



NOTES FROM THE FIELD

A product of the Status Offense Reform Center (SORC), Notes from the Field is a series profiling jurisdictions that have undertaken status offense system change.

What is a status offense?

Status offenses are behaviors that are prohibited under law only because of an individual's status as a minor, including running away from home, skipping school, violating a curfew, drinking under age, and acting "incorrigibly." They are problematic, but noncriminal in nature.

What is SORC?

SORC provides policymakers and practitioners with tools and information to create effective, community-based responses for keeping young people who engage in noncriminal behavior out of the juvenile justice system. The Center is a project of the Vera Institute of Justice and is supported by the John D. and Catherine T. MacArthur Foundation's *Models for Change* Resource Center Partnership.

Maricopa County, Arizona

POPULATION: 3,942,200

YOUTH POPULATION: 1,013,100

MAIN COMMUNITY MAKEUP: Urban/Suburban

The Call to Action

Maricopa County, Arizona—which encompasses the city of Phoenix and is the fourth most populated county in the nation—first began to change its approach to status offenses in the mid-1990s. At that time, youth who committed status offenses were handled almost exclusively by the county's juvenile court, using processes similar to those applied in delinquency cases. Many youth were eligible for diversion—programs, such as substance abuse treatment or community service projects, that would lead to no formal charges if completed successfully—but were later subject to formal court involvement when diversion efforts failed. Youth with significant service needs were often referred directly to court, since Diversion Juvenile Probation Officers (Diversion JPOs) had limited resources to provide intensive services. Court officials became frustrated with how this approach affected truancy cases; punitive court responses seemed inappropriate in addressing school nonattendance, and two to three months would typically pass before a petitioned student would appear before the juvenile court judge or Diversion JPO. This meant that students often missed months of valuable school time before their behavior was addressed.

The county's Juvenile Probation office began to collaborate with school officials to tackle truant behaviors in schools rather than in the courts. This effort culminated in the creation of the Court Unified Truancy Suppression (CUTS) program. Under this program, probation officers conduct in-school hearings with truant youth, parents, and school representatives when a truancy petition is filed against a student. At the hearings, attendees work collaboratively to identify the source of a student's attendance issues; following the hearing, the probation officer recommends appropriate services or programs, which could include tutoring, counseling, or community service hours. Thanks to CUTS, the number of truancy cases resolved in court decreased by approximately one-third from 1998 to 2002.

Meanwhile, however, youth alleged to have committed other status offenses such as alcohol possession continued to overwhelm the Juvenile Superior Court docket. These youth were formally processed through court, and some were held in secure detention. After a conversation with the state's Office of Children, Youth and Families in 2010, county officials realized that such an approach was not only bad for youth, but also jeopardized their federal funding. By detaining some youth arrested for liquor law violations, Maricopa County was potentially out of compliance with one of the core requirements of the federal Juvenile Justice

Delinquency and Prevention Act.¹ This drove the Juvenile Probation Department to initiate an overhaul of their existing status offense system.

The Change Process

Juvenile Superior Court staff convened an oversight committee with court officials, probation officers, community members, and researchers from Arizona University. With the help of the university researchers, the committee analyzed promising practices for handling youth who commit status offenses, drawing on material made available by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). All of the material analyzed by the group indicated that youth committing status offenses should be treated differently from other youth in the juvenile justice system, with less formal processes and more social service support.

Based on their initial research, Juvenile Probation created Status Offense Court in 2010. Rather than be subject to court hearings identical to delinquency proceedings, youth alleged of status offenses instead appeared at expedited hearings in which probation officers would work with the presiding judge, county attorney, and assigned public defender to find the least restrictive intervention for the youth (diversion programs were favored over formal court processing). While this process dramatically reduced the number of youth detained, youth continued to be placed on formal probation. It also required considerable court resources. With the help and guidance of the county attorney's office, the oversight committee conducted further best practice research and decided to reform their process once again. This time, they aimed to not only reduce their reliance on secure detention, but also their reliance on formal court processes.

