

CRIMINAL JUSTICE GLOSSARY

ACQUITTAL: Judicial deliverance from a criminal charge on a verdict or finding of not guilty.

ADJUDICATION HEARING: Stage in juvenile court proceedings in which a judge presides on behalf of the juvenile to determine if he or she actually committed the alleged offense. If the judge rejects the allegations, the juvenile is released. The judge may believe the allegations to be true, but withhold adjudication on condition that the juvenile agrees to enroll in a community program that the court feels will help resolve the problem.

AFTERCARE: Control, supervision and care exercised over juveniles released from facilities through a stated release process. It may include probation, counseling, enrollment in a community program or any of many forms of treatment designed to lessen the chance that the youth will get in trouble again.

ALTERNATIVE TO INCARCERATION (ATI): Any program that enables the individual to attend a specialized court such as Drug Court or Mental Health Court or otherwise avoid incarceration in order to get treated for an issue including but not limited to substance use disorder, mental health issues, or traumatic brain injury.

ARREST: Holding in legal custody, either at the scene of a crime or as a result of investigations. Arrest could also be the result of a complaint filed by a third party, an outstanding warrant or a revocation of probation or parole.

ASSESSMENT: Evaluation or appraisal of a candidate's suitability for substance abuse treatment and placement in a specific treatment modality/setting. This evaluation includes information regarding current and past use/abuse of drugs; justice system involvement; medical, familial, social, educational, military, employment and treatment histories; and risk for infectious diseases (e.g., sexually transmitted diseases, tuberculosis, HIV/AIDS and hepatitis).

BAIL HEARING: Appearance in court before a magistrate at which bond is set or a determination is made to retain in jail or release.

CLASSIFICATION: Process through which the educational, vocational, treatment and security needs of an offender are determined.

COMMITMENT: Action of a judicial officer ordering that a juvenile subject to judicial proceedings be placed in a particular kind of confinement or residential facility for a specified reason authorized by law; also, the result of the action, that is, the admission to the facility.

CONDITIONS OF RELEASE/PAROLE: Requirement(s) to which an inmate must agree in order to be released on parole. These conditions can include: (1) participation and completion of an alcoholism or substance abuse program; (2) attendance at a self-help group (such as AA or NA [although recently challenged in court]); (3) staying abstinent from alcohol and other non-prescribed drugs; (4) staying out of bars and taverns, etc. Failure to comply can result in revocation of parole and may lead to re-incarceration.

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CONTINUUM OF CARE: Early, thorough and substantial substance abuse treatment delivered in an unbroken manner throughout the entire criminal case-handling process, from arrest through the completion of the sentence. The components of the system must transfer not only the offender but also the cumulative record of what the system has learned and what it has done from arrest to reintegration.

CORRECTIONAL FACILITY: Facility for the incarceration of individuals accused or convicted of criminal activity. A correctional facility must have a separate perimeter that precludes the regular co-mingling of the inmates with inmates from other facilities.

CRIMINOGENIC: Causing or generating crime.

DAY REPORTING CENTER: Place where offenders must report while on probation or parole to receive supervision. Day reporting centers may include educational services, vocational training, treatment and other service deliveries.

DELINQUENT YOUTH: Also referred to as a juvenile delinquent or a criminal-type offender, a youth who has been charged with or adjudicated for conduct that would, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.

DETAINEE: Juvenile held in local, very short-term confinement while awaiting consideration for pretrial release, first appearance for arraignment or disposition.

DETENTION: Temporary care of a juvenile offender or of a juvenile alleged to be delinquent who requires secure custody in a physically restricting facility pending disposition of the case.

DETOXIFICATION: Structured medical or social milieu in which the individual is monitored for withdrawal from the acute physical and psychological effects of addiction.

DISMISSAL: Decision by a court to determine adjudication of all outstanding charges, an action justified when the pre-interview investigation and the facts disclosed in discussing the case indicate to the probation officer that the case is unfounded or when the evidence is untrustworthy or insufficient and does not warrant or stain the charges (as referred to as *nolle prosequi*).

