

JUVENILES PROCESSED IN THE ARIZONA COURT SYSTEM FY98

July 1, 1997 to June 30, 1998



April 1999

Arizona Supreme Court
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Juveniles Processed in the Arizona Court System in FY1998
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July 1, 1997 to June 30, 1998

Introduction

This report provides an overview of the juveniles processed at various stages of the juveniles justice system statewide during fiscal year 1998. Selected breakdowns of an unduplicated juvenile count¹ are presented at the following stages: referral, diversion, petition, and dispositions of dismissed, penalty only, standard probation, JIPS, ADJC, direct filed in and transferred to adult court, and juveniles detained.

The descriptors of juveniles at each of these stages are contained in this report in two groupings. Each descriptor characterizes the juvenile at his or her most recent referral. The first grouping includes demographic descriptors or characteristics: gender, ethnicity, age and education status. The second grouping of descriptors is offense-specific and contains number of prior referrals, offense class of most serious offense, and severity of most serious offense².

Note that not all of these juveniles processed *entered* the system during this fiscal year, as some may have entered the previous fiscal year. However, these juveniles were all processed during this year. That is, one of the stages presented in this report happened during the year. They were referred, diverted, petitioned, or had at least one disposition from the court.

The number of juveniles processed in the juvenile justice system is contingent on several factors, including legislative action (which results in changes in the law), law enforcement and prosecutorial practices, and the number of juveniles ages 8 to 17 years old in the Arizona population. Generally, as the population of juveniles ages 8 to 17 increases, there has been a corresponding increase in the number of juveniles processed in the juvenile justice system. Through 1998, the numbers of juveniles in the population has continued to increase steadily as can be seen in the Arizona Juvenile Population Estimates and Projections chart in this section³.

Following this introduction, a chart entitled *Arizona Juvenile Court Activity* illustrates selected stages within the juvenile justice system and the numbers of juveniles processed at each of these stages. In the chart, several stages show both duplicated and unduplicated counts of juveniles. Since a juvenile may receive more than one referral in a given year, 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 the actions of these juveniles at each stage.

Two graphs are included in this section to portray trends over the past five years. The numbers for the graphs have been pulled from this and the previous four Juveniles Processed reports. The first graph shows data on referrals, referred juveniles, petitions filed and juveniles with petitions filed. The referrals numbers include total referrals, including multiple referrals of many youth. The referred juveniles only 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 graph shows the numbers of juveniles in each of six dispositions for each of the past five 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

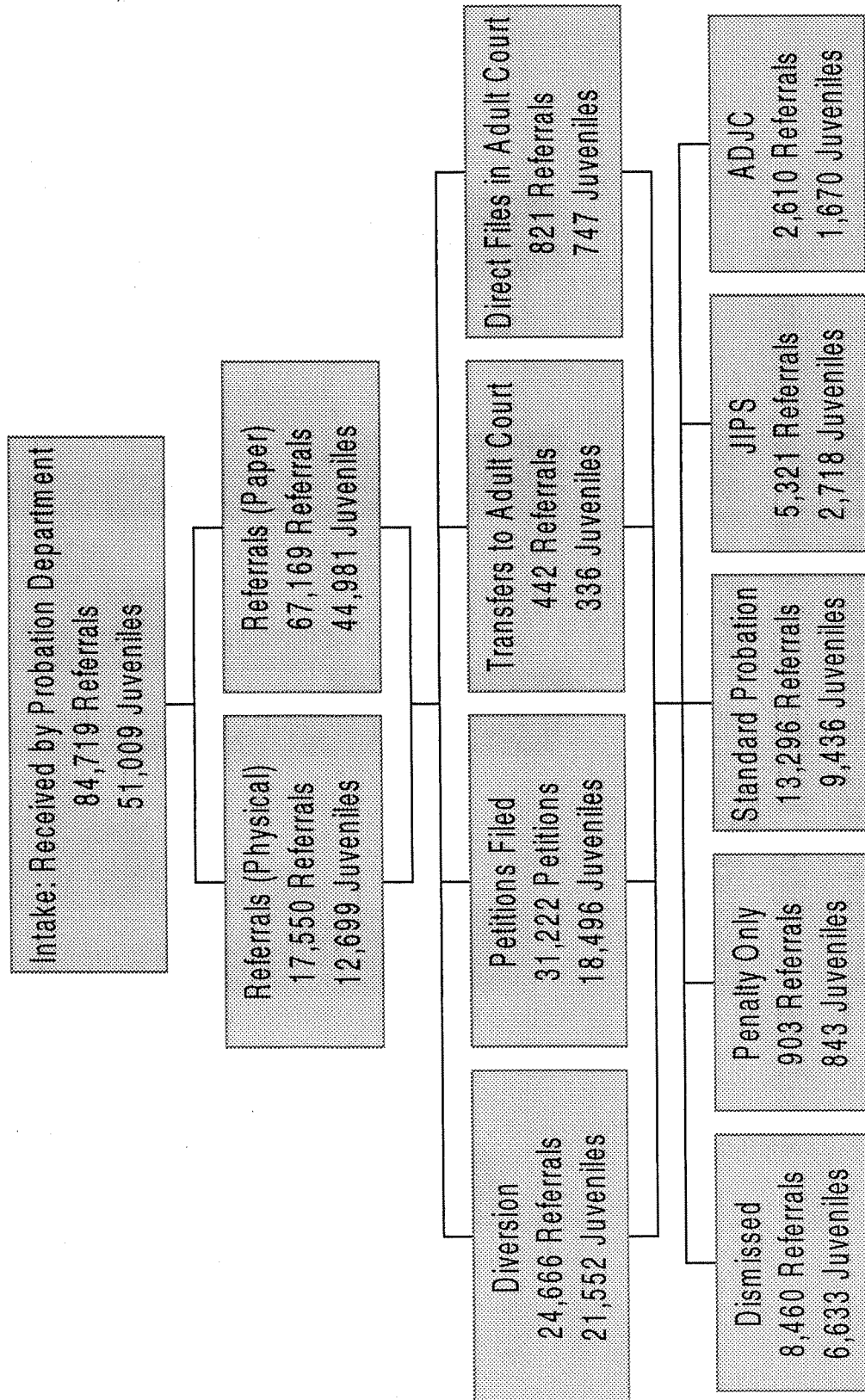
counted once in each.

This is the fifth year this report has been published. The data for this report were drawn from each county's Juvenile On-Line Tracking System (JOLTS). JOLTS is Arizona's automated juvenile court information management system that has been operational in Maricopa County for 21 years and statewide for five full years.

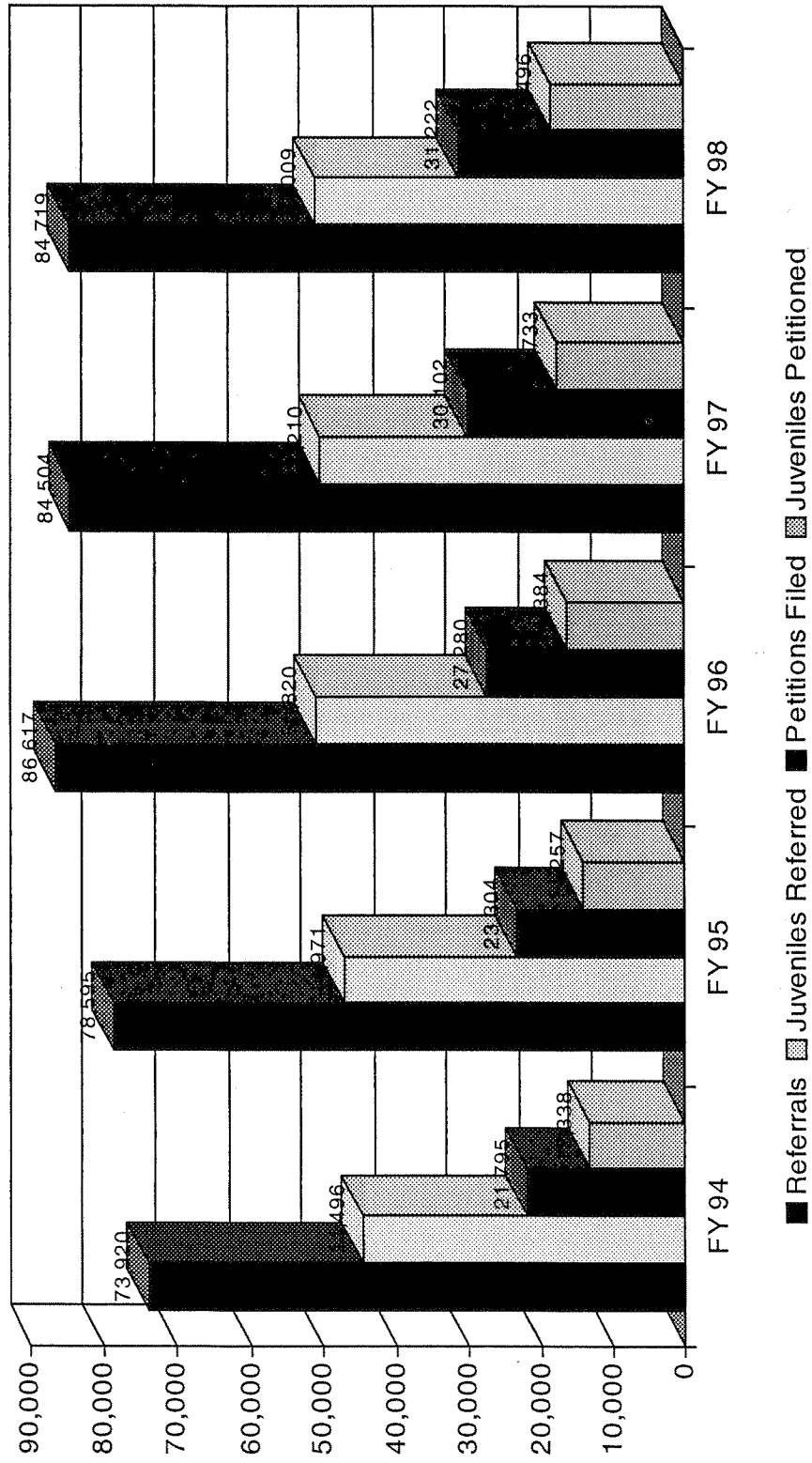
In addition to this more general report that is published annually, other reports are available that describe some of the stages included herein. For example, the Juvenile Justice Services Division also publishes the Juvenile Intensive Probation Supervision (JIPS) Annual Report. Several special reports have also been completed over the past several years summarizing studies of specific juvenile programs or issues. These studies include: the *PIC-ACT Study*, the *Juvenile Commitment Guidelines Departure Research Project*, 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* ⁴.

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, how to allocate resources in a cost effective manner, and how to work most effectively with local communities to provide for public safety. Information from this report and others, and past and ongoing studies is important for public policy makers, juvenile justice professionals, and Arizona's citizens in order to understand, formulate, and address juvenile justice issues they face currently and will face in the future.

Arizona Juvenile Court Activity FY 98

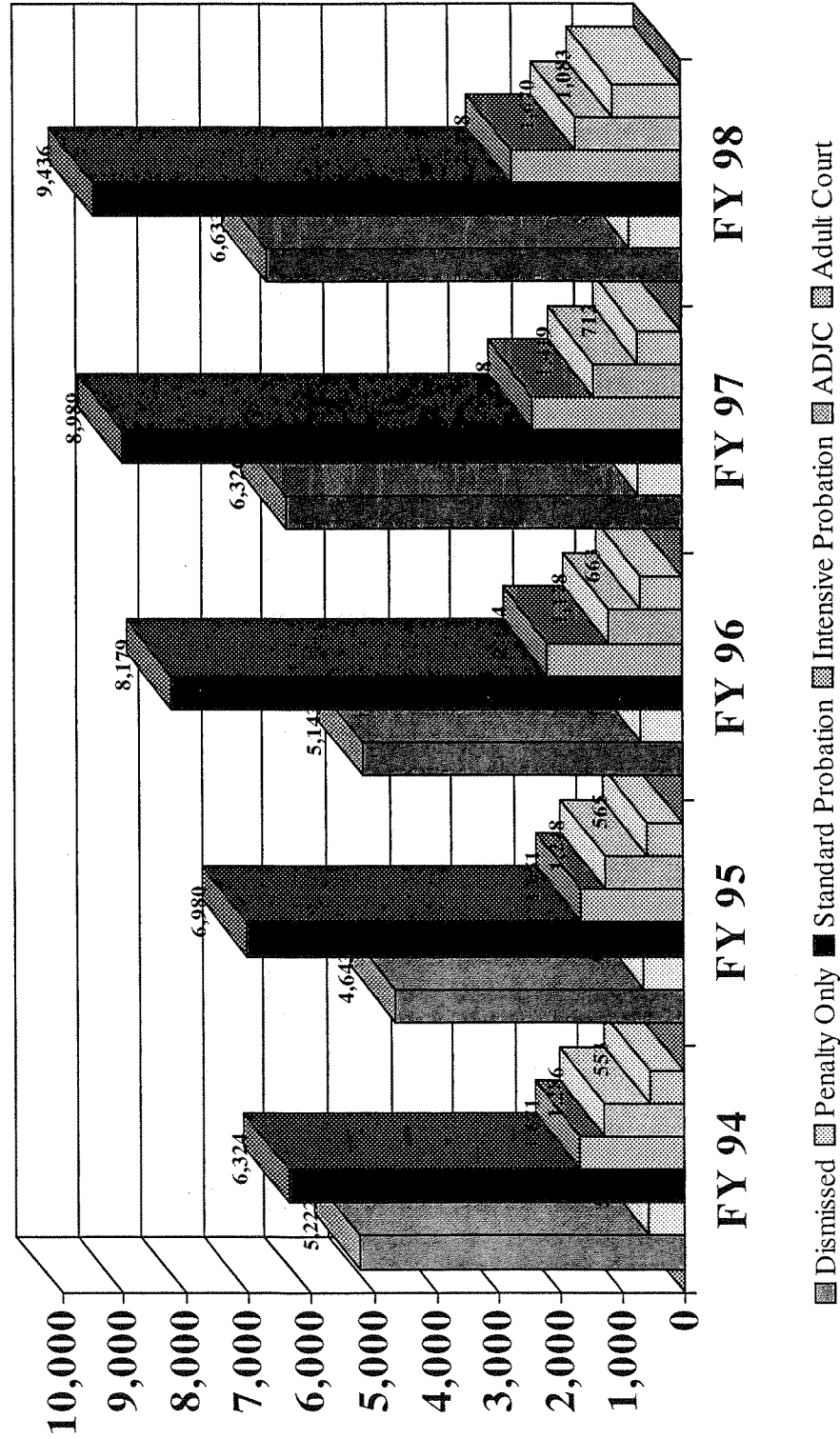


Referrals, Petitions Filed and Juveniles Referred and Petitioned: Fiscal Years 1994 - 1998.



Dispositions of Juveniles: Fiscal Years 1994 - 1998.