The Model

When a youth commits a status offense in Maricopa County, he or she now receives a citation and the option of either paying a fine or appearing with family members in newly-created Citation Court. Unlike normal juvenile delinquency proceedings, Citation Court is staffed by a court-appointed hearing officer with limited powers. The officer cannot issue formal court sanctions, such as probation or detention, but can mandate that youth participate in a range of programs, including counseling and substance abuse treatment. Hearing officers work with Juvenile Probation to match programs to youth and family needs. For example, a youth improvement workbook, to be completed by the youth and family together, has proven particularly successful in targeting status-offending behaviors while also promoting communication in distressed families. If youth do not comply with the recommended programs within 60 days, the hearing officer may revoke their driver's licenses until they turn 18 or

¹ The Juvenile Justice Delinquency Prevention Act (JJDP) sets forth core requirements with which states must comply in order to be eligible for federal juvenile justice funding under the statute. One such requirement is that youth charged with status offenses may not be placed in secure detention or locked confinement except in limited circumstances, including if found to be in violation of a valid court order. 42 U.S.C. § 5633(a)(11) (2012).

complete the required services. Following their hearing in Citation Court, youth are also asked to participate in a Juvenile Inventory for Functioning (JIFF) screening administered by court personnel and a social work student. Based on the JIFF results, the screeners then recommend optional community resources and services to youth based on their needs. Recommendations from the JIFF assessment remain voluntary and are not tied into court mandated programs.

Because Citation Court does not handle truancy cases, the program is complemented by the continuing front-end process to reduce truancy via the CUTS program. Since its inception in the mid-1990s, CUTS has been expanded to provide even earlier diversion services via CUTS LITE conferences. Participating schools now notify Juvenile Probation when they have a truant student, and probation officers will hold a meeting with the youth and family before the school even issues a citation. The goal is to identify what may be causing the child's attendance problem and develop solutions without formally issuing a citation. This approach has proved very effective in addressing school nonattendance as early as possible.

Monitoring Progress and Ensuring Success

Juvenile Probation has taken numerous measures to ensure the continued efficacy of its two status offense interventions. In order to increase law enforcement buy-in, Juvenile Probation officers regularly communicate with police officers on the new process for handling certain status offense citations. Through constant communication with law enforcement officials—who are oftentimes the first point of contact for youth entering the status offense system—Juvenile Probation ensures that the Citation Court's vision of least restrictive intervention remains a reality for youth in Maricopa.

Juvenile Probation has also collaborated extensively with school districts in implementing and refining the CUTS model. Because of their frequent school visits through CUTS LITE conferences, many probation officers have developed strong relationships with local school officials, leveraging these relationships to increase school participation in the program. Juvenile Probation also schedules frequent meetings with school officials to review the CUTS program, provide training, and solicit feedback.

Finally, Juvenile Probation collects both quantitative and qualitative data on its two programs. Each year, the department produces a data book of Juvenile Superior Court statistics, which includes court referral and detention rates for youth who commit status offenses. It has also tracked outcomes for students participating in the CUTS program, in order to evaluate whether the interventions were successful in avoiding future truancy citations. Finally, Juvenile Probation solicited qualitative feedback on the Citation Court process by issuing surveys to participating families.

Outcomes

Maricopa's two-pronged approach has led to significantly less court involvement and detention for youth who commit status offenses. Some notable outcomes:

- The number of truancy referrals to Juvenile Probation decreased by 52 percent, from 3,689 in 2007 to 1,760 in 2011.
- Ninety-seven percent of the students who participated in a CUTS LITE conference in 2012 did not have a formal truancy citation filed with the juvenile court within six months of the conference.
- In its first year of operation (2012-2013), Citation Court heard 131 cases. Only one-fifth of those cases resulted in an additional court referral during that year.
- Before instituting the Status Offense Court, which later became the Citation Court, Maricopa was found to be in violation of the JJDP A several times for its use of secure detention for status offenses. In the past fiscal year (2012-2013), the county did not impose any detentions in violation of the JJDP A.²

Reflections

Stress the importance of reform to all stakeholders: Michael Bane, the supervisor of the Citation Court and CUTS programs, explained, "Our [reform efforts] were successful because status offenses weren't just a probation issue or a county prosecutor issue. They were everyone's issue." He emphasized that any successful status offense reform movement begins with an explanation of how status offenses impact the community and why changing the existing system would benefit all stakeholders. For example, Juvenile Probation won many schools' approval for the CUTS program because they effectively communicated to school officials how a more immediate approach to truancy could keep attendance issues from escalating.

With new programs, start small: In implementing the Citation Court, Juvenile Probation initially kept the program and its staff relatively small: only two designated probation officers were trained to participate. Limiting the size of the program not only allowed for effective monitoring in its beginning stages, but also enabled the department to limit the front-end costs that would be associated with training the entire staff. Restricting the number of staff also increased overall buy-in, since assigned staff members were intimately involved with all aspects of the program.

² Note: While many states have gone beyond the JJDP A and have prohibited their courts from imposing detention for violation of a valid court order, Arizona still allows for use of the VCO exception in detaining youth who commit status offenses.