

Salt Lake County Division of Youth Services



WHAT THE JUVENILE COURT CAN DO

A. GENERALLY

The Juvenile Court has the authority to deal with cases involving persons under 18 years of age, persons 18 years or older whose offenses occurred when the person was under the age of 18 and are under the continued jurisdiction of the Court. The Juvenile Court can maintain jurisdiction over any person up to the age of 21. The Juvenile Court can retain jurisdiction concerning persons over the age of 21, who has failed to comply with an order of the court to pay fines/ restitution if the order was imposed prior to the person's 21st birthday.

The penalties for "minors" (persons under age of 18) who violate federal, state, or municipal laws are not the same as the penalties for "adults" (persons 18 or older) who violate the same law. However, the Juvenile Court has very broad discretionary powers and can order sanctions, penalties, etc., which are considered to be reasonable for the best interest of the minor or for the protection of the public.

B. CITATIONS/CITABLE OFFENSES - The following offenses can be filed in the Juvenile Court by citation:

- Fish and Game Violations
- Boating/Recreational Violation
- Curfew Violations
- Any Class B Misdemeanor or less traffic violations, if minor is under 16 years of age.
- Any Class B or C Misdemeanor infraction
- Any other infraction or misdemeanor, as designated by the Board of Juvenile Court Judges
- Tobacco Violations

C. POSSIBLE COURT ACTIONS - The type of actions, sanctions, penalties, etc., that the Juvenile Court may impose include:

1. Placing a minor on probation, probation state supervision, or under protective supervision within the home.
2. Placing a minor in legal custody of a relative or other suitable person.
3. Placing a minor in the legal custody and guardianship of a Dept. of Human Services agency such as: State Division of Social Services, Division of Child and Family Services, Division of Youth Corrections, or any other public agency deemed appropriate.
4. Committing a minor to the custody and guardianship of the State Division of Youth Corrections for out-of-home placement in secure confinement, residential and/or community based programs, out-of-state residential programs, Wilderness/Ranch therapeutic programs or observation and assessment.
5. Ordering minor to replace, repair, or otherwise make restitution for damage or loss caused by the minor.
6. Ordering the minor to pay court fines/fees, or impose a work order, or community hours.
7. Ordering parent/guardian/custodian and minor to become involved in appropriate counseling and treatment programs.
8. Termination of all parental rights.
9. Certification of a minor to be tried as an adult in the District Court.
10. Commitment to detention for violating previous court orders or when convicted of an act which, if committed by an adult, would be a criminal offense.

D. UNPAID FINES OR RESTITUTION ORDERS - A 1983 law added to the Operator's and Chauffeurs License Act allows for the suspension of the driver's license of any person who has an outstanding warrant for his/her arrest, unpaid, or overdue fines/fees/restitution/community hours. The Court can also establish a garnish of wages from your Utah State income tax refund for payment of delinquent fines and restitution.

E. PARENTAL RESPONSIBILITY - Parents/guardians/custodians whose child is placed in one of the Department of Human Services/Department of Health's 24-hour, Out-of-Home Care Programs are required by law to contribute financial support towards their child's care. The cost of supporting a child is based on their income and the number of dependent children living in the household. Parents are required to contact the Office of Recovery Services within ten days following the child's placement in an out-of-home service to arrange financial support.

ALCOHOL VIOLATIONS

- A. Anyone who sells or gives an alcoholic beverage to someone under 21 is guilty of a Class A misdemeanor.
- B. If you are under 21 and attempt to purchase, solicit, drink, or have in your possession any alcoholic beverage, you are guilty of a Class B misdemeanor. This includes in your car, public transportation, private limousine service, at a party, in the home, any public location, etc.
- C. If you are under the influence of alcohol to a degree that you may endanger yourself or others in a public place or you unreasonably disturb others in a private place, you may be guilty of a Class C misdemeanor.
- D. If you are under 21 and misrepresent your age or knowingly misrepresent the age of another under 21 for the purpose of obtaining an alcoholic beverage, you are guilty of a Class B misdemeanor.
- E. The "Open Container Law" states that no open container of any alcoholic drink shall be in a motor vehicle when the vehicle is on any highway.

Penalties: If you are under 18, the Juvenile Court has jurisdiction, except for violations of the "Open Container Law", in which case the Juvenile Court only has jurisdiction on minors under age 16.