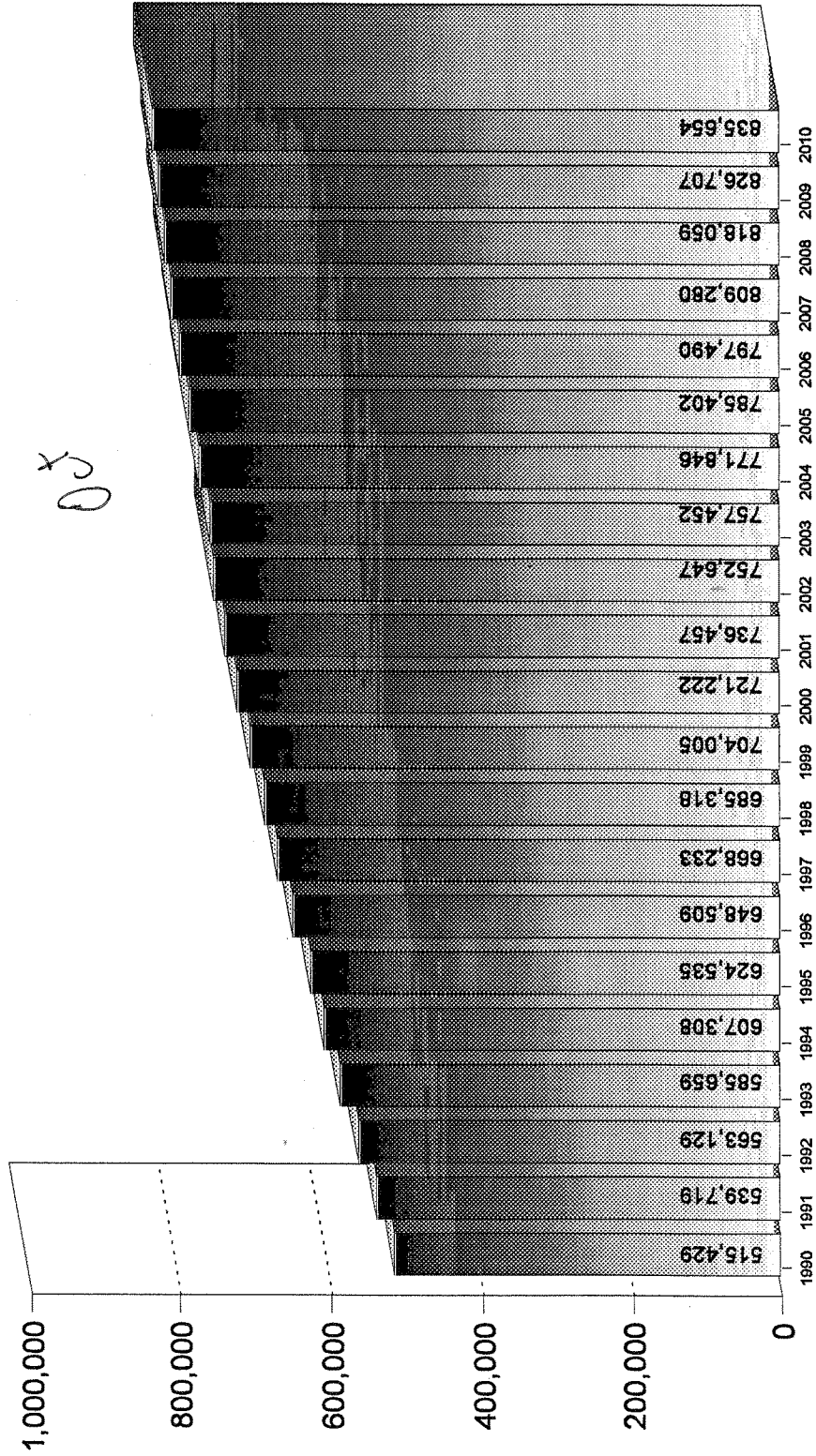
Numbers of Juveniles



Arizona Juvenile Population Estimates and Projections

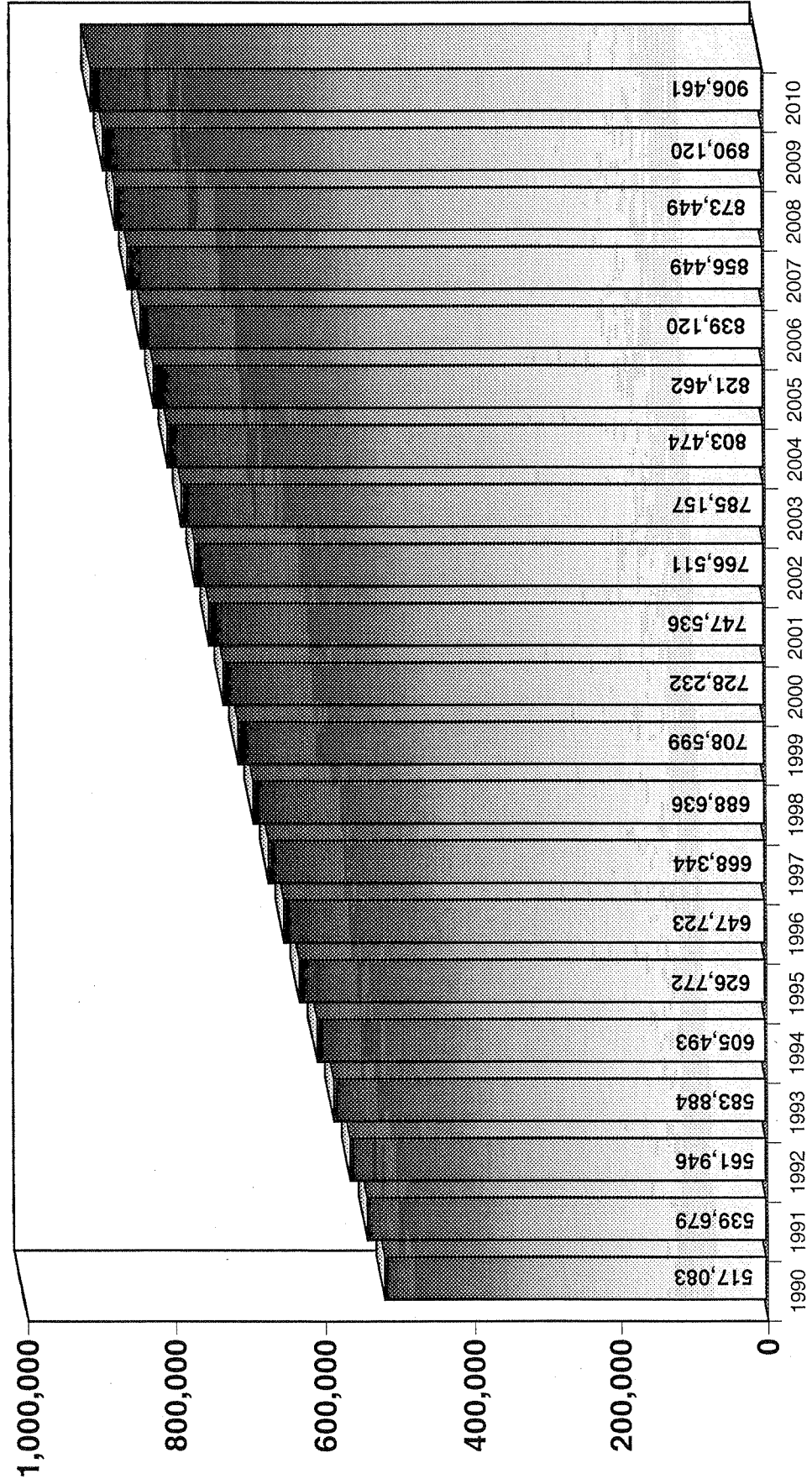
Ages 8 - 17

1990 - 2010



The numbers for years 1995 through 2010 are updated estimates and projections from the Department of Economic Security (DES). Updated numbers for 1990 through 1994 were not available from DES, and were predicted by JJSD using a regression model. The farther back the predicted numbers are from 1995, the less likely they are to be reliable³.

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



Juveniles Referred to the Arizona Court System in FY98

This section on Juveniles referred to the Superior Court system in the State of Arizona reflects the characteristics of those juveniles, ages 8 through 17, who came into contact with the system in Fiscal Year 1997-1998. The juveniles are those for whom a report was submitted to the juvenile court alleging that the youth committed a delinquent or incorrigible behavior or act.

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: Referred FY 98		
Apache	419	0.82%
Cochise	1,703	3.34%
Coconino	2,195	4.30%
Gila	1,050	2.06%
Graham	558	1.09%
Greenlee	157	0.31%
La Paz	201	0.39%
Maricopa	24,659	48.34%
Mohave	1,836	3.60%
Navajo	1,313	2.57%
Pima	9,913	19.43%
Pinal	2,149	4.21%
Santa Cruz	500	0.98%
Yavapai	1,821	3.57%
Yuma	2,535	4.97%
TOTAL	51,009	100%*

*Does not add to 100% due to rounding

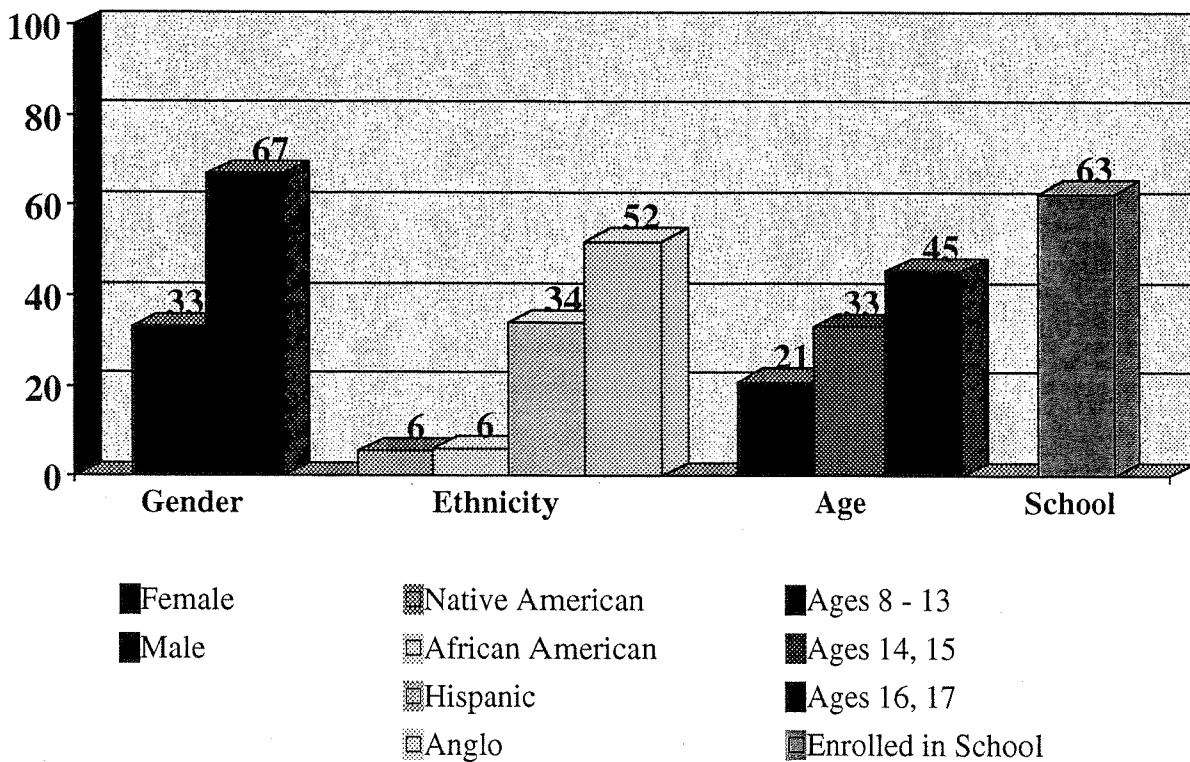
Gender: Referred FY 98		
Male	34,406	67.45%
Female	16,598	32.54%
Unknown	5	0.01%
TOTAL	51,009	100.00%

Ethnicity: Referred FY 98		
Hispanic	17,343	34.00%
African American	3,291	6.45%
Anglo	26,503	51.96%
Native American	3,034	5.95%
Asian/Pacific Islander	242	0.47%
Other	249	0.49%
Unknown	347	0.68%
TOTAL	51,009	100.00%

Age: Referred FY 98		
8	312	0.61%
9	472	0.93%
10	826	1.62%
11	1,369	2.68%
12	2,644	5.18%
13	4,844	9.50%
14	7,285	14.28%
15	9,455	18.54%
16	11,051	21.66%
17	12,100	23.72%
Unknown	651	1.28%
TOTAL	51,009	100.00%

Education Status: Referred FY 98		
Enrolled	32,287	63.30%
Not Enrolled	49	0.10%
Expelled	54	0.11%
Suspended	4,435	8.69%
Withdrawn	123	0.24%
Graduated	144	0.28%
GED Program	233	0.46%
Unknown	13,684	26.83%
TOTAL	51,009	100.00%

Demographic Characteristics: Juveniles Referred FY 1998 (Percent)

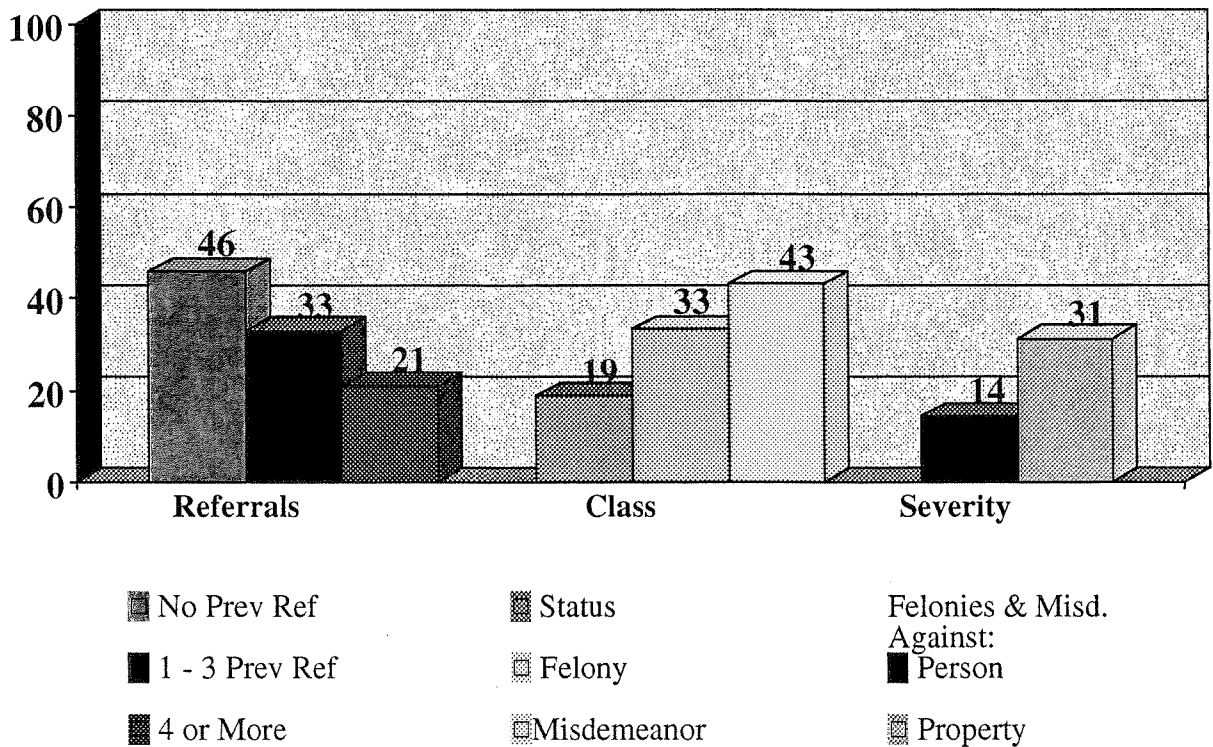


Number of Prior Referrals: Referred FY 98		
0	23,446	45.96%
1	8,905	17.46%
2	4,825	9.46%
3	3,126	6.13%
4	2,307	4.52%
5	1,558	3.05%
6	1,296	2.54%
7	1,016	1.99%
8 or more	4,530	8.88%
TOTAL	51,009	100.00%

Severity of Most Serious Offense: Referred FY 98		
Felonies Against Person	2,861	5.61%
Felonies Against Property	7,233	14.18%
Obstruction of Justice: Fel. & Misd.	4,221	8.28%
Misdemeanors Against Person	4,408	8.64%
Drugs: Fel. & Misd.	5,097	9.99%
Public Peace: Fel. & Misd.	8,687	17.03%
Misdemeanors Against Property	8,654	16.97%
Status Offenses	9,648	18.91%
Citations/Administrative	200	0.39%
TOTAL	51,009	100.00%

Offense Class of Most Serious Offense: Referred FY 98		
Felony	16,940	33.21%
Misdemeanor	22,064	43.26%
Administrative	2,101	4.12%
Status	9,652	18.92%
Other	252	0.49%
TOTAL	51,009	100.00%

**Prior Referrals and Types of Offenses:
Juveniles Referred FY 1998 (Percent)**



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Juveniles Diverted in FY98

Prior to fiscal year 1998, the Progressively Increasing Consequence Act or "PIC-ACT" allowed juveniles referred to the juvenile court for first and second time misdemeanor referrals to be diverted from formal court processing if certain conditions were met. Beginning in fiscal year 1998, modifications to A.R.S. § 8-321 significantly changed the criteria determining which juveniles could be diverted and the way those cases are processed. The changes are briefly summarized as follows:

- ▶ Diversion allows a juvenile to avoid formal court processing and to have their 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. The 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.
- ▶ The county attorney has the **sole discretion** to divert the prosecution of a juvenile accused of committing an incorrigible or delinquent act 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 §28-692 (DUI) is not eligible for diversion.
- ▶ 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.
- ▶ 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:
 1. Participation in unpaid community service work.
 2. Participation in a counseling program, which is designed to strengthen family relationships and to prevent repetitive juvenile delinquency.
 3. Participation in an education program, approved by the court, which has as its goal the prevention of further delinquent behavior.
 4. 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.
 5. 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.
 6. Payment of restitution to the victim of the delinquent act.
 7. Payment of monetary assessment.
- ▶ The county attorney, or the Juvenile Court in cooperation with the county attorney can establish

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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.