DISPOSITION HEARING: Hearing held subsequent to the adjudicatory hearing in which the judge determines what order of disposition should be made concerning a juvenile adjudicated as delinquent. A disposition may be probation, a warning or reprimand, some form of community service, a fine or "home detention," in which the juvenile continues to live at home but receives rigorous daily counseling. A more stringent disposition may include training school or group home placement.

DIVERSION: Process whereby a defendant's prosecution is deferred or dropped if certain conditions are met. Diversion is also the judicial option to refer prison-bound cases to a review board, which, in turn, may recommend that the original sentence be modified or suspended and that the offender be placed in a residential or nonresidential program.

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DRUG TESTING: Technical examination of urine, blood, hair or saliva samples to determine the presence or absence of specified drugs or their metabolized traces.

DRUG USE FORECASTING: Arrestee urinalysis data based on studies conducted under the Drug Use Forecasting (DUF) System of the National Institute of Justice.

ELECTRONIC HOME SURVEILLANCE: A sanctioning alternative avoiding incarceration but maintaining close monitoring and control of offender's location. Typically, offender will wear some device that will send alarm to monitoring agency should offender go too far from assigned location (usually his home).

FELONY: More serious, major offense, which usually involves a sentence of incarceration.

FINANCIAL BAIL: Amount of money, set by the judge, that is used to ensure the defendants appearance at court.

GROUP HOME: A non-secure residential program emphasizing family-style living in a homelike atmosphere. Program goals are similar to those for large community residential programs. Although group homes usually house youths who are court committed, they also house abused or neglected youths who are placed by social agencies.

HALFWAY HOUSE: Transitional facility where the client is involved in school, work, training, etc. The client lives onsite while either stabilizing or reentering society drug-free. The client usually receives individual counseling, as well as group/family/marital therapy.

INFECTIOUS DISEASES SCREENING/TESTING: Administration of screening tests that are sensitive and specific for the detection of tuberculosis, sexually transmitted diseases, HIV/AIDS and other infectious diseases (e.g., the Mantoux [purified protein derivative] test of tuberculosis, serologies for syphilis [nontreponemal tests and treponemal confirmatory tests] and Western Blot and ELISA for HIV/AIDS).

INTAKE/ARREST: Action of taking a juvenile into custody for the purpose of charging him or her with a crime. The juvenile justice process often begins with an investigation by a police officer, either because he or she observes a law violation or because a violation is reported. The police officer may release the juvenile to his or her parent with a warning or reprimand or on condition that the juvenile enroll in a community diversion plan, or the officer may take the juvenile into custody and refer the matter to the juvenile court's intake officer for further processing.

INTAKE HEARING: Early stage in juvenile court proceedings in which a court officer makes a legal judgment of the probable cause of the petition. Generally, an intake officer receives, reviews and processes complaints, recommends detention or release and provides services for juveniles and their families, including diversion and referral to other community agencies.

INTERMEDIATE SANCTIONS: Community-based program providing increased surveillance, tighter controls on movement, more intense treatment for a wider assortment of maladies or deficiencies, increased offender accountability and greater emphasis on payments to victims and/or corrections authorities.

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JAIL: To hold a person in lawful custody, usually while he or she is awaiting trial. In some jurisdictions, jails are used punitively for offenders serving short-term sentences or sentences to work release or weekends in jail. Jails range in size from rural jails having a dozen cells to urban jails having thousands of cells.

JUVENILE: Person under the age of 21 years or as defined in the local jurisdiction as under the age of minority.

JUVENILE DELINQUENT (JD): Term for juvenile who has committed a more serious offense, such as a felony.

JUVENILE OFFENDER (JO): A juvenile who has committed most serious felony - usually violent in nature. A juvenile offender is increasingly being treated the same as adults and sent to adult prisons.

LEVELS OF SUPERVISION/LEVELS OF SERVICE: Terms which apply to assessments which, by evaluating risk factors and client needs, attempt to find the assigned levels of supervision to ensure public safety without undue cost (increased supervision, including incarceration, costs more) and the optimum level of service without undue cost.

MANDATORY RELEASE: Required release of an inmate from incarceration upon the expiration of a certain period as stipulated by a determinate sentencing law or by parole guidelines.