1. Possession/consumption:

- First referral - bailable \$150.00 fee. Possible court appearance.
- Second referral—appearance in court required. Fine ranging from \$100.00 to \$500.00. Court will also suspend driver's license, impose 20-100 hours of community service, and may impose additional sanctions as deemed appropriate.
- Subsequent referrals—appearance in court required. Fine ranging from \$100.00 to \$500.00. Automatic suspension of driver's license, 20-100 hours of community service assessed, and additional sanctions imposed as deemed appropriate.
- Any driver under 18 with any amount of alcohol in their system can be charged with **DUI**.

2. Selling/supplying: Appearance in court required; fine up to \$500 + 85% surcharge, and on 1st conviction, the Court may order suspension of driver's license, may notify Driver's License Division, may impose 20-100 hours of community service; on 2nd conviction, the Court shall notify Driver's License Division of suspension, shall order 20-100 hours of community service.

3. Open container: Mandatory appearance in court required; fine up to \$97.00.

4. Under the influence—public intoxication: Mandatory appearance in court after first conviction. Fine ranging from \$100-\$500. Other sanctions as deemed appropriate by the Court.

5. Misrepresentation of age:

- First referral—Appearance in court required; fine ranging from \$100 to \$500. May impose suspension of driver's license, may impose 20-100 hours of community service.
- Second referral—Appearance in court required; fines ranging from \$100 to \$500. Automatic suspension of driver's license, impose 20-100 hours of community service, may impose additional sanctions as deemed appropriate.
- Subsequent referrals—Appearance in court required, fine ranging from \$100 to \$500. Automatic suspension of driver's license, 20-100 hours of community service assessed, and additional sanctions imposed as deemed appropriate.

Any case appearing in court may result in any imposition of possible court actions (see Juvenile Court Powers) in addition to any fine ordered.

If you are over 18, the penalty for violation of the corresponding paragraphs above could be a Class A misdemeanor - 1 year in jail or imprisonment and/or up to \$2,500 fine and for violations of A, B, and D above, there is a minimum mandatory fine of \$200.

CONTROLLED SUBSTANCE (DRUG/ALCOHOL) VIOLATIONS

- A. A **drug offense** consists of the possession, use, consumption, or distribution (giving away or selling) of any **controlled substance** (including marijuana, cocaine, steroids, or other drugs listed in the law); or any **imitation controlled substance** (something that looks like a controlled substance, even though it isn't); or any **drug paraphernalia** (things like hypodermic needles, bongs, roach clips, hash pipes, etc. which may be used to produce, package, distribute, or use drugs).
1. Possession, selling, or purchasing paraphernalia that could be related to drug use is a Class B misdemeanor offense.
 2. A violation involving the production or processing with intent to produce a controlled or counterfeit substance; or to distribute or agree, consent, offer or arrange to distribute a controlled or counterfeit substance; or to possess a controlled or counterfeit substance with intent to distribute, can be a Class A misdemeanor up to a first degree felony.
 3. Possession or use of a controlled substance; knowingly and intentionally permitting others to occupy your building boat, etc., for the purpose of possessing, using or distributing a controlled substance in any of these locations; to knowingly and intentionally be present where controlled substances are being used or possessed; and possessing an altered or forged prescription or written order for a controlled substance, can be a Class B misdemeanor up to a first degree felony.
 4. Violations involving the use of imitation controlled (look-a-likes) substances, including the manufacturing, distributing, and possession with intent to distribute, use or possession may result in a Class B or Class C Misdemeanor. The 1986 Legislature eliminated any difference between distributing for value and no value. Whether a controlled substance is given away or sold for a price, the penalty is the same. If the offense takes place in a public or a private elementary or secondary school or on the grounds of such, or within any structure or grounds of such structure that is used for any school activity by any public or private elementary or secondary school, or within 1,000 feet of any such school, structure or grounds, the severity of the penalty may increase.
- B. An **alcohol offense** consists of the possession, use, or distribution (giving away or selling) of any **alcoholic beverage** (including beer).
- C. Mandatory fee or fine, community service hours, and driver license suspension.
1. 1st Conviction of Any Drug Offense:
 - Court must assess 20 to 100 hours of community service and/or fine of \$100-\$500;
 - Community service hours may be credited for attending an approved substance abuse program.
 - Court must order suspension of driver license;
 - All of the above are in addition to any other penalties imposed.
 2. 1st Conviction of Alcohol Offense:
 - Court may order suspension of driver license;
 - Court may notify the Driver License Division;
 - Court may impose 20-100 hours of community service;
 - Community service hours may be credited for attending an approved substance abuse program.
 - Court may impose other sanctions.
 3. 2nd Conviction of Alcohol Offense
 - Court must order suspension of driver license;
 - Court must notify the Driver License Division;
 - Court must order from 20-100 hours of community service;
 - Community service hours may be credited for attending an approved substance abuse program.