- ▶ The participants in a community based alternative program agree on any legally reasonable consequences 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.
- ▶ 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.

County: Diverted FY 98		
Apache	164	0.76%
Cochise	969	4.50%
Coconino	1,100	5.10%
Gila	453	2.10%
Graham	369	1.71%
Greenlee	87	0.40%
La Paz	91	0.42%
Maricopa	9,774	45.35%
Mohave	694	3.22%
Navajo	436	2.02%
Pima	4,345	20.16%
Pinal	968	4.49%
Santa Cruz	77	0.36%
Yavapai	923	4.28%
Yuma	1,102	5.11%
TOTAL	21,552	100%*

*Does not add to 100% due to rounding

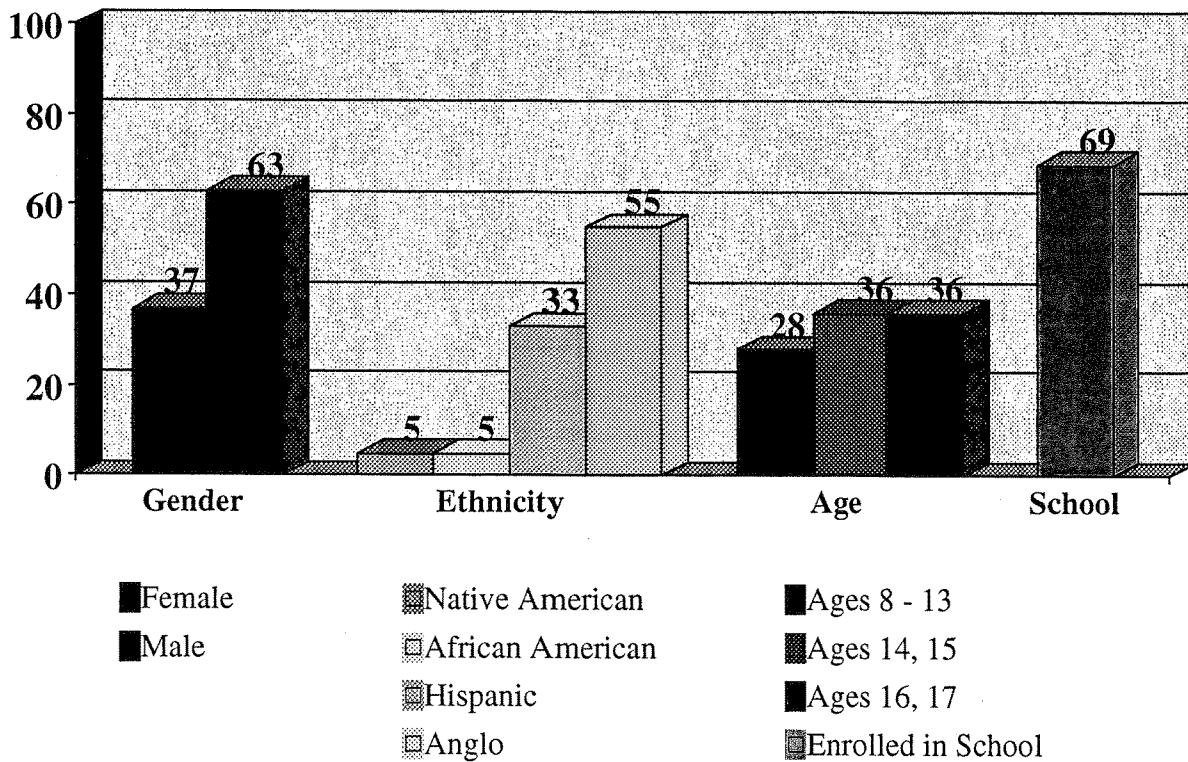
Gender: Diverted FY 98		
Male	13,570	62.96%
Female	7,979	37.02%
Unknown	3	0.01%
TOTAL	21,552	100.00%

Ethnicity: Diverted FY98		
Hispanic	7,122	33.05%
African American	1,152	5.35%
Anglo	11,815	54.82%
Native American	1,147	5.32%
Asian/Pacific Islander	124	0.58%
Other	101	0.47%
Unknown	91	0.42%
TOTAL	21,552	100.00%

Age: Diverted FY98		
8	163	0.76%
9	264	1.22%
10	452	2.10%
11	779	3.61%
12	1,572	7.29%
13	2,722	12.63%
14	3,547	16.46%
15	4,130	19.16%
16	4,310	20.00%
17	3,565	16.54%
Unknown	48	0.22%
TOTAL	21,552	100.00%

Education Status: Diverted FY 98		
Enrolled	14,816	68.75%
Not Enrolled	1,011	4.69%
Expelled	23	0.11%
Suspended	44	0.20%
Withdrawn	44	0.20%
Graduated	11	0.05%
GED Program	13	0.06%
Unknown	5,590	25.94%
TOTAL	21,552	100.00%

Demographic Characteristics: Juveniles Diverted FY 1998 (Percent)

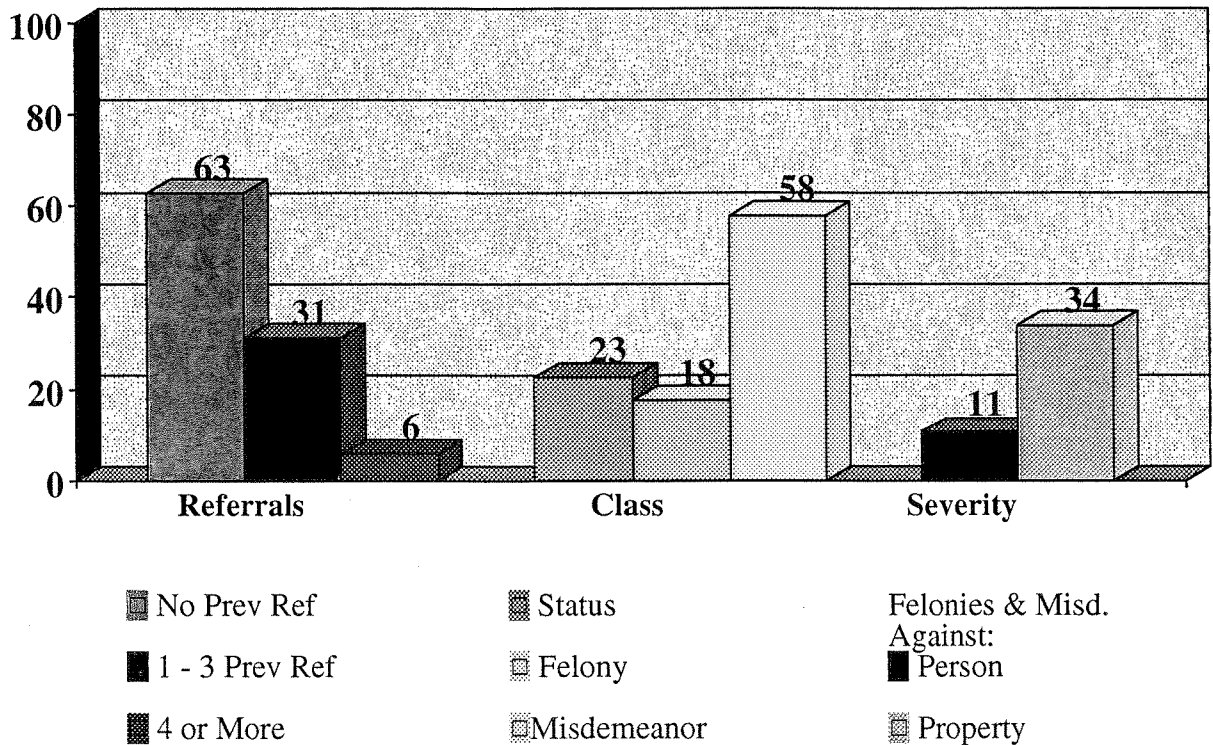


Total Number of Prior Referrals: Diverted FY 98		
0	13,553	62.89%
1	4,320	20.04%
2	1,654	7.67%
3	742	3.44%
4	391	1.81%
5	220	1.02%
6	131	0.61%
7	98	0.45%
8 or more	443	2.06%
TOTAL	21,552	100.00%

Severity of Most Serious Offense: Diverted FY 98		
Felonies Against Person	297	1.38%
Felonies Against Property	1,228	5.70%
Obstruction of Justice: Fel. & Misd.	373	1.73%
Misdemeanors Against Person	2,006	9.31%
Drugs: Fel. & Misd.	2,119	9.83%
Public Peace: Fel.s & Misd.	4,522	20.98%
Misdemeanors Against Property	6,113	28.36%
Status Offenses	4,882	22.65%
Citations/Administrative	12	0.06%
TOTAL	21,552	100.00%

Offense Class of Most Serious Offense: Diverted FY 98		
Felony	3,816	17.71%
Misdemeanor	12,460	57.81%
Administrative	331	1.54%
Status	4,882	22.65%
Other	63	0.29%
TOTAL	21,552	100.00%

**Prior Referrals and Types of Offenses:
Juveniles Diverted FY 1998 (Percent)**



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Juveniles with Petitions Filed in FY98

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.

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 refuse to obey the reasonable and proper direction of their parents or guardians. In addition, juveniles who are habitually truant from school, run away from home, or violate curfew are considered incorrigible.

Information on dependent youth can be found in the Administrative Office of the Courts, Dependent Children's Services Division Foster Care Review Board Annual Report.

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: Petitions Filed FY 98		
Apache	156	0.84%
Cochise	464	2.51%
Coconino	604	3.27%
Gila	371	2.01%
Graham	277	1.50%
Greenlee	68	0.37%
La Paz	71	0.38%
Maricopa	9,838	53.19%
Mohave	621	3.36%
Navajo	391	2.11%
Pima	3,063	16.56%
Pinal	795	4.30%
Santa Cruz	296	1.60%
Yavapai	597	3.23%
Yuma	884	4.78%
TOTAL	18,496	100%*

*Does not add to 100% due to rounding

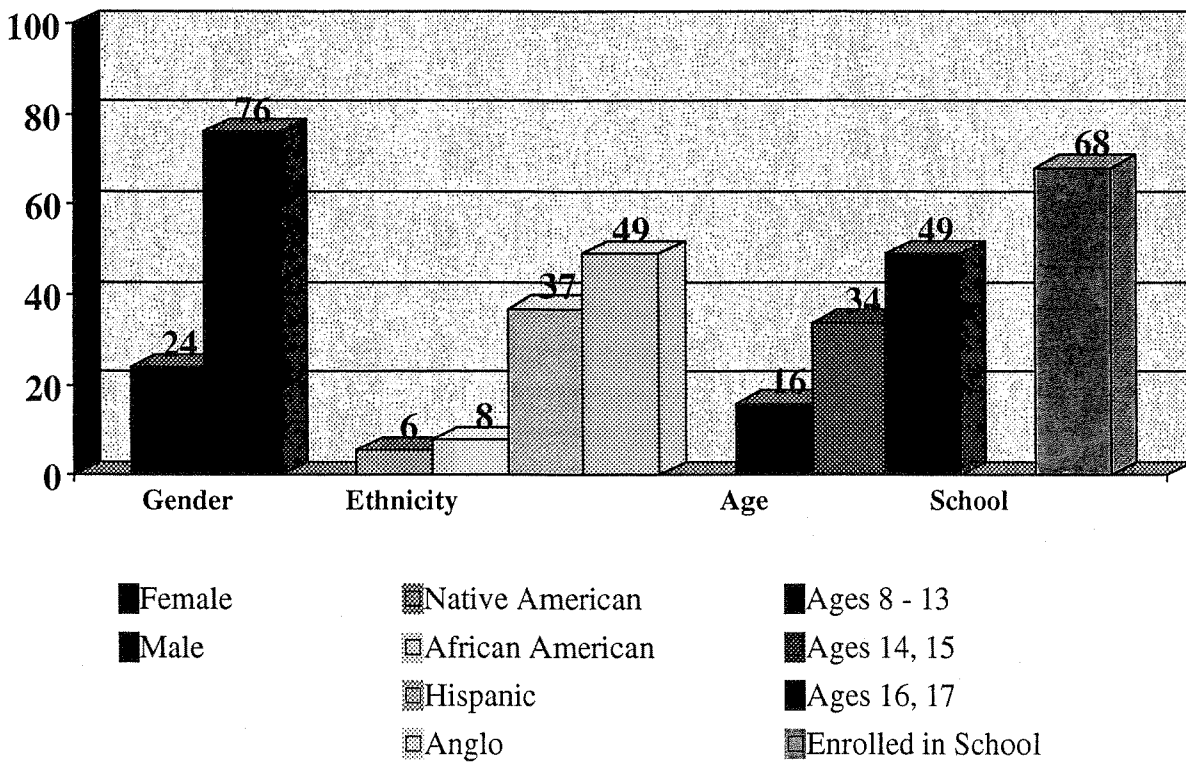
Gender: Petitions Filed FY 98		
Male	14,129	76.39%
Female	4,367	23.61%
Unknown	0	0.00%
TOTAL	18,496	100.00%

Ethnicity: Petitions Filed FY 98		
Hispanic	6,760	36.55%
African American	1,544	8.35%
Anglo	8,988	48.59%
Native American	1,058	5.72%
Asian/Pacific Islander	67	0.36%
Other	64	0.35%
Unknown	15	0.08%
TOTAL	18,496	100.00%

Age: Petitions Filed FY 98		
8	42	0.23%
9	103	0.56%
10	219	1.18%
11	362	1.96%
12	767	4.15%
13	1,526	8.25%
14	2,669	14.43%
15	3,662	19.80%
16	4,563	24.67%
17	4,553	24.62%
Unknown	30	0.16%
TOTAL	18,496	100.00%

Education Status: Petitions Filed FY 98		
Enrolled	12,655	68.42%
Not Enrolled	2,472	13.37%
Expelled	83	0.45%
Suspended	94	0.51%
Withdrawn	148	0.80%
Graduated	17	0.09%
GED Program	29	0.16%
Unknown	2,998	16.21%
TOTAL	18,496	100.00%

Demographic Characteristics: Petitions Filed FY 1998 (Percent)

