

MESA POLICE Department Policy Manual	Definitions	DPM 3.5.1 Effective 04/06/2012
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1. PURPOSE

This policy provides Mesa Police Department (MPD) members definitions of the terms related to juvenile incidents and investigations. [\[ALEAP 18.1\]](#)

2. DEFINITIONS

Abuse: The infliction or allowing of physical injury, impairment of bodily function or disfigurement or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior and which emotional damage is diagnosed by a medical doctor or psychologist and is caused by the acts or omissions of an individual who has the care, custody and control of a child.

- Abuse includes “*inflicting or allowing sexual abuse pursuant to [ARS 13-1404](#), sexual conduct with a minor pursuant to [ARS 13-1405](#), sexual assault pursuant to [ARS 13-1406](#), molestation of a child pursuant to [ARS 13-1410](#), commercial sexual exploitation of a minor pursuant to [ARS 13-3552](#), sexual exploitation of a minor pursuant to [ARS 13-3553](#), incest pursuant to [ARS 13-3608](#) or child sex trafficking pursuant to [ARS 13-3212](#).*”
- The definitions above are drawn from [ARS 8-201](#) and applies when determining if the juvenile is in need of protection and should be taken into "temporary custody."

Child, Youth, Juvenile: A individual who is under the age of 18.

Custodian: A person, other than a parent or legal guardian, who stands in loco parentis to the child, or a person to whom legal custody of the child has been given by order of the juvenile court.

Delinquent Act: Includes an act by a child, which if committed by an adult would be a criminal offense, including a violation of [ARS 4-244, paragraph 9](#), a violation of any law of this state, or of another state, if the act occurred in that state, or a law of the United States, or a violation of any law which can only be violated by a minor, and which has been designated as a delinquent offense, or any ordinance of a city, county or political subdivision of this state defining crime, except that any child remanded for prosecution as an adult shall not be adjudicated as a delinquent child for the same offense for which the child was removed.

Delinquent Juvenile: A child who has been adjudicated to have committed a delinquent act.

Dependent Child: A child who has been adjudicated to be:

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- In need of proper and effective parental care and control and who has no parent or guardian, or one who has no parent or guardian willing to exercise or capable of exercising such care and control.
- Destitute or who is not provided with the necessities of life, including adequate food, clothing, shelter or medical care, or whose home is unfit by reason of abuse, neglect, cruelty or depravity by a parent, guardian, or any other person having custody or care of the child.
- Under eight years of age and who is found to have committed an act that would result in adjudication as a delinquent juvenile or incorrigible child if committed by an older juvenile or child.

Incorrigible Child:

A child is incorrigible who:

- Is adjudicated as one: or
- Is habitually truant from school; or
- Is a runaway from their home, parent, guardian or custodian; or
- Habitually behaves in such a manner as to injure or endanger the morals or health of self or others; or
- Commits any act constituting an offense that can only be committed by a minor; or
- Fails to obey any lawful order of a court of competent jurisdiction given in a non-criminal action.

Juvenile Referral: A written request from a police department, school, parent or guardian asking the Superior Court - Juvenile Division to take action regarding an alleged delinquent act by a juvenile

Non-Offender: A neglected, dependent, or abused child.

Non-Secure Area: An area where the juvenile is held in an unlocked room or if it is secure it is only used for processing the juvenile.

Status Offender: In accordance with Superior Court of Arizona, Maricopa County, a **status offense** is a noncriminal act that is considered a law violation only because of a youth's status as a minor (e.g., violating curfew, underage use of alcohol, running away from home, truancy from school, etc.).

REFERENCES

- [ARS 4-244](#)
- [ARS 8-201](#)
- [ARS 13-501](#)
- [ARS 13-1404](#)

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- [ARS 13-1405](#)
- [ARS 13-1406](#)
- [ARS 13-1410](#)
- [ARS 13-3552](#)
- [ARS 13-3553](#)
- [ARS 13-3608](#)
- [ARS 13-3212](#)
- [ARS 15-803](#)