ADULT COURT:** Adult court has been defined in statute as the appropriate justice court, municipal court or criminal division of Superior Court with jurisdiction to hear offenses committed by juveniles. The new law specifies that juveniles who commit certain offenses, are chronic felony offenders, or have historical prior convictions, must be prosecuted in the adult court and if convicted, are subject to adult sentencing laws.

**ADULT PROBATION:** Adult probation is a function of the judicial branch of government, and has as its primary responsibility the community-based supervision of adults convicted of criminal offenses who are not sentenced to prison. Juveniles prosecuted as adults and who are placed on probation, are placed on adult probation.

**ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS (ADJC):** The ADJC is operated by the executive branch and is the juvenile counterpart of the Department of Corrections. ADJC operates facilities and programs primarily aimed at more serious juvenile offenders committed to their care and custody by the juvenile courts. ADJC operates secure correctional facilities, community-based after care programs, and juvenile parole.

**CHRONIC FELONY OFFENDER:** A chronic felony offender is statutorily defined as a juvenile who on two prior separate occasions was adjudicated delinquent for an offense that would have been comparable to a felony offense had the juvenile been prosecuted as an adult, and who commits a third felony offense. The county attorney is required by statute to bring criminal prosecution in adult court against all juveniles 15 years of age or older who are charged with committing a third felony offense. The county attorney has discretion to also indict 14-year-old juveniles as chronic felony offenders and to prosecute them as adults.

**COMMUNITY-BASED ALTERNATIVE PROGRAM (CBAP):** As used in Senate Bill 1446 and the new juvenile statutes, Community-Based Alternative Programs are not specifically defined. However, the term "CBAP" has been used generally in reference to citizen boards established throughout local communities by county attorneys and/or juvenile courts. In cases where the county attorney has authorized "diversion," the juvenile and his parent(s) or guardian(s) may be referred to a CBAP, where the panel of citizens will review the offense, question the juvenile and issue a consequence. The fundamental intent of this type of Community-Based Alternative Program is to increase citizen involvement in the juvenile justice process.

**COMMUNITY SERVICE:** When used as a "diversion" consequence, community service is unpaid work performed by a juvenile who admits to the delinquency or incorrigible charges and is eligible to have his/her prosecution "diverted" by the county attorney. Community service may also be a condition of juvenile probation. Community service work may involve such things as graffiti abatement, litter cleanup or any other public or private community assistance project under the supervision of the county attorney or juvenile court.

**COMPLAINT:** By statute, a complaint is a written statement or report normally prepared by a law enforcement officer and submitted under oath to the Juvenile Court or the Superior Court, alleging that a juvenile has violated the law. It is also called a "delinquency complaint" or "written referral" (paper referral).

**DELINQUENT JUVENILE:** A delinquent juvenile is simply a juvenile who commits an illegal offense. If the same offense had been committed by an adult, the offense would be a criminal act.

**DETENTION:** Juvenile detention is specifically defined as the temporary confinement of a juvenile in a physically restricting facility, surrounded by a locked and physically restrictive secure barrier, with restricted ingress and egress. Juveniles are typically held in detention pending court hearings for purposes of public protection, their own protection or as a consequence for their misbehavior.

**DISCRETIONARY FILINGS:** The statutes permit the county attorney to bring criminal prosecution in adult court if the juvenile is 14 years of age or older and is accused of the serious, chronic and violent offenses enumerated in the law that warrant mandatory adult prosecution for juveniles 15 years of age or older. In addition, criminal prosecution may be brought against any juvenile with a prior conviction in adult court. Essentially, county attorneys have full discretion in these instances to file a petition in juvenile court or to seek adult prosecution.

**DISPOSITION HEARING:** A disposition hearing is conducted following the adjudication hearing to determine the most appropriate punishment or intervention for the juvenile. This hearing is comparable to a "sentencing hearing" in the adult criminal court. Simply stated, "disposition" refers to the process by which the juvenile court judge decides what to do with the juvenile.