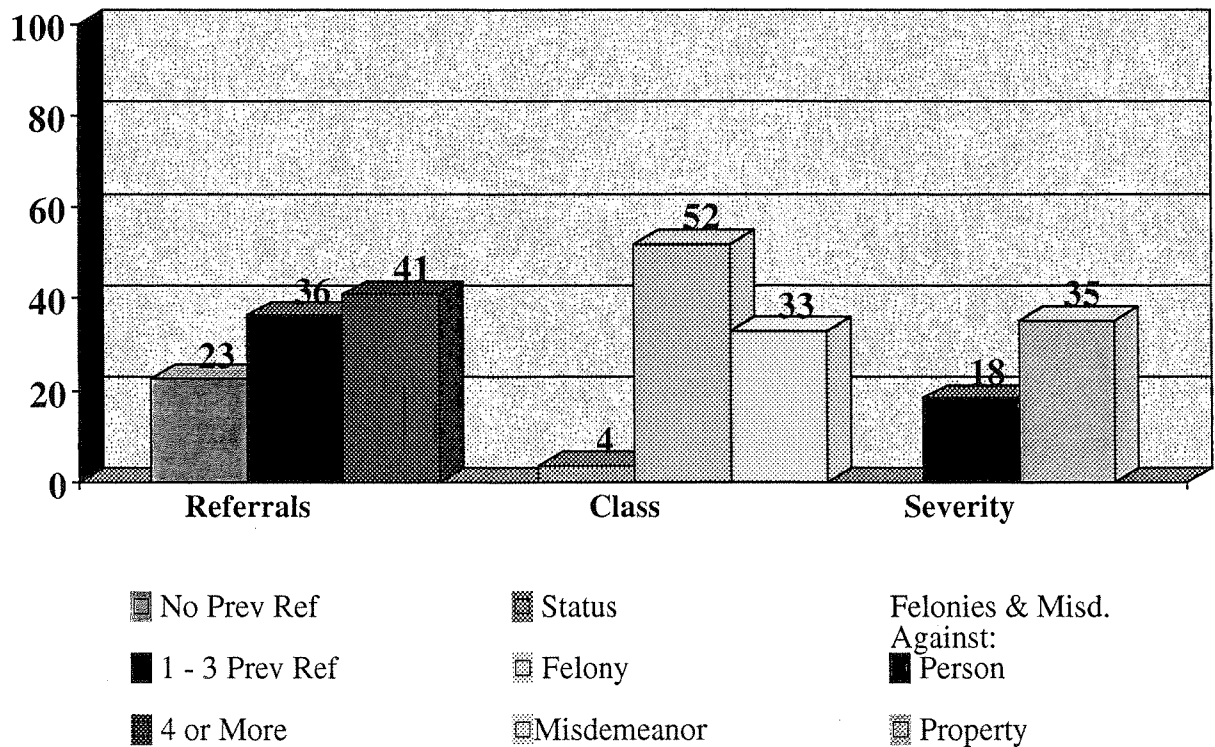


Number of Prior Referrals: Petitions Filed FY 98		
0	4,187	22.64%
1	2,654	14.35%
2	2,220	12.00%
3	1,870	10.11%
4	1,507	8.15%
5	1,081	5.84%
6	949	5.13%
7	728	3.94%
8 or more	3,299	17.84%
Unknown	1	0.01%
TOTAL	18,496	100.00%

Severity of Most Serious Offense: Petitions FY 98		
Felonies Against Person	1,650	8.92%
Felonies Against Property	4,735	25.60%
Obstruction of Justice: Fel. & Misd.	4,057	21.93%
Misdemeanors Against Person	1,734	9.38%
Drugs: Fel. & Misd.	1,967	10.63%
Public Peace: Fel. & Misd.	1,870	10.11%
Misdemeanors Against Property	1,783	9.64%
Status Offenses	692	3.74%
Citations/Administrative	8	0.04%
TOTAL	18,496	100.00%

Offense Class of Most Serious Offense: Petitions Filed FY 98		
Felony	9,621	52.02%
Misdemeanor	6,097	32.96%
Administrative	2,086	11.28%
Status	692	3.74%
Other	0	0.00%
Unknown	0	0.00%
TOTAL	18,496	100.00%

**Prior Referrals and Types of Offenses:
Petitions Filed FY 1998 (Percent)**



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Juveniles With Dispositions of Dismissed in FY98

Charges 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 court appointed attorney or private attorney could initiate a process with the county attorney which could result in dismissal of one charge while receiving some 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, there is transfer to other jurisdiction prior to adjudication, or the county attorney did not file (e.g., the victim refused prosecution).

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: Disposition Dismissed FY 98		
Apache	118	1.78%
Cochise	175	2.64%
Coconino	162	2.44%
Gila	175	2.64%
Graham	108	1.63%
Greenlee	20	0.30%
La Paz	58	0.87%
Maricopa	3,345	50.43%
Mohave	250	3.77%
Navajo	196	2.95%
Pima	1,152	17.37%
Pinal	320	4.82%
Santa Cruz	104	1.57%
Yavapai	212	3.20%
Yuma	238	3.59%
TOTAL	6,633	100%

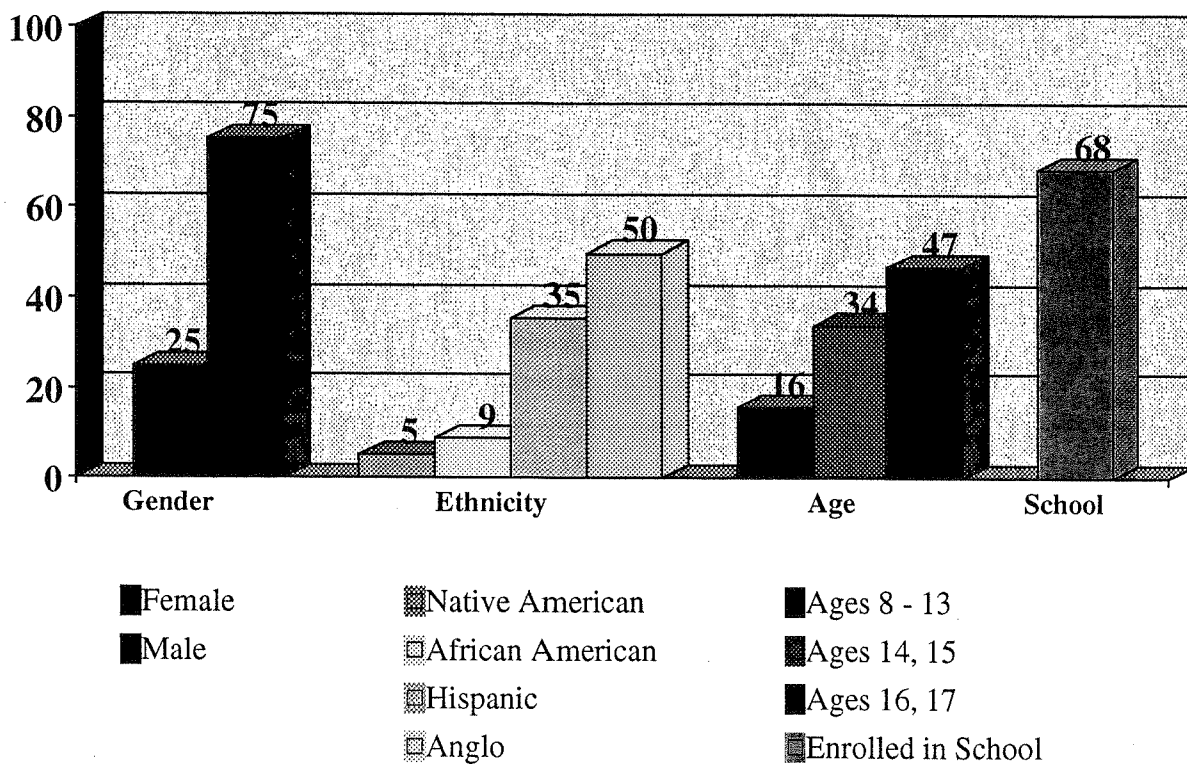
Gender: Dismissed FY 98		
Male	4,984	75.14%
Female	1,649	24.86%
Unknown	0	0.00%
TOTAL	6,633	100.00%

Ethnicity: Dismissed FY 98		
Hispanic	2,351	35.44%
African American	588	8.86%
Anglo	3,304	49.81%
Native American	344	5.19%
Asian/Pacific Islander	24	0.36%
Other	17	0.26%
Unknown	5	0.08%
TOTAL	6,633	100.00%

Age: Dismissed FY 98		
8	11	0.17%
9	41	0.62%
10	86	1.30%
11	129	1.94%
12	267	4.03%
13	500	7.54%
14	945	14.25%
15	1,296	19.54%
16	1,474	22.22%
17	1,640	24.72%
Unknown	244	3.68%
TOTAL	6,633	100.00%

Education Status: Dismissed FY 98		
Enrolled	4,519	68.13%
Not Enrolled	871	13.13%
Expelled	29	0.44%
Suspended	25	0.38%
Withdrawn	55	0.83%
Graduated	3	0.05%
GED Program	12	0.18%
Unknown	1,119	16.87%
TOTAL	6,633	100.00%

Demographic Characteristics: Disposition Dismissed FY 1998 (Percent)

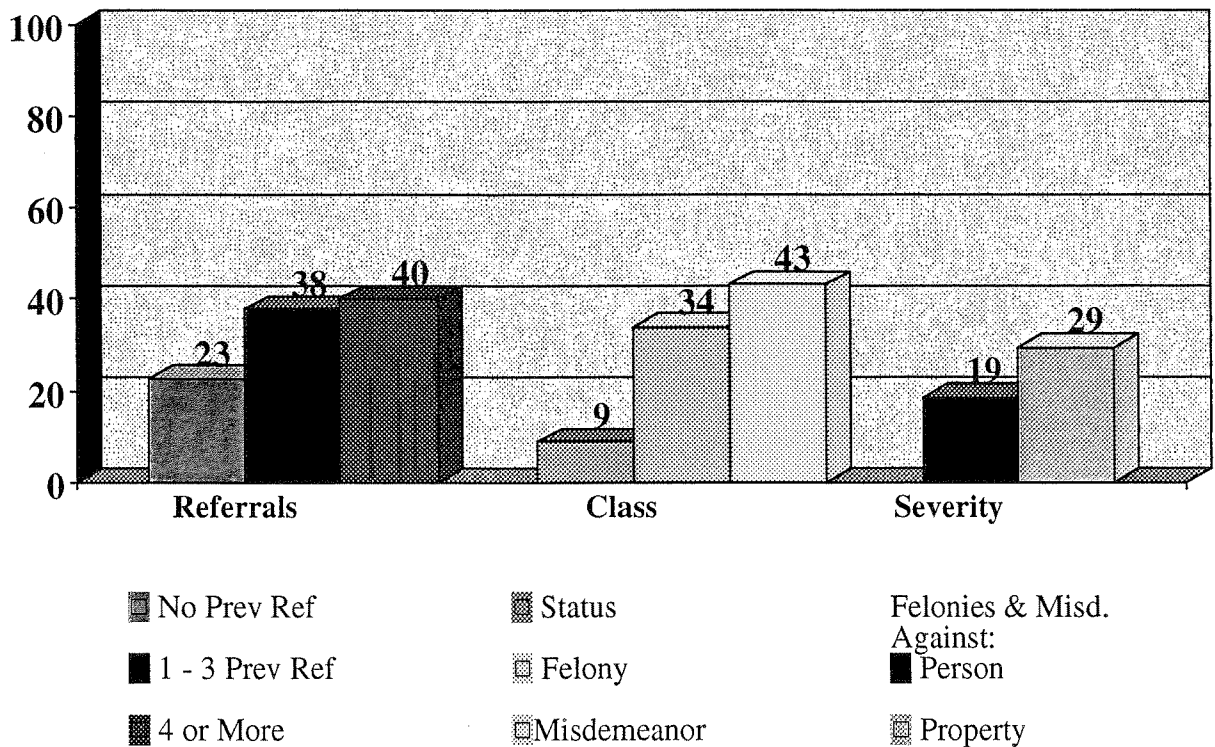


Number of Prior Referrals: Dismissed FY 98		
0	1,497	22.57%
1	1,017	15.33%
2	842	12.69%
3	643	9.69%
4	488	7.36%
5	365	5.50%
6	336	5.07%
7	264	3.98%
8 or more	1,181	17.80%
TOTAL	6,633	100.00%

Severity of Most Serious Offense: Dismissed FY 98		
Felonies Against Person	381	5.74%
Felonies Against Property	1,064	16.04%
Obstruction of Justice: Fel. & Misd.	1,201	18.11%
Misdemeanors Against Person	847	12.77%
Drugs: Fel. and Misd.	591	8.91%
Public Peace: Fel. & Misd.	1,066	16.07%
Misdemeanors Against Property	892	13.45%
Status Offenses	583	8.79%
Citations/Administrative	8	0.12%
TOTAL	6,633	100.00%

Offense Class of Most Serious Offense: Dismissed FY 98		
Felony	2,261	34.09%
Misdemeanor	2,866	43.21%
Administrative	866	13.06%
Status	586	8.83%
Other	54	0.81%
TOTAL	6,633	100.00%

**Prior Referrals and Types of Offenses:
Disposition Dismissed FY 1998 (Percent)**



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Juveniles With Dispositions of Penalty Only in FY98

Adjudicated juveniles may receive a disposition of penalty only. Typically, there is judicial discretion in the nature of the assigned penalty. 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.

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: Disposition Penalty Only FY 98		
Apache	0	0.14%
Cochise	25	3.00%
Coconino	15	0.86%
Gila	16	0.43%
Graham	8	1.86%
Greenlee	3	0.72%
La Paz	7	1.00%
Maricopa	652	67.24%
Mohave	0	0.00%
Navajo	8	0.86%
Pima	44	12.59%
Pinal	27	4.58%
Santa Cruz	0	0.00%
Yavapai	9	2.86%
Yuma	29	3.86%
TOTAL	843	100%

*Maricopa FY98
database
6/27*

*853
FY98
database*

AMO 44

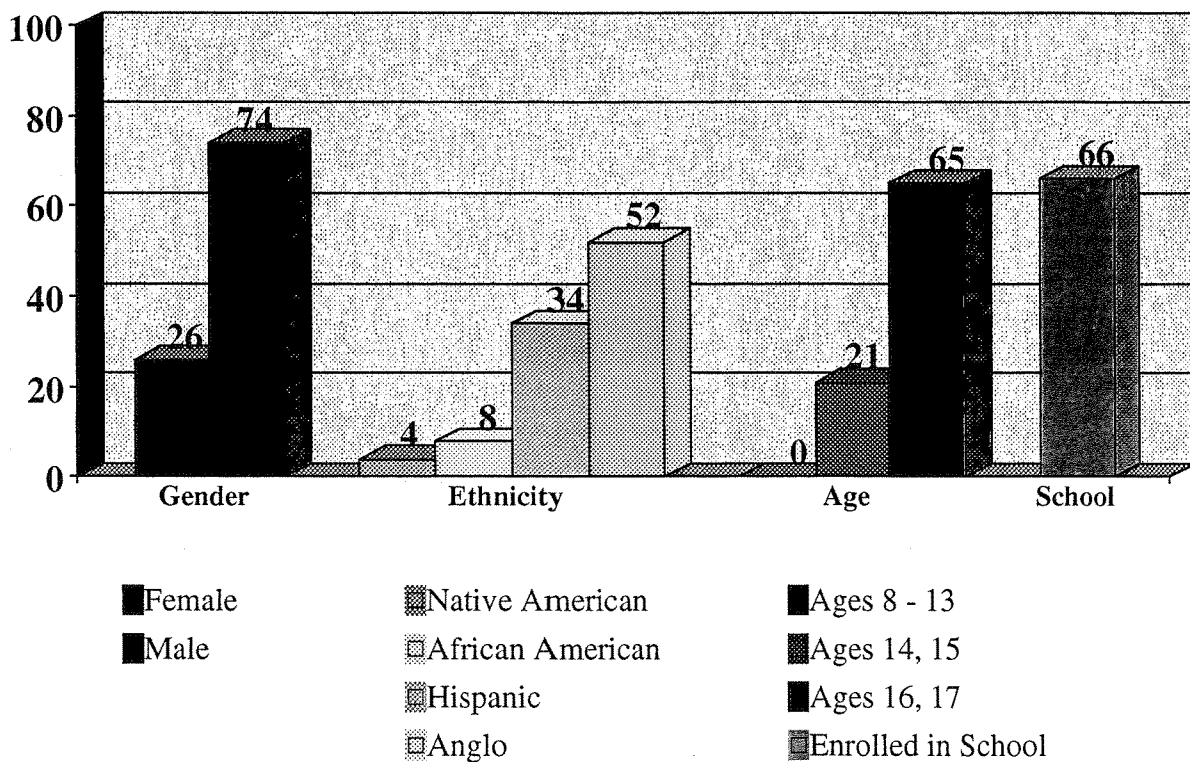
Gender: Disposition Penalty Only FY 98		
Male	622	73.78%
Female	221	26.22%
Unknown	0	0.00%
TOTAL	843	100.00%

Ethnicity: Disposition Penalty Only FY 98		
Hispanic	290	34.40%
African American	69	8.19%
Anglo	436	51.72%
Native American	36	4.27%
Asian/Pacific Islander	4	0.47%
Other	7	0.83%
Unknown	1	0.12%
TOTAL	843	100.00%

Age: Disposition Penalty Only FY 98		
8	1	0.12%
9	9	1.07%
10	12	1.42%
11	11	1.30%
12	19	2.25%
13	32	3.80%
14	74	8.78%
15	106	12.57%
16	158	18.74%
17	392	46.50%
Unknown	29	3.44%
TOTAL	843	100.00%

