

# JUVENILE JUSTICE PUBLIC SAFETY IMPROVEMENT ACT

## *Juvenile Citations*

### WHAT QUALIFIES AS A JUVENILE CITED VIOLATION?

Law enforcement will use a traffic ticket to initiate proceedings against children accused of the following cited violations:

1. Petty theft in the second degree;
2. Intentional damage to property, four hundred dollars or less;
3. Purchase, possession, or consumption of alcoholic beverage by person under twenty-one years; and
4. Truancy.

### HOW WILL THE JUVENILE CITATION PROCESS WORK?

A child issued a juvenile cited violation must appear in front of a judge with a parent, guardian or custodian on the next court date. The hearing and any records or resulting judgments will be closed and confidential. Judgments will not be considered adjudications. A state's attorney may choose to proceed in several different ways at that first hearing:

1. Refer the child to diversion; or
2. File a formal delinquency petition for any petty theft or intentional damage to property case; or
3. File a formal CHINS petition for any alcohol violation or truancy where the child has two prior truancies or alcohol judgments; or
4. Prosecute the juvenile cited violation complaint.

If the state's attorney refers the child to diversion and the child is accepted, the child participates in diversion. If the state's attorney files a petition, the case proceeds in the normal course for a juvenile delinquency or CHINS matters.

If the state's attorney prosecutes the complaint on the cited violation, the child can admit or deny. If the child denies, the child can have a bench trial. If the child admits or the Judge finds the child in violation of the complaint, the Judge then has these judgment options:

1. A fine and court costs not to exceed \$100, or community service in lieu of payment;
2. Restitution, or community service in lieu of restitution; and
3. Suspension or revocation of the child's driving privilege, if the judgment is entered on an alcohol violation.

The Court can set a hearing to review compliance with the terms of the judgment.