**DIVERSION:** Diversion is a process by which formal court action (prosecution) is averted. The diversion process is an opportunity for youth to admit their misdeeds and to accept the consequences without going through a formal adjudication and disposition process. By statute, the county attorney has sole discretion to divert prosecution for juveniles accused of committing any incorrigible or delinquent offense.

**INCORRIGIBLE YOUTH:** Juveniles who commit offenses which would not be considered crimes if they were committed by adults are called status offenders (incorrigible youth). Typically, incorrigible youth are juveniles who refuse to obey the reasonable and proper directions of their parents or guardians. Juveniles who are habitually truant from school, run away from home, or violate curfew are considered to be incorrigible.

**INTAKE:** Intake occurs when a youth is referred to the juvenile probation department with a delinquent or incorrigible charge. Intake staff determine if a youth is eligible for diversion, per the county attorney's criteria, or whether the juvenile must be referred to the county attorney for possible prosecution. Intake officers meet with the juveniles and their parents, coordinate diversion consequences and issue reports to the court and county attorney.

**JUVENILE INTENSIVE PROBATION SUPERVISION (JIPS):** Arizona Revised Statutes (A.R.S. § 8-351) defines JIPS as "a program....of highly structured and closely supervised juvenile probation.....which emphasizes surveillance, treatment, work, education and home detention." A primary purpose of JIPS is to reduce the commitments to the Arizona Department of Juvenile Corrections (ADJC) and other institutional or out-of-home placements. The statutes require that all juveniles adjudicated for a second felony offense must be placed on JIPS, committed to ADJC, or sent to adult court.

**MANDATORY OFFENSES:** The statutes mandate that certain serious, violent and chronic offenses, when committed by juveniles of a certain age, must be prosecuted in the adult criminal division of Superior Court. These "mandatory offenses" coincide with the crimes now enumerated in the State Constitution, as amended through the provisions of Proposition 102 and approved by Arizona voters at the 1996 general election.

**PAROLE:** This term refers only to those juveniles who have been committed to ADJC and are then placed on juvenile "parole" upon their release. Juvenile parole is normally considered to be "conditional liberty." Parole is an executive branch function.

**PETITION:** A "petition" is a legal document filed in the juvenile court alleging that a juvenile is a delinquent, incorrigible, or a dependent child and requesting that the court assume jurisdiction over the youth. The petition initiates the formal court hearing process of the juvenile court. The county attorney, who determines what charges to bring against the juvenile, prepares the delinquent or incorrigibility petition.

**REFERRALS:** Referrals can be made by police, parents, school officials, probation officers or other agencies or individuals requesting that the juvenile court assume jurisdiction over the juvenile's conduct. Referrals can be "paper referrals" issued as citations or police reports or "physical referrals" as in an actual arrest and custody by law enforcement. Juveniles may have multiple referrals during any given year or over an extended period of time between the ages of 8-17. Multiple referrals typically signal high risk, even when the referrals are for numerous incorrigible or relatively minor offenses.

**STANDARD PROBATION:** A program for the supervision of juveniles placed on probation by the court. These juveniles are under the care and control of the court and are supervised by probation officers.

**TRANSFER HEARING:** A transfer hearing is held when the county attorney requests that the juvenile court consider transferring its jurisdiction of the juvenile to the adult criminal division of Superior Court. The juvenile court judge may decide to waive or retain jurisdiction in such matters based on A.R.S. §8-327, but must state on the official court record the reasons for the decision.



Produced and Published by  
Arizona Supreme Court  
Administrative Office of the Courts g Juvenile Justice Services Division  
1501 W. Washington, Suite 337 g Phoenix, Arizona 85007-3231  
(602) 542-9443  
[www.supreme.state.az.us/jjsd/](http://www.supreme.state.az.us/jjsd/)

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