Education Status: Disposition Penalty Only FY 98		
Enrolled	560	66.43%
Not Enrolled	160	18.98%
Expelled	1	0.12%
Suspended	2	0.24%
Withdrawn	3	0.36%
Graduated	2	0.24%
GED Program	2	0.24%
Unknown	113	13.40%
TOTAL	843	100.00%

Demographic Characteristics: Disposition Penalty Only FY 1998 (Percent)

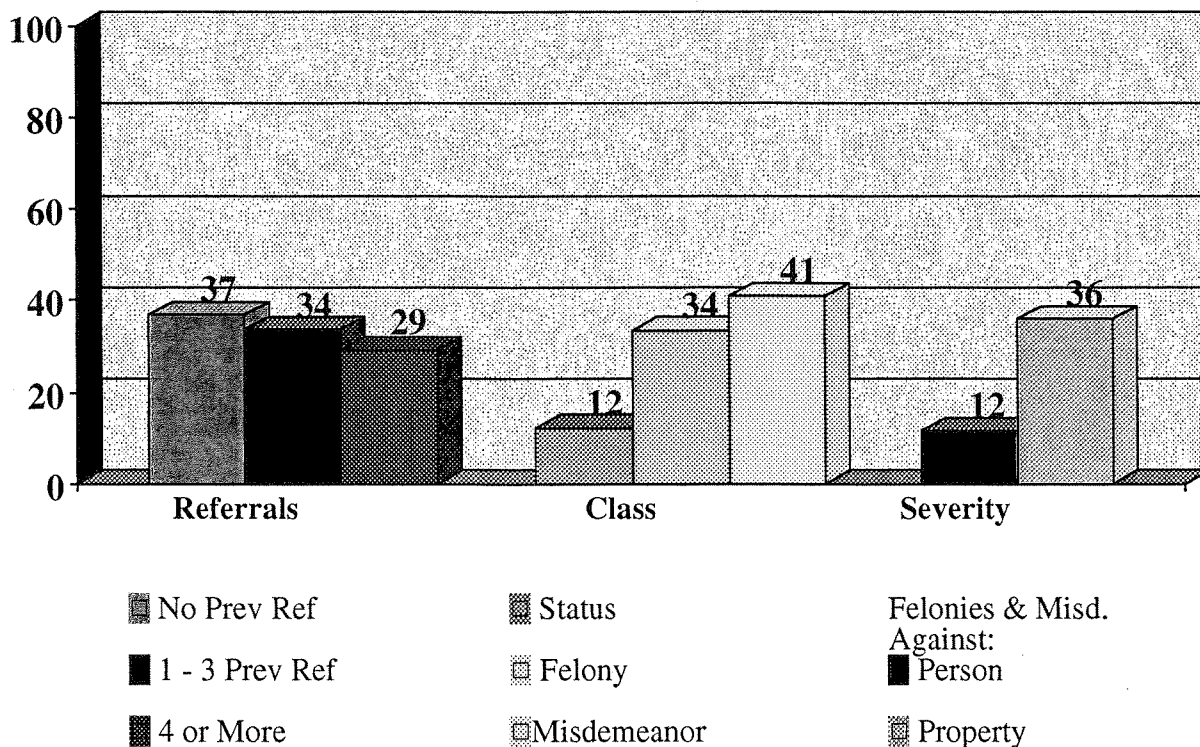


Number of Prior Referrals: Penalty Only FY 98		
0	312	37.01%
1	120	14.23%
2	101	11.98%
3	63	7.47%
4	66	7.83%
5	36	4.27%
6	25	2.97%
7	23	2.73%
8 or more	97	11.51%
TOTAL	843	100.00%

Severity of Most Serious Offense: Penalty Only FY 98		
Felonies Against Person	33	3.91%
Felonies Against Property	141	16.73%
Obstruction of Justice: Fel. & Misd.	123	14.59%
Misdemeanors Against Person	65	7.71%
Drugs: Fel. & Misd.	80	9.49%
Public Peace: Fel. & Misd.	131	15.54%
Misdemeanors Against Property	163	19.34%
Status Offenses	104	12.34%
Citations/Administrative	3	0.36%
TOTAL	843	100.00%

Offense Class of Most Serious Offense: Penalty Only FY 98		
Felony	283	33.57%
Misdemeanor	346	41.04%
Administrative	104	12.34%
Status	104	12.34%
Other	6	0.71%
TOTAL	843	100.00%

**Prior Referrals and Types of Offenses:
Disposition Penalty Only FY 1998 (Percent)**



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Juveniles With Dispositions to Standard Probation in FY98

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: the belief that youth can make positive changes in their behavior, protection of the community, preservation of the best interest of the child and stability of the family unit, fostering law-abiding behavior, and restitution to victims and society for the wrongs committed against them.

Juveniles placed on probation, usually for one year, have to comply with certain terms and conditions. Although every probation treatment plan is customized to address the needs of each juvenile, some standard terms and conditions apply to all cases. The standard terms and conditions include contact 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, restitution, community service hours, painting over graffiti, 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, the court will choose to protect the community and impose more severe liberty restrictions.

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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.

County: Disposition Standard Probation FY 98		
Apache	100	1.06%
Cochise	210	2.23%
Coconino	379	4.02%
Gila	208	2.20%
Graham	171	1.81%
Greenlee	39	0.41%
La Paz	46	0.49%
Maricopa	5,187	54.97%
Mohave	289	3.06%
Navajo	242	2.56%
Pima	1,496	15.85%
Pinal	270	2.86%
Santa Cruz	119	1.26%
Yavapai	232	2.46%
Yuma	448	4.75%
TOTAL	9,436	100%*

*Does not add to 100% due to rounding.

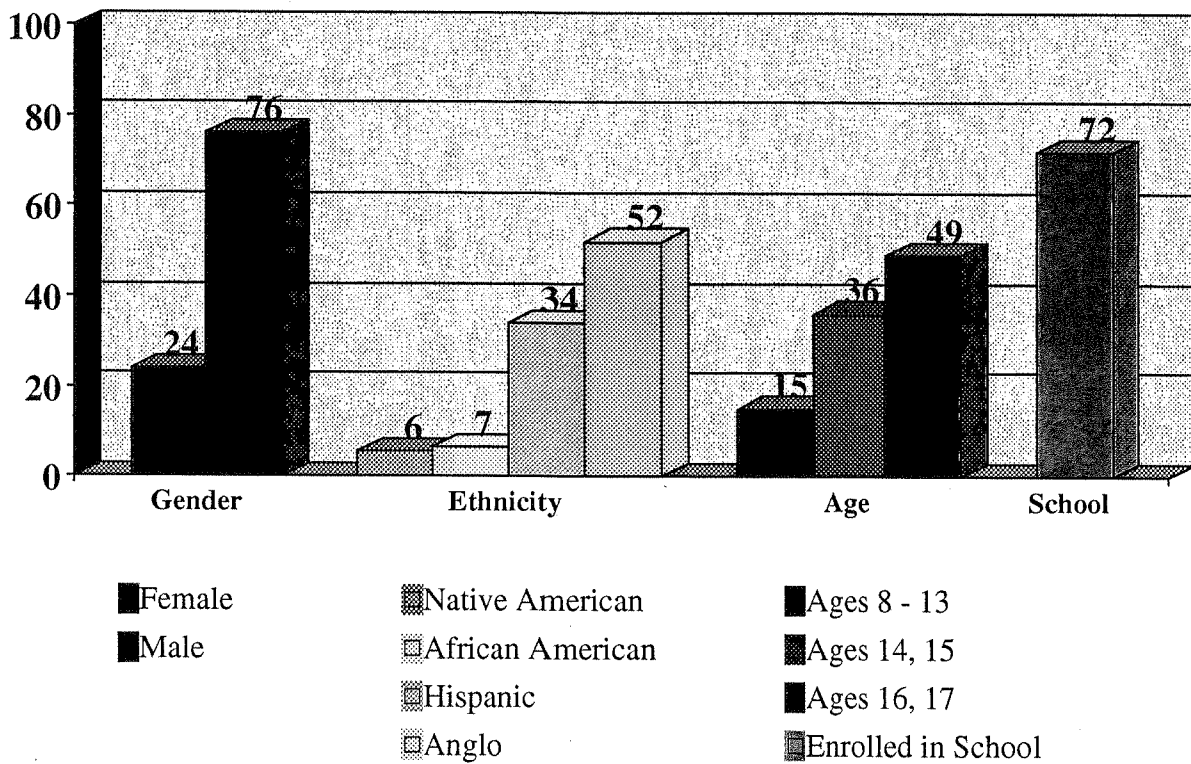
Gender: Standard Probation FY 98		
Male	7,124	75.50%
Female	2,312	24.50%
Unknown	0	0.00%
TOTAL	9,436	100.00%

Ethnicity: Standard Probation FY 98		
Hispanic	3,190	33.81%
African American	695	7.37%
Anglo	4,894	51.87%
Native American	590	6.25%
Asian/Pacific Islander	38	0.40%
Other	25	0.26%
Unknown	4	0.04%
TOTAL	9,436	100.00%

Age: Standard Probation FY 98		
8	1	0.01%
9	14	0.15%
10	57	0.60%
11	175	1.85%
12	350	3.71%
13	814	8.63%
14	1,459	15.46%
15	1,935	20.51%
16	2,274	24.10%
17	2,342	24.82%
Unknown	15	0.16%
TOTAL	9,436	100.00%

Education Status: Standard Probation FY 98		
Enrolled	6,839	72.48%
Not Enrolled	972	10.30%
Expelled	22	0.23%
Suspended	50	0.53%
Withdrawn	62	0.66%
Graduated	2	0.02%
GED Program	11	0.12%
Unknown	1,478	15.66%
TOTAL	9,436	100.00%

Demographic Characteristics: Standard Probation FY 1998 (Percent)

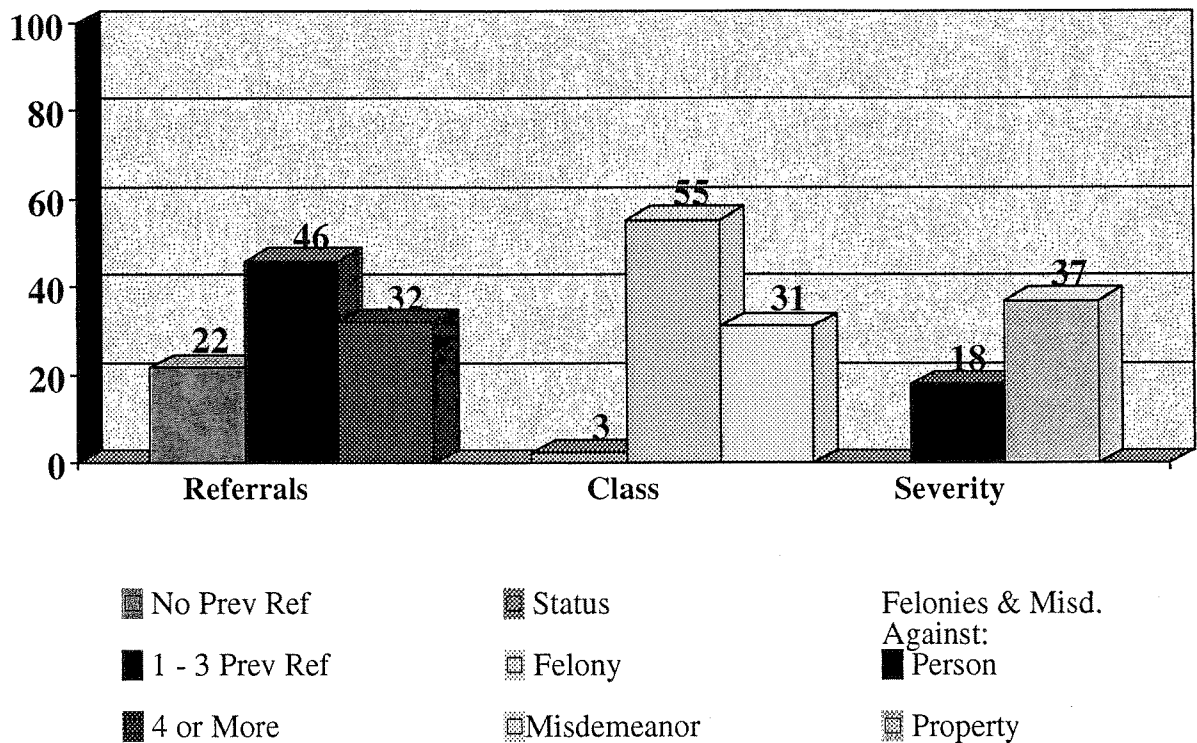


Number of Prior Referrals: Standard FY 98		
0	2,043	21.65%
1	1,656	17.55%
2	1,483	15.72%
3	1,224	12.97%
4	845	8.96%
5	577	6.11%
6	443	4.69%
7	316	3.35%
8 or more	849	9.00%
TOTAL	9,436	100.00%

Severity of Most Serious Offense: Standard FY 98		
Felonies Against Person	826	8.75%
Felonies Against Property	2,571	27.25%
Obstruction of Justice: Fel. & Misd.	1,734	18.38%
Misdemeanors Against Person	863	9.15%
Drugs: Fel. & Misd.	1,307	13.85%
Public Peace: Fel. & Misd.	872	9.24%
Misdemeanors Against Property	920	9.75%
Status Offenses	244	2.59%
Citations/Administrative	99	1.05%
TOTAL	9,436	100.00%

Offense Class of Most Serious Offense: Standard FY 98		
Felony	5,230	55.43%
Misdemeanor	2,939	31.15%
Administrative	925	9.80%
Status	243	2.58%
Other	99	1.05%
TOTAL	9,436	100.00%

**Prior Referrals and Types of Offenses:
Disposition Standard Probation FY 1998 (Percent)**



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Juveniles With Dispositions to JIPS in FY98

Juvenile Intensive Probation Supervision (JIPS) is a sentencing consequence used by the juvenile court judges for those youth who are in need of frequent supervision and a highly structured program. The program was enacted into law in 1987 with the passage of A.R. S. § 8-351 to § 8-358. The intent of this legislation was to create a program which would allow juvenile delinquents to remain at home, under supervision, 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 to ADJC or residential treatment.

JIPS differs from standard probation in the increased frequency of contact, 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 here because the JIPS 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 offender 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.

FY1998 is the first year of stricter dispositional alternatives for juveniles adjudicated of a second felony offense. The juvenile court is limited to the three choices cited in ARS § 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.

