



Fact Sheet: Arizona

Key Facts:

- In the 2006 fiscal year, 48,395 youths were referred to the juvenile justice system with a total of 72,771 case referrals, amounting to an average of 1.5 referrals per child.¹
- Of these referrals, only 14.72% were person offenses.²
- For the 2006 fiscal year, 88.28% of diverted youths had 0 or 1 prior referral and 59.9% committed misdemeanors as their most serious offenses.³
- In fiscal year 2006, 491 youths were direct filed into adult court, and 71 were transferred. Sixty-seven of these 71 transferred offenses were felonies.⁴
- Between 2002 and 2006, there was an 11.7% decline the number of detained youth.⁵
- Of the youths sent to a juvenile correctional facility, 53.5% had 8 or more prior referrals to the juvenile justice system.⁶
- Forty-five percent of committed youths are detained on obstruction of justice charges, including probation and parole violations.⁷

Major Developments

- Pima County, Arizona is a site for the Annie E. Casey Foundation's Juvenile Detention Alternative Initiative (JDAI), dedicated to decreasing youth placements and increasing the use of

community-based alternatives to incarceration.⁸

- In 2002, following a suicide at the Adobe Mountain School, the United States Department of Justice began an investigation of three juvenile facilities in the state under the Civil Rights of Institutionalized Persons Act (CRIPA). Two more suicides followed in the following year.⁹
- The CRIPA investigation made findings relating to serious deficiencies in the areas of suicide prevention, juvenile justice (including allegations of physical and sexual abuse), education, medical care, and mental health and rehabilitative services.¹⁰

What Arizona Law Says:

- In July 2007, legislation was passed to change the law on juvenile transfer to allow for a reverse waiver hearing for sexual offenses committed by a youth more than twelve months before the filing of criminal charges.¹¹
- Youth accused of misdemeanors or low grade felonies (any offense designated by the County Attorneys office as being diversion eligible) are eligible for diversion services. Violent chronic felony or DUI offenders are not eligible for diversion services.¹²
- While it is not mandated, youths of any age whose juvenile jurisdiction has been waived, either by transfer hearing or direct file, may be detained pre-trial in

adult jails. Physical sight and sound separation from adult prisoners is required in such a situation.¹³

- Juvenile court jurisdiction lasts until a child turns 18 years old. If the child is on probation and in treatment, the juvenile court's jurisdiction over the child may be extended until the child turns 21.¹⁴
- There is not a minimum age at which a youth may be tried as an adult. There is no limit on the age a juvenile must be before the county attorney may request a transfer hearing. A juvenile may only be directed file after they turn 14.¹⁵
- The minimum age at which a youth can be sentenced to life without parole is 14.¹⁶
- Certain felonies committed by a youth 14 years of age or older may be direct filed in adult court by the county attorney. Murder and other person felonies must be tried in adult court if the offender is over 15 years old.¹⁷
- If a youth (age 14 and older) is directly filed to adult court on the grounds that the youth is a chronic felony offender, the youth has the right to ask for a pretrial hearing in adult court. During this hearing, the state must prove that the youth is a chronic felony offender. Otherwise, the court must transfer the youth to the juvenile court's jurisdiction.¹⁸
- Youth committed to juvenile correctional facilities are sent to one of four facilities. Combined, these four facilities have a maximum capacity of 900 beds;¹⁹

Key Research:

Children's Action Alliance. (2003). *Policy brief: prosecuting juveniles in the adult criminal justice system key issues and recommendations for Arizona*. Available online at: http://www.azchildren.org/MyFiles/PDF/_Juvenile_Justice_.pdf (available as of February 23, 2007).

State Resources:

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Prepared by the Campaign for Youth Justice

¹ Administrative Office of the Courts, Juvenile Justice Services Division. (2006). *Juveniles Processed in the Arizona Court System FY 2006*. Available from <http://www.supreme.state.az.us/jjsd/juvenilesproce/Ju vProc.htm>

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ The Annie E. Casey Foundation. (2007). *JDAI sites and contacts*. The Annie E. Casey Foundation: Helping vulnerable kids and families succeed. Retrieved July 25, 2007, from <http://www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative/SitesAndContacts.aspx>

⁹ Arizona Department of Juvenile Corrections. (2004). *CRIPA overview*. Retrieved July 23, 2007, from <http://www.juvenile.state.az.us/CRIPA/CRIPAHome.htm>

¹⁰ Ibid; Acosta, R.A. (2004, January 23). *Re: CRIPA investigation of Adobe Mountain School and Black Canyon School in Phoenix, Arizona; and Catalina Mountain School in Tucson, Arizona*. Retrieved July 23, 2007, from http://www.usdoj.gov/crt/split/documents/ariz_findings.pdf

¹¹ Arizona State Legislature. (2007, February 9). *Proposed amendment: Senate amendments to S.B. 1365 (Reference to printed bill)*. Arizona State Legislature: Forty-eighth legislature, First regular session. Retrieved July 26, 2007, from <http://www.azleg.gov/FormatDocument.asp?inDoc=%2Flegtext%2F48leg%2F1r%2Fproposed%2Fs%2E1365lg%2Edoc%2Ehtm>

¹² A.R.S. 8-321(B)

¹³ A.R.S. 8-305(C)(2)

¹⁴ Goemann, M. (2007). *Children Being Tried as Adults: Pre-trial Detention Laws in the U.S.* Washington, DC: Campaign for Youth Justice.

¹⁵ A.R.S. 13-501

¹⁶ Amnesty International USA. (2005). *The Rest of Their Lives: Life Without Parole for Child Offenders in the United States*. Available from <http://www.amnestyusa.org/document.php?lang=e&id=ENGUSA2005101205002>

¹⁷ National Center for Juvenile Justice. (2006, March 10). *Arizona Transfer Provisions*. Retrieved June 26, 2007 from <http://www.ncjj.org/stateprofiles/asp/transfer.asp?topic=Transfer&state=%2Fstateprofiles%2Fprofiles%2FAZ06.asp>

¹⁸ (A.R.S. 13-501(D) and (E).

¹⁹ See National Center for Juvenile Justice, 12.