MISDEMEANOR/STATUS OFFENSE: Minor offenses against society (misdemeanor) [for example, first DWI or petty theft] or against maintenance of proper role and function in society (status offense) [for example: truancy or failure to mind parents], punishable by up to a year in jail and/or a fine or diversion to chemical dependency treatment.

NON-FINANCIAL CONDITIONS: Requirements for release set by the judge that do not include monetary payment (e.g., required participation in supporting services, such as substance abuse treatment).

ON RECOGNIZANCE: Released on one's own responsibility (i.e., released with an obligation to appear in court, but the release is not secured by financial bail).

OTHER HUMAN SERVICES: Supplemental services provided outside the treatment facility, such as job placement, training, food stamps and vocational rehabilitation.

PAROLE: Process of being released from prison before the completion of a sentence. Parole involves supervision and other stipulations and prohibitions on certain activities imposed by a board of parole.

PETITION: Application for court order or other judicial action. In juvenile proceedings, a petition is a document alleging that a youth is delinquent, a status offender or a dependent child and asking that the court assume jurisdiction over the juvenile.

PERSON IN NEED OF SUPERVISION (PINS): Term for a juvenile who has committed a status offense or misdemeanor.

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PRE-RELEASE ASSESSMENT: This information should be available to the judge, prosecutor and other participants at the time of the pre-sentencing hearing or trial/sentencing. If the individual is paroled, this information should be conveyed to the parole officer for follow-up and evaluation. Recommendations for referral for treatment can be made at this time.

PRE-TRIAL HEARING: Event at which the prosecutor, defense attorney and judge meet prior to a trial to establish parameters for the trial. A plea bargain is often negotiated at this point.

PRISON: Secure institution in which offenders are confined after sentencing for crimes. Prisons are classified as minimum-, medium- or maximum-security facilities, based on the need for internal institutional fortification. Inmates are similarly classified, by severity of offense and/or other behavior, and are usually assigned to prisons having a corresponding level of security.

PROBATION: Sentence of community-based supervision. Probation includes stipulations and prohibitions on certain activities and often includes fines imposed by the court at the time of sentencing.

RECIDIVISM: Repetition of criminal behavior.

RELAPSE PREVENTION: Strategy to train substance abusers to cope more effectively and to overcome the stressors/triggers in their environments that may lead them back into drug use and dependency.

RISK/NEEDS ASSESSMENT: Comprehensive report that includes the client's social, criminal and other history. The report usually includes a recommendation for sentencing if the client is found guilty.

SHELTER CARE: Any non-secure public or private facility designated to provide either (1) temporary placement for alleged or adjudicated status offenders prior to the issuance of a disposition order or (2) longer term care under a juvenile court disposition order.

SOCIAL INVESTIGATION: Investigation into the background and character of a delinquent that assists the court in determining the most appropriate disposition.

STATUS OFFENDER: A youth who has been charged with or adjudicated for a status offense, which is conduct declared by statute to be a crime for children, but which would not be a crime if committed by an adult under the law of the jurisdiction where the offense was committed.

TRAINING SCHOOLS, CAMPS AND RANCHES: Non-secure residential programs providing services to youth. Training schools are also known as youth development centers, youth villages, youth treatment centers, youth service centers or schools or homes for boys or girls. Camps and ranches are generally located in relatively remote or rural areas. Camps have structured programs that emphasize outdoor work, including conservation and related activities. Typically, ranch residents participate in a structured program of education,

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recreation and facility maintenance, including responsibility for the physical plant, its equipment and livestock.

TRANSITIONAL ACCOUNTABILITY PLAN (TAP): Preparation and strategy for each individual prisoner's release from custody. The plan prepares for the prisoner's return to the community in a law-abiding role after release.

TREATMENT: Any intervention that may change behavior. Substance abuse treatment involves planned, therapeutic intervention, with the ultimate goal of the client discontinuing the substance use or abuse. Substance abuse treatment generally consists of specific modalities designed to meet a client's need for structure.

TRIAL/SENTENCING: Court hearing at which a prosecutor presents a case against the defendant to show that he or she is guilty of a crime; the judge or jury decides the verdict. Sentencing is the disposition of a case where penalties are imposed.

WORK RELEASE: Alternative to total incarceration, whereby inmates are permitted to work for pay in the free community but must return to the institution during their non-working hours.