County: Disposition JIPS FY 98		
Apache	23	0.85%
Cochise	112	4.12%
Coconino	71	2.61%
Gila	55	2.02%
Graham	31	1.14%
Greenlee	17	0.63%
La Paz	6	0.22%
Maricopa	1,251	46.03%
Mohave	141	5.19%
Navajo	74	2.72%
Pima	449	16.52%
Pinal	110	4.05%
Santa Cruz	36	1.32%
Yavapai	106	3.90%
Yuma	236	8.68%
TOTAL	2,718	100%

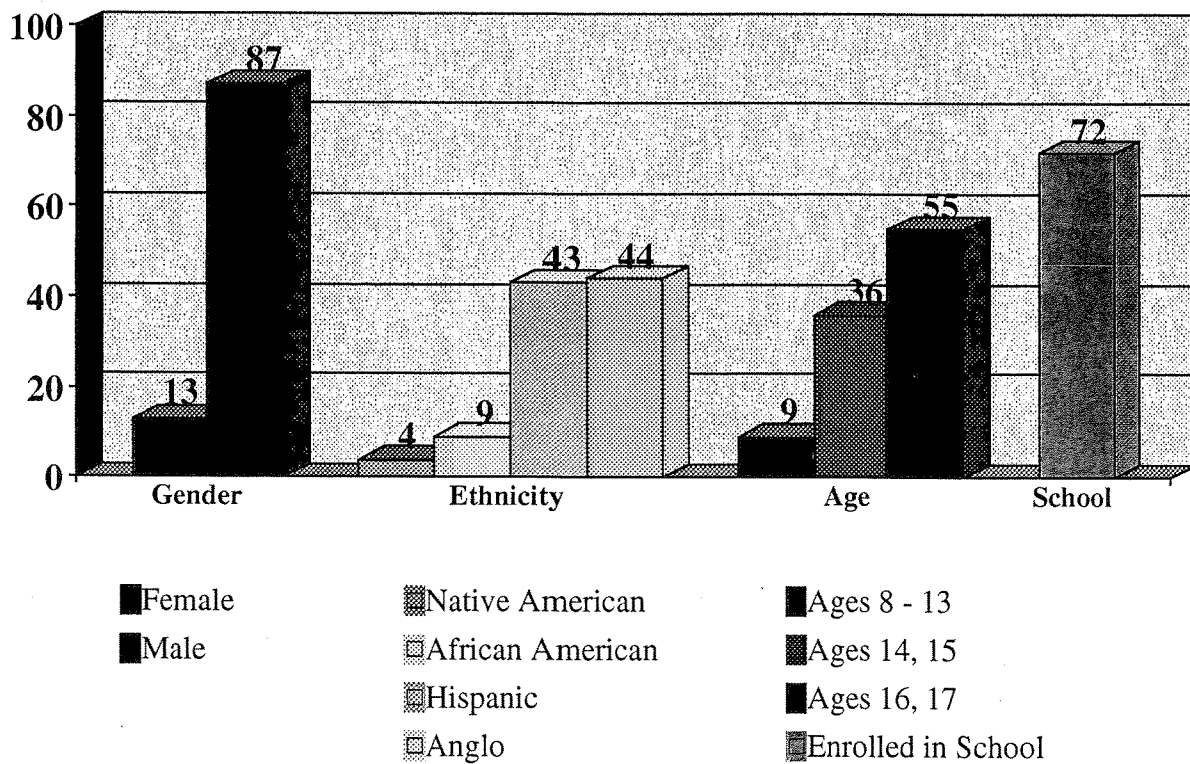
Gender: JIPS FY 98		
Male	2,355	86.64%
Female	363	13.36%
Unknown	0	0.00%
TOTAL	2,718	100.00%

Ethnicity: JIPS FY 98		
Hispanic	1,158	42.60%
African American	240	8.83%
Anglo	1,208	44.44%
Native American	96	3.53%
Asian/Pacific Islander	12	0.44%
Other	4	0.15%
Unknown	0	0.00%
TOTAL	2,718	100.00%

Age: JIPS FY 98		
8	0	0.00%
9	2	0.07%
10	3	0.11%
11	14	0.52%
12	56	2.06%
13	176	6.48%
14	343	12.62%
15	629	23.14%
16	769	28.29%
17	723	26.60%
Unknown	3	0.11%
TOTAL	2,718	100.00%

Education Status: JIPS FY 98		
Enrolled	1,968	72.41%
Not Enrolled	403	14.83%
Expelled	23	0.85%
Suspended	24	0.88%
Withdrawn	24	0.88%
Graduated	1	0.04%
GED Program	8	0.29%
Unknown	267	9.82%
TOTAL	2,718	100.00%

Demographic Characteristics: Disposition JIPS FY 1998 (Percent)

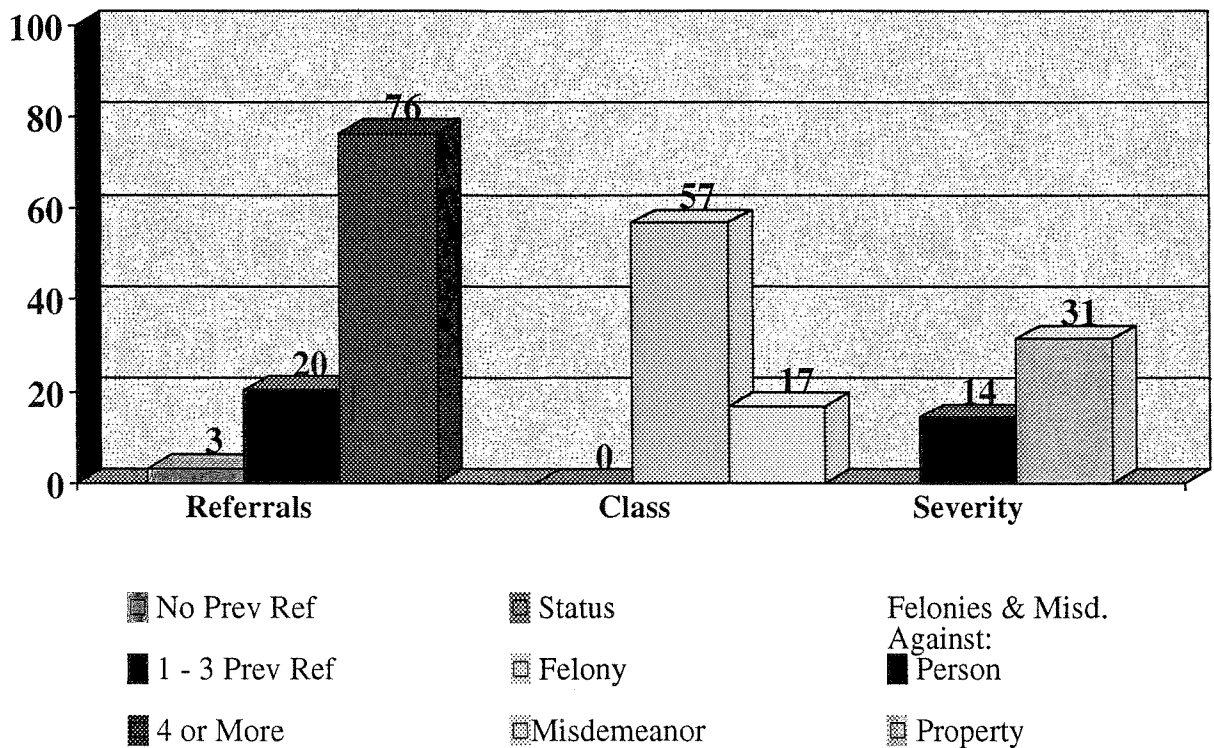


Number of Prior Referrals: JIPS FY 98		
0	87	3.20%
1	125	4.60%
2	181	6.66%
3	247	9.09%
4	312	11.48%
5	274	10.08%
6	248	9.12%
7	222	8.17%
8 or more	1,022	37.60%
TOTAL	2,718	100.00%

Severity of Most Serious Offense: JIPS FY 98		
Felonies Against Person	297	10.93%
Felonies Against Property	785	28.88%
Obstruction of Justice: Fel. & Misd.	1,116	41.06%
Misdemeanors Against Person	91	3.35%
Drugs: Fel. & Misd.	242	8.90%
Public Peace: Fel. & Misd.	109	4.01%
Misdemeanors Against Property	70	2.58%
Status Offenses	4	0.15%
Citations/Administrative	4	0.15%
TOTAL	2,718	100.00%

Offense Class of Most Serious Offense: JIPS FY 98		
Felony	1,543	56.77%
Misdemeanor	454	16.70%
Administrative	713	26.23%
Status	4	0.15%
Other	4	0.15%
TOTAL	2,718	100.00%

**Prior Referrals and Types of Offenses:
Disposition JIPS FY 1998 (Percent)**



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Juveniles With Dispositions to ADJC in FY98

In 1995, the process of committing juveniles to the Arizona Department of Juvenile Corrections (ADJC) was substantially changed. Arizona Revised Statutes Section 8-246(C), as amended, mandate: 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 provide standards the court must consider, in addition to any other factor(s) which may be relevant, when committing youth to the care and custody of ADJC. These guidelines are offense-based and also take into account the juvenile's history of delinquency. The legislative intent is that commitment to ADJC should be reserved for those juveniles who the court believes need treatment in secure care for the protection of the public. The guidelines are not applicable for juveniles who are transferred to adult court for prosecution and sentencing.

The guidelines identify the following offenders for commitment to ADJC:

- ▶ **Serious Offenders:** One who is adjudicated for a "serious" offense as set forth in A.R.S. § 13-604: 1st degree murder, 2nd degree murder, manslaughter, aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument, sexual assault, any dangerous crime against children*, arson of an occupied structure, armed robbery, burglary in the 1st degree, kidnaping, or sexual conduct with a minor under fifteen years of age.
 - * A "dangerous crime against children" is defined as any of the following committed against a minor under fifteen years of age: molestation, sexual conduct with a minor, commercial sexual exploitation, child abuse, kidnaping, sexual abuse, taking a child for prostitution, involving or using minors in drug offenses.
- ▶ **Violent Offenders:** One who is adjudicated for intentionally inflicting physical injury on a victim or who discharges, uses or exhibits in a threatening manner any deadly weapon in the commission of an offense, or who, based upon present or past behavior, and in the opinion of expert(s), exhibits a propensity toward violence and requires secure care.
- ▶ **Repetitive Offenders:** One who is adjudicated on prior and separate occasions for at least two felony offenses within a two year period, or adjudicated on at least five prior and separate occasions for misdemeanor offenses within a two year period or who is adjudicated for any offense committed while on parole from ADJC.
- ▶ **Serious Drug Offenders:** One who is adjudicated for an offense involving the sale of a narcotic or dangerous drug.
- ▶ **Probation Violators:** Any person who has been placed on probation for a serious, violent, repetitive, or a serious drug offense who subsequently violates a condition of probation.

The guidelines specifically exclude commitment of:

- ▶ **Nuisance Offenders:** Juveniles who commit only incorrigible offenses, non-repetitive misdemeanor offenders, and juveniles committing only technical probation violations while

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on probation for something other than a violent, serious, repetitive or serious drug offense should not be considered for commitment. A nuisance offender also includes the juvenile who refuses to follow anyone's rules or structure, yet does not commit offenses that would make him/her eligible for commitment under the criteria set forth in guidelines 1 through 5 above.

- ▶ **Mentally Ill/Emotionally Handicapped Offenders:** The mentally ill/emotionally handicapped offender is a juvenile who has a clearly identified mental illness or emotional disorder and who is mainly considered to be a danger to himself or herself, and does not meet any of the criteria for commitment as set forth in guidelines 1 through 5 above.

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: Disposition ADJC FY 98		
Apache	7	0.42%
Cochise	52	3.11%
Coconino	34	2.04%
Gila	24	1.44%
Graham	22	1.32%
Greenlee	0	0.00%
La Paz	4	0.24%
Maricopa	870	52.10%
Mohave	57	3.41%
Navajo	15	0.90%
Pima	383	22.93%
Pinal	86	5.15%
Santa Cruz	13	0.78%
Yavapai	32	1.92%
Yuma	71	4.25%
TOTAL	1,670	100%*

*Does not add to 100% due to rounding

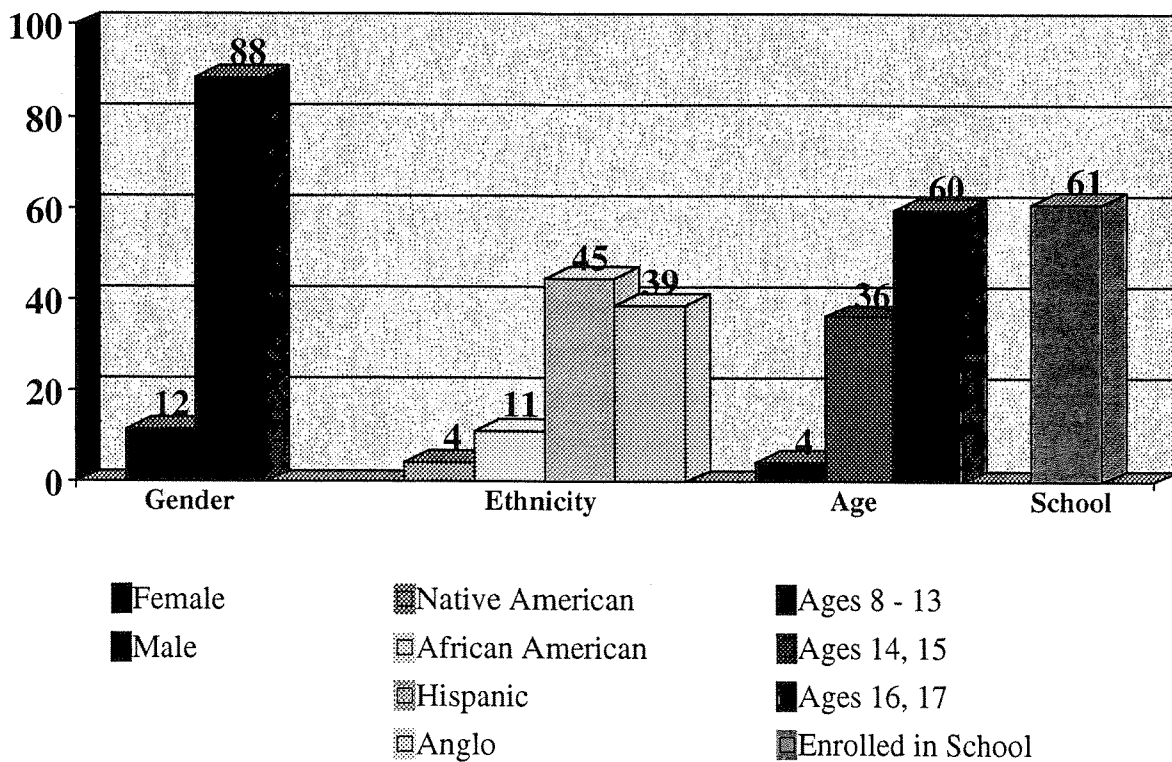
Gender: Disposition ADJC FY 98		
Male	1,477	88.44%
Female	193	11.56%
Unknown	0	0.00%
TOTAL	1,670	100.00%

Ethnicity: Disposition ADJC FY 98		
Hispanic	747	44.73%
African American	187	11.20%
Anglo	647	38.74%
Native American	72	4.31%
Asian/Pacific Islander	10	0.60%
Other	6	0.36%
Unknown	1	0.06%
TOTAL	1,670	100.00%

Age: Disposition ADJC FY 98		
8	0	0.00%
9	0	0.00%
10	1	0.00%
11	1	0.00%
12	16	0.49%
13	64	3.74%
14	203	12.05%
15	357	24.17%
16	509	34.04%
17	519	25.51%
Unknown	0	0.00%
TOTAL	1,670	100.00%

Education Status: Disposition ADJC FY 98		
Enrolled	1,013	60.66%
Not Enrolled	428	25.63%
Expelled	18	1.08%
Suspended	16	0.96%
Withdrawn	37	2.22%
Graduated	2	0.12%
GED Program	1	0.06%
Unknown	155	9.28%
TOTAL	1,670	100.00%

Demographic Characteristics: Disposition ADJC 1998 (Percent)

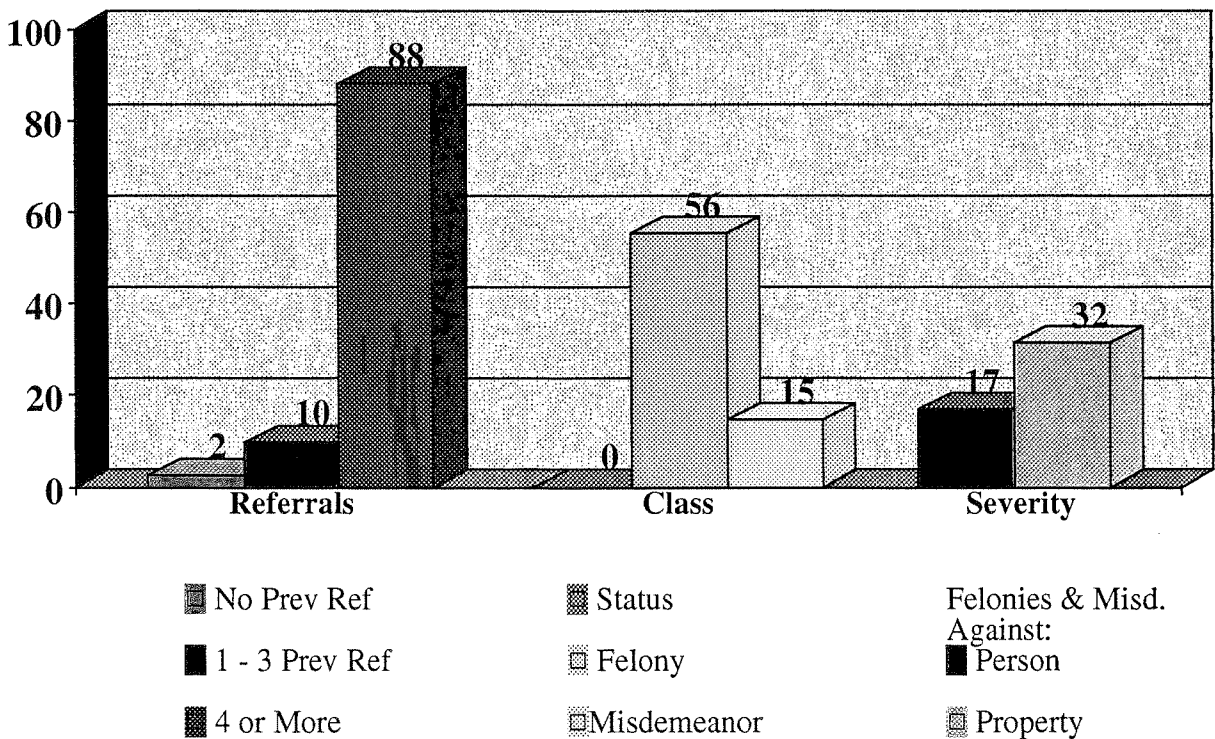


Number of Prior Referrals: Disposition ADJC FY 98		
0	41	2.46%
1	42	2.52%
2	48	2.87%
3	71	4.25%
4	89	5.33%
5	118	7.07%
6	139	8.32%
7	114	6.83%
8 or more	1,008	60.36%
TOTAL	1,670	100.00%

