

**Arizona Code of Judicial Administration**  
**Maricopa County Juvenile Probation Feedback**  
**Section 6-105.01: Powers and Duties of Officers Evidence-Based Practices**

The Maricopa County Juvenile Probation Department respectfully submits the following comments regarding proposed draft changes to Powers and Duties of Officers Evidence-Based Practices.

Section:

**A. Definitions**

**Comment:** "Child," "youth" or "juvenile" definition should be updated to reflect new statutory language of extended jurisdiction.

**Suggested Language:**

"Child" "youth" or "juvenile" means "an individual who is under the age of eighteen years," as provided in A.R.S. § 8-201(6) OR UNTIL THE JUVENILE IS NINETEEN IF JURISDICTION IS RETAINED PURSUANT TO [A.R.S. § 8-202, SUBSECTION H](#).

**B. E.3.h Duties of Probation Officers**

**Comment:** E(3)(h) Juveniles can generate multiple referrals in a short time-span. This can be the result of law enforcement clearance or submission practices which may not reflect the timing of the offending and can create a clustering of new referrals. This can result in the over-assessing of the juvenile. The current language suggests that a new assessment should be completed after every referral. It is recommended that assessments only be completed after adjudication per the disposition tool instructions. In addition, variation in re-offense rates exist among counties due to a variety of factors. Optimally, assessment instruments should be validated at the local level when it is feasible. Further, the use and application of any assessment instrument should take into consideration risk dispersion and the impact on system resources and both formal and informal decision-making. Risk impacts many key decision points in the system. The proposed ACJA changes result in a shift of staffing resources for Maricopa County as a result of projected increase toward the moderate and high-risk categories. This shift is the result of recently modified cutoff scores in the AZYAS. The shift in cutoffs was guided by the results of the recent validation study and the shifts in cutoffs result in lower re-offense rates particularly among low risk youth, 27% versus 21%. A recent review by the Department using more recent risk and re-offense data indicates that the current re-offense rates are comparable to the newly projected. Last, the reduction in high re-offense rates does not necessarily justify the shifting of a significant number of moderate risk youth to high risk, 52% to 50%, for Maricopa County. The validation study was a valuable and necessary study to be completed and Maricopa agrees that some adjustment in risk cutoffs is necessary. However, local jurisdictions should have the ability to refine such adjustments when appropriately considering local data, local resources, and operational plans.

**Suggested Language:**

E.3(h) Conduct a youth assessment for each juvenile who is ADJUDICATED DELINQUENT IN the juvenile court and update the assessment on each subsequent ADJUDICATION EXCLUDING ADJUDICATIONS FOR VIOLATIONS OF PROBATION. The court shall use the assessment to determine the appropriate disposition of the juvenile. The results of the assessment shall be used by the probation officer to recommend a level of supervision and to formulate a case plan for the juvenile. THE JUVENILE PRESIDING JUDGE MAY APPROVE THE USE OF ALTERNATIVE RISK ASSESSMENT SCORE AND RISK CATEGORIZATION STRATEGIES AFTER CONSIDERING

**Arizona Code of Judicial Administration**  
**Maricopa County Juvenile Probation Feedback**  
**Section 6-105.01: Powers and Duties of Officers Evidence-Based Practices**

LOCAL REOFFENSE RATES, RESOURCE ALLOCATIONS, AND A CONTINUED ADHEREANCE TO EVIDENCED BASED PRACTICES AND PRINCIPLES.

**C. E.3.h(2) Duties of Probation Officers**

**Comment:** E(3)(h)(2) Consider removing detailed disposition choices within ACJA as it prevents changes if updates need to be made in the future. The matrix is new and being piloted. Including this language in Code at this time is unnecessary.

**Suggested Language:**

E.3(h)(2) The disposition tool of the youth assessment shall be completed post-adjudication/ pre-disposition following the adjudication and prior to the disposition. The probation officer shall use results of the assessment the Recommendation Matrix to recommend level of placement and supervision GUIDE a disposition RECOMMENDATION. of Court Consequence, Short term Standard Probation, Standard Probation, Juvenile Intensive Probation Supervision or commitment to the Arizona Department of Juvenile Corrections.