Severity of Most Serious Offense: Disposition ADJC FY 98		
Felonies Against Person	201	12.04%
Felonies Against Property	489	29.28%
Obstruction of Justice: Fel. & Misd.	667	39.94%
Misdemeanors Against Person	82	4.91%
Drugs: Fel. & Misd.	114	6.83%
Public Peace: Fel. & Misd.	73	4.37%
Misdemeanors Against Property	39	2.34%
Status Offenses	1	0.06%
Citations/Administrative	4	0.24%
TOTAL	1,670	100.00%

Offense Class of Most Serious Offense: Disposition ADJC FY 98		
Felony	929	55.63%
Misdemeanor	248	14.85%
Administrative	490	29.34%
Status	0	0.00%
Other	3	0.18%
TOTAL	1,670	100.00%

**Prior Referrals and Types of Offenses:
Disposition ADJC FY 1998 (Percent)**



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Juveniles Direct Filed in and Transferred to Adult Court in FY98

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 facing page. Of the 1,083 youth filed in adult court in FY 1998, 40 were both direct filed and transferred. Since the direct filed section and the transfer section include all dispositions specific to those sections, and thus some duplicates, the tables on the facing page also include duplicates. The top table shows the number and percent of youth in each pathway for fiscal years 1997 and 1998. The table at the bottom shows the number and percent of youth who were in each of the counties in FY 98.

Pathways to Adult Court

- ◆ **Mandatory:** Juveniles ages 15, 16, or 17 who commit a violent crime must be filed in adult court.
- ◆ **Mandatory Prior:** Juveniles previously convicted in adult court must be returned to adult court.
- ◆ **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 a chronic offender 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.

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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.

County: Direct Filed in Adult Court FY 98		
Apache	0	0.00%
Cochise	15	2.01%
Coconino	8	1.07%
Gila	15	2.01%
Graham	6	0.80%
Greenlee	0	0.00%
La Paz	4	0.54%
Maricopa	470	62.92%
Mohave	21	2.81%
Navajo	5	0.67%
Pima	143	19.14%
Pinal	36	4.82%
Santa Cruz	3	0.40%
Yavapai	8	1.07%
Yuma	13	1.74%
TOTAL	747	100%

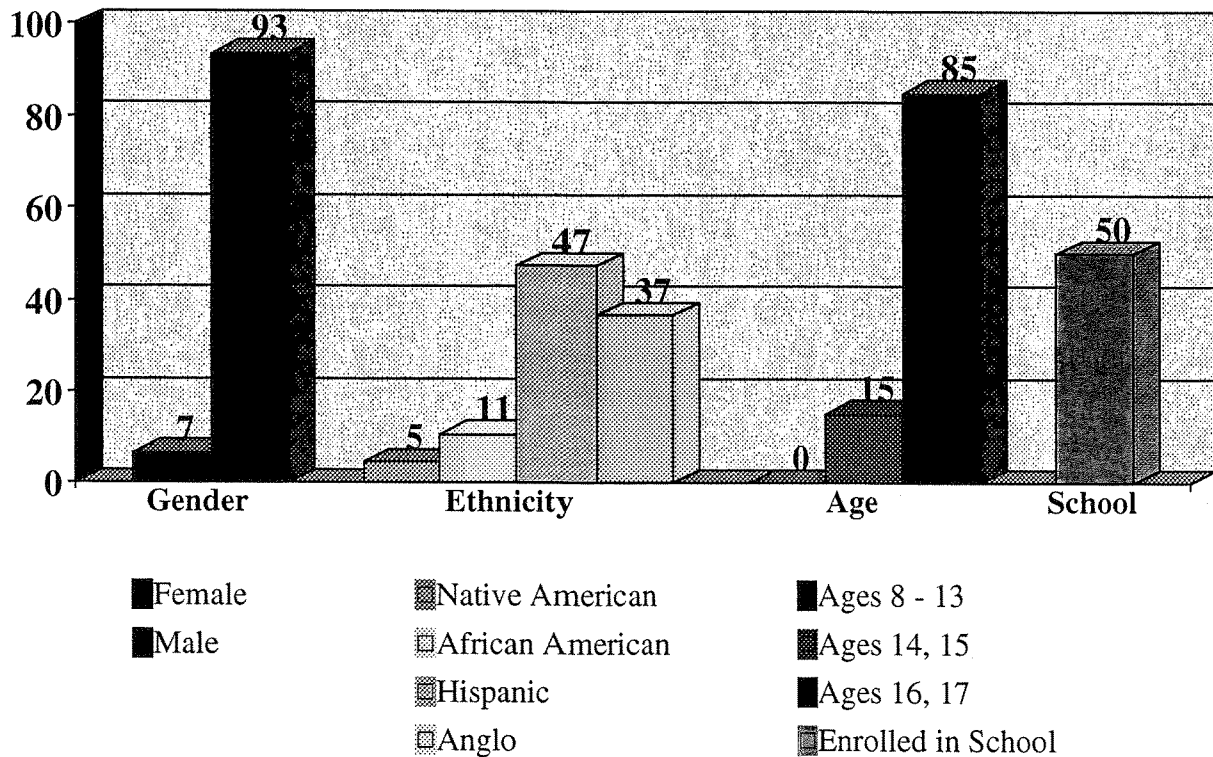
Gender: Direct Filed FY 98		
Male	698	93.44%
Female	49	6.56%
Unknown	0	0.00%
TOTAL	747	100.00%

Ethnicity: Direct Filed FY 98		
Hispanic	353	47.26%
African American	79	10.58%
Anglo	273	36.55%
Native American	35	4.69%
Asian/Pacific Islander	5	0.67%
Other	1	0.13%
Unknown	1	0.13%
TOTAL	747	100.00%

Age: Direct Filed FY 98		
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	34	0.00%
15	92	15.15%
16	182	34.85%
17	293	50.00%
Unknown	3	0.00%
TOTAL	604*	100.00%

Education Status: Direct Filed FY 98		
Enrolled	301	49.83%
Not Enrolled	202	33.44%
Expelled	3	0.50%
Suspended	0	0.00%
Withdrawn	0	0.00%
Graduated	1	0.17%
GED Program	5	0.83%
Unknown	92	15.23%
TOTAL	604*	100.00%

Demographic Characteristics: Direct Filed in Adult Court FY 1998 (Percent)

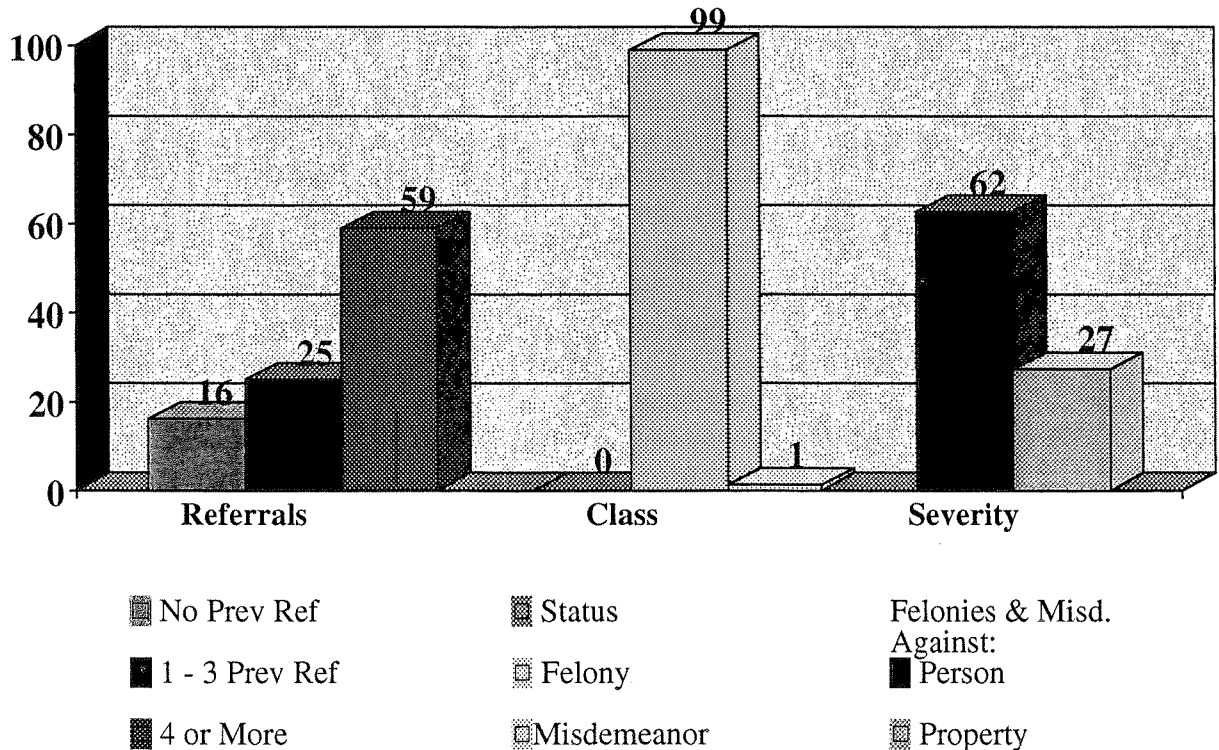


Number of Prior Referrals: Direct Filed FY 98		
0	98	16.23%
1	72	11.92%
2	41	6.79%
3	38	6.29%
4	50	8.28%
5	33	5.46%
6	35	5.79%
7	27	4.47%
8 or more	210	34.77%
TOTAL	604*	100.00%

Severity of Most Serious Offense: Direct Filed FY 98		
Felonies Against Person	375	62.09%
Felonies Against Property	164	27.15%
Obstruction of Justice: Fel. & Misd.	3	0.50%
Misdemeanors Against Person	2	0.33%
Drugs: Fel. and Misd.	38	6.29%
Public Peace: Fel. & Misd.	22	3.64%
Misdemeanors Against Property	0	0.00%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
TOTAL	604*	100.00%

Offense Class of Most Serious Offense: Direct Filed FY 98		
Felony	597	98.84%
Misdemeanor	6	0.99%
Administrative	1	0.17%
Status	0	0.00%
Other	0	0.00%
TOTAL	604*	100.00%

**Prior Referrals and Types of Offenses:
Direct Filed in Adult Court FY 1998 (Percent)**



*See note 5

Juveniles Transferred to Adult Court in FY98

Prior to FY 97 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 as the primary pathway to adult court. In S.B. 1446 there were also changes to the process whereby juveniles are transferred to adult court, as reflected in ARS Section 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. In addition, deferred transfers may no longer be granted. These provisions were effective July 21, 1997, shortly after the beginning of FY 98.

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 ARS Section 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.

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: Transferred to Adult Court FY 98		
Apache	1	0.30%
Cochise	0	0.00%
Coconino	4	1.19%
Gila	4	1.19%
Graham	1	0.30%
Greenlee	0	0.00%
La Paz	1	0.30%
Maricopa	236	70.24%
Mohave	9	2.68%
Navajo	6	1.79%
Pima	52	15.48%
Pinal	4	1.19%
Santa Cruz	0	0.00%
Yavapai	9	2.68%
Yuma	9	2.68%
TOTAL	336	100%*

*Does not add to 100% due to rounding

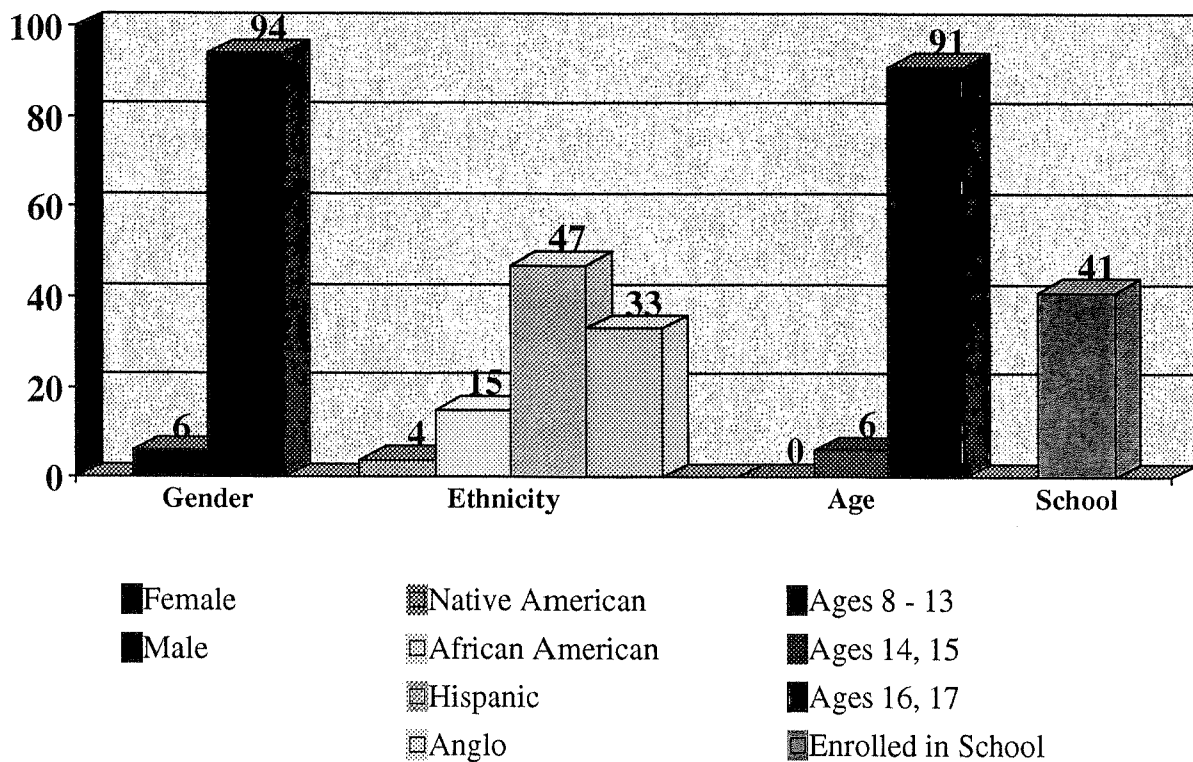
Gender: Transferred FY 98		
Male	317	94.35%
Female	19	5.65%
Unknown	0	0.00%
TOTAL	336	100.00%

Ethnicity: Transferred FY 98		
Hispanic	158	47.02%
African American	51	15.18%
Anglo	110	32.74%
Native American	12	3.57%
Asian/Pacific Islander	2	0.60%
Other	1	0.30%
Unknown	2	0.60%
TOTAL	336	100.00%

Age: Transferred FY 98		
8	0	0.00%
9	0	0.00%
10	0	0.00%
11	0	0.00%
12	0	0.00%
13	1	0.30%
14	2	0.60%
15	19	5.65%
16	73	21.73%
17	233	69.35%
Unknown	8	2.38%
TOTAL	336	100.00%

Education Status: Transferred FY 98		
Enrolled	138	41.07%
Not Enrolled	142	42.26%
Expelled	1	0.30%
Suspended	4	1.19%
Withdrawn	8	2.38%
Graduated	3	0.89%
GED Program	1	0.30%
Unknown	39	11.61%
TOTAL	336	100.00%

Demographic Characteristics: Transferred to Adult Court FY 1998 (Percent)

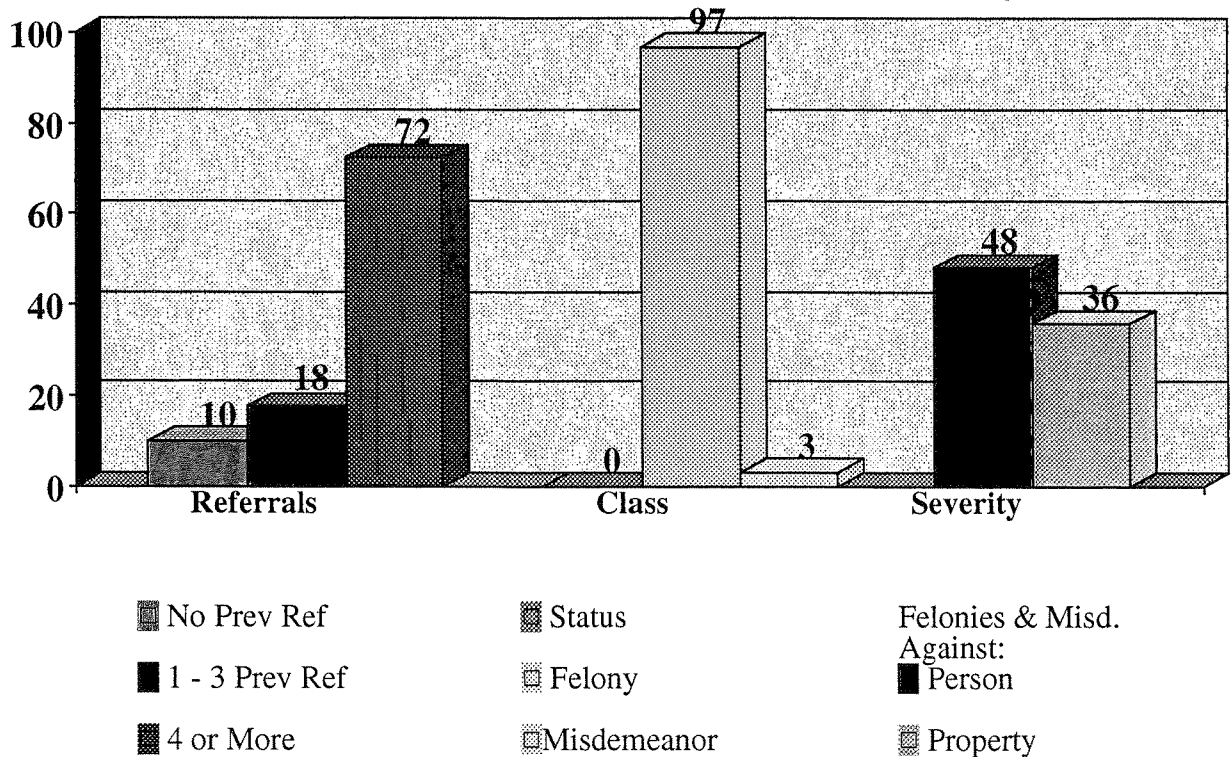


Number of Prior Referrals: Transferred FY 98		
0	34	10.12%
1	21	6.25%
2	14	4.17%
3	24	7.14%
4	25	7.44%
5	14	4.17%
6	23	6.85%
7	17	5.06%
8 or more	164	48.81%
TOTAL	336	100.00%

Severity of Most Serious Offense: Transferred FY 98		
Felonies Against Person	108	47.37%
Felonies Against Property	163	35.45%
Obstruction of Justice: Fel.s & Misd.	6	1.08%
Misdemeanors Against Person	5	0.77%
Drugs: Fel. & Misd.	33	11.15%
Public Peace: Fel. & Misd.	20	3.72%
Misdemeanors Against Property	1	0.46%
Status Offenses	0	0.00%
Citations/Administrative	0	0.00%
TOTAL	336	100.00%

Offense Class of Most Serious Offense: Transferred to FY 98		
Felony	325	96.73%
Misdemeanor	11	3.27%
Administrative	0	0.00%
Status	0	0.00%
Other	0	0.00%
TOTAL	336	100.00%

**Prior Referrals and Types of Offenses:
Transferred to Adult Court FY 1998 (Percent)**



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Pathways for Juveniles Filed in Adult Court				
Pathways	FY 1997 July to June		FY 1998 July to June	
	# Juv.	%	# Juv.	%
Transfer	646	90.7	336	31.0
Mandatory	66	9.3	360	33.2
Mand.-Prior	0	0	19	1.8
Chronic	0	0	84	7.8
Discretionary	0	0	284	26.2
Total	712	100	1,083	100%

County: Direct Filed in and Transferred to Adult Court FY 98		
Apache	1	0.1%
Cochise	15	1.4%
Coconino	12	1.1%
Gila	19	1.8%
Graham	7	0.6%
Greenlee	0	0.0%
La Paz	5	0.5%
Maricopa	706	65.2%
Mohave	30	2.8%
Navajo	11	1.0%
Pima	195	18.0%
Pinal	40	3.7%
Santa Cruz	3	0.3%
Yavapai	17	1.6%
Yuma	22	2.0%
TOTAL	1,083	100%*

*Does not add to 100% due to rounding.

Juveniles Direct Filed in Adult Court

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 adults of any juveniles 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 effective July 21, 1997.

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 § 13-1204 A.1., aggravated assault with a deadly weapon § 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 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.

Juveniles Detained in FY98

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 and the community's protection. 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. La Paz and Graham counties do not provide these services at this time. Juveniles from these two counties are transported to other jurisdictions when the need for secure custody is determined by the 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.

County: Detained FY 98		
Apache	154	1.18%
Cochise	402	3.09%
Coconino	598	4.59%
Gila	242	1.86%
Graham	103	0.79%
Greenlee	81	0.62%
La Paz	58	0.45%
Maricopa	6,890	52.91%
Mohave	379	2.91%
Navajo	296	2.27%
Pima	1,796	13.79%
Pinal	730	5.61%
Santa Cruz	243	1.87%
Yavapai	459	3.52%
Yuma	591	4.54%
TOTAL	13,022	100%

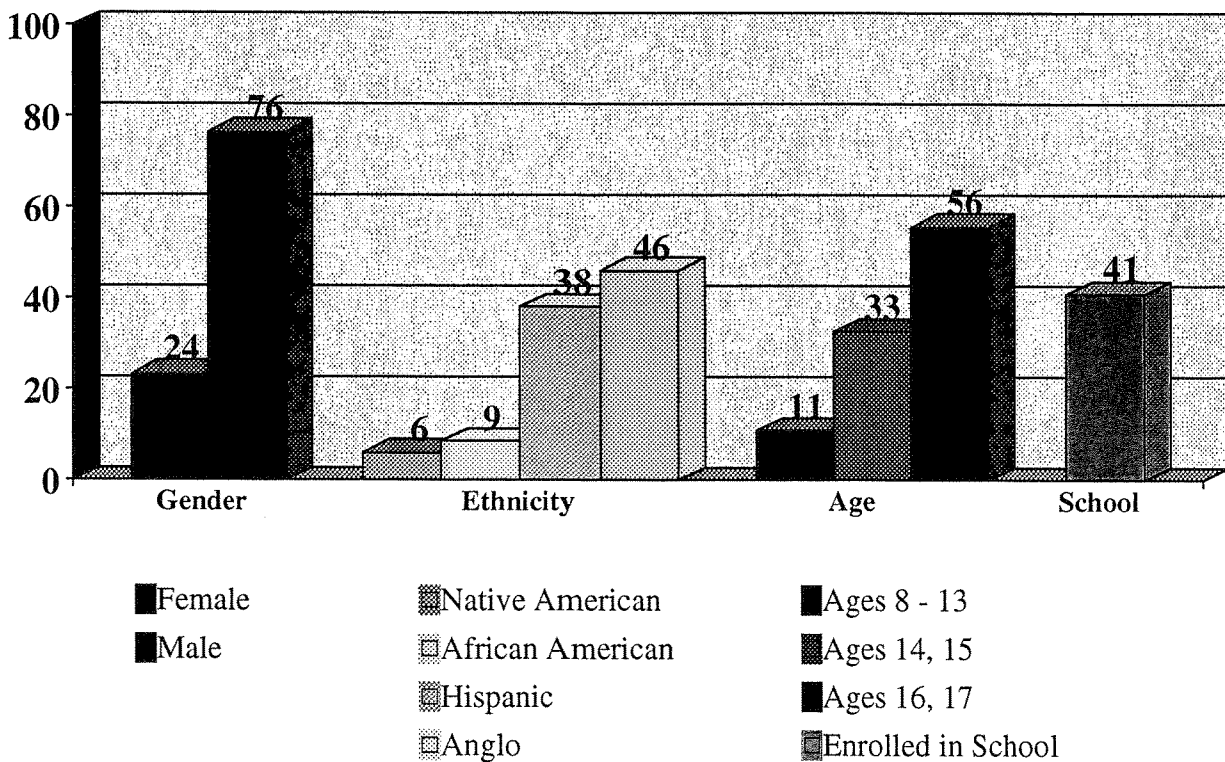
Gender: Detained FY 98		
Male	9,953	76.43%
Female	3,068	23.56%
Unknown	1	0.01%
TOTAL	13,022	100.00%

Ethnicity: Detained FY 98		
Hispanic	4,980	38.24%
African American	1,125	8.64%
Anglo	6,026	46.28%
Native American	805	6.18%
Asian/Pacific Islander	43	0.33%
Other	39	0.30%
Unknown	4	0.03%
TOTAL	13,022	100.00%

Age: Detained FY 98		
8	9	0.07%
9	29	0.22%
10	70	0.54%
11	136	1.04%
12	340	2.61%
13	849	6.52%
14	1,671	12.83%
15	2,590	19.89%
16	3,309	25.41%
17	3,955	30.37%
Unknown	64	0.49%
TOTAL	13,022	100.00%

Education Status: Detained FY 98		
Enrolled	5,391	41.40%
Not Enrolled	1,473	11.31%
Expelled	63	0.48%
Suspended	58	0.45%
Withdrawn	121	0.93%
Graduated	21	0.16%
GED Program	31	0.24%
Unknown	5,864	45.03%
TOTAL	13,022	100.00%

Demographic Characteristics: Detained FY 1998 (Percent)

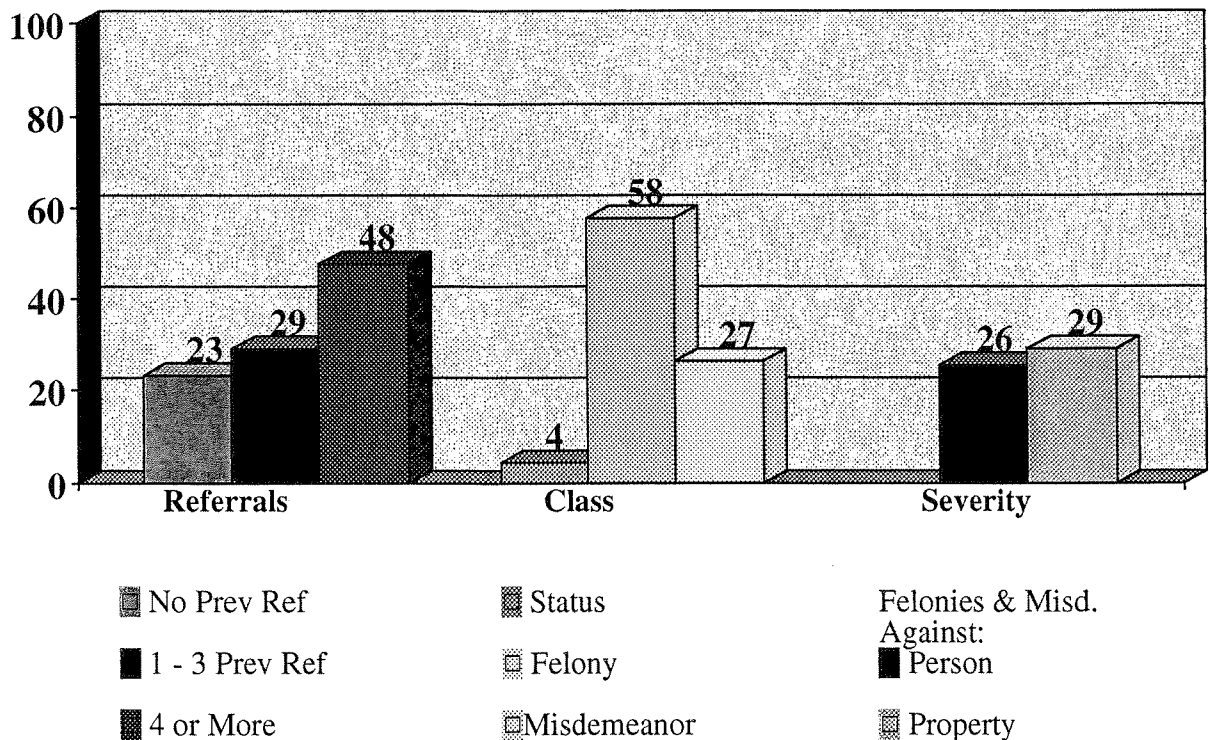


Number of Prior Referrals: Detained FY 98*		
0	2,099	23.42%
1	1,049	11.71%
2	848	9.46%
3	704	7.86%
4	632	7.05%
5	540	6.03%
6	449	5.01%
7	351	3.92%
8 or more	2,289	25.54%
TOTAL	8,961	100.00%

Severity of Most Serious Offense: Detained FY 98*		
Felonies Against Person	1,324	14.78%
Felonies Against Property	2,188	24.42%
Obstruction of Justice: Fel. & Misd.	1,490	16.63%
Misdemeanors Against Person	981	10.95%
Drugs: Fel. & Misd.	1,091	12.18%
Public Peace: Fel. and Misd.	968	10.80%
Misdemeanors Against Property	414	4.62%
Status Offenses	374	4.17%
Citations/Administrative	131	1.46%
TOTAL	8,961	100.00%

Offense Class of Most Serious Offense: Detained FY 98*		
Felony	5,153	57.50%
Misdemeanor	2,392	26.69%
Administrative	1,009	11.26%
Status	373	4.16%
Other	34	0.38%
TOTAL	8,961	100.00%

**Prior Referrals and Types of Offenses:
Detained FY 1998 (Percent)**



*Not all juveniles are detained as a result of the current referral: they are also detained as court holds, on warrant, being held for another jurisdiction, or as a probation consequence. Therefore, tables related to referrals reflect 8,961 of the 13,022 juveniles detained.

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Notes

1. The number of juveniles in each stage is an unduplicated count. Juveniles at each stage are only counted once, although a juvenile could be counted twice if they were assigned two different dispositions. For example, if a juvenile were diverted and later placed on probation for a new offense in the same year, the juvenile would have been counted twice, once for diversion completed and once for probation.
2. Specific definitions of each severity category include, but are not limited to:

Felonies against person - Aggravated assault, arson of occupied structure, child molesting, child prostitution, child abuse, criminal syndicate, custodial interference, drive-by shooting, intimidating by gang, kidnaping, 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, transporting, or manufacturing any illegal drug (dangerous, narcotic, toxic substance, hallucinogen, or prescription), inhaling, drug paraphernalia, involving minor in 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 drunkenness, eavesdropping, false reporting, failure to stop, failure to appear, 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, theft.

Status Offenses - Curfew, incorrigible, liquor possession, runaway, tobacco possession, truancy.

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Citations/Administrative - Suicide attempt, court hold, courtesy hold, immigration, sovereignty, traffic, warrant.

3. Population data have been provided by the Department of Economic Security, Research Administration, Population Statistics Unit. However, population data for 1998 were unavailable for this report, and as a result a population section was not included in this Juveniles Processed. Although "the Blue Wave" population graph has not been updated from the 1997 Juveniles Processed report, it has been included in the introduction to present the projected increase in the juvenile population.

4. For further information, see:

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.

Le Croy, 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

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. Some descriptors of youth filed in adult court in Pima County were unavailable. As a result, the total number appearing in the respective tables was 604, instead of 747.