Note: If a juvenile does not yet have a driver license, and is convicted of a drug or alcohol offense, the issuance of the driver license may be delayed for at least six months from the time the juvenile applies for driver's license.

- All drug offense referrals to the Juvenile Court require a mandatory court appearance, including the first offense.
- In addition to community service hours, fines ranging from \$100 to \$500 may be imposed.
- Any possession, distribution, or manufacturing of a methamphetamine-based drug is a felony charge.
- Possession of illegal substances on school property, parks, churches, or within a 1000 feet of a public/private school is automatically enhanced one full degree.

ENHANCEMENTS

An enhancement is where a person's degree of the offense (infractions, misdemeanors, felonies) are moved up one, or more degrees based on the seriousness of the offense and the repetitive referrals to the court for the same charges. A person is subject to an enhanced penalty under the following circumstances:

- A person used, carried, or possessed on his/her person or in immediate possession during an offense, a firearm.
- A person used, carried, or possessed on his/her person or in immediate possession a dangerous weapon while in a correctional facility .
- A person who has received two or more drug related charges.
- A person has received drug related charges while on, or within a 1,000 feet of a school's property, a building, a park or stadium used by a school, a preschool or child care facility, a church or synagogue, a public mall, stadium, theater, movie house, amusement park, arcade, recreational center, or parking lot or structure.
- A person has been convicted of a second domestic violence offense within a five-year period.
- A person commits an offense on or about, school property and uses or threatens to use a dangerous weapon.
- A person participates in a theft while in possession of a dangerous weapon.
- An offense committed by three or more persons. (Gang Enhancement)
- A drug offense occurs while in the boundaries of property occupied by any correctional facility, jail, or place of confinement.
- A person who has been previously convicted of at least two violent felonies.
- A person is a habitual sex offender .
- A person who has been convicted of at least two prior theft charges.

INHALING FUMES

PSYCHOTOXIC CHEMICAL VIOLATIONS (misusing glue, gasoline, and similar intoxicants)

- A. Anyone who smells or inhales the fumes of a psychotoxic chemical or possesses or purchases one for the purpose of
of
"getting high" is guilty of a Class B misdemeanor.
- B. Anyone who provides another person with a psychotoxic chemical for the purpose of "getting high" is also guilty of a Class B misdemeanor.

Penalties: If you are under 18, the Juvenile Court has jurisdiction. (See Juvenile Court Powers)

- C. If you are 18 or over, you are liable for a penalty which could be six months in jail, up to a \$1,000 fine, or both.

TOBACCO VIOLATIONS

- A. If you are under the age 19 and attempt to purchase, accept, or have in your possession tobacco in any form, you are guilty of a Class C misdemeanor.
- B. Anyone selling, giving, or furnishing tobacco to someone under 19 is guilty of a Class C misdemeanor on the 1st offense, a Class B on the 2nd and a Class A on subsequent offenses.
- C. Anyone who operates a business who knowingly allows a person under 19 to use any form of tobacco on the premises is guilty of a Class C misdemeanor.

Penalties: If you are under 18, the Juvenile Court has jurisdiction. (See Juvenile Court Powers)

If you are 18 or over, you are liable for a penalty which could be up to a \$500 fine, 90 days in jail or both for possession, for selling, giving, or furnishing to someone under 19. (See "When you Turn 18", page 8.)

Current violators are issued citations by the police or school officials. The Third District Juvenile Court process may result in a financial penalty of \$85.00 for each incident along with mandatory participation in a tobacco education class.

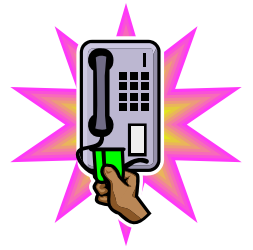
PROTECTIVE SERVICES

Under Utah law, "minor abuse or neglect" means causing harm or threatened harm to a minor's health or welfare. "Harm or threatened harm" means damage or threatened damage to the physical or emotional health and welfare of a minor through neglect or abuse and includes causing non-accidental physical or mental injury, incest, sexual abuse, sexual exploitation, molestation, or repeated negligent treatment or maltreatment. There are over 50 laws in Utah that protect minors age 17 and under from abuse and exploitation and law enforcement responds to keep the community safe and investigate such crimes. Most of these agencies have victim advocates that provide crisis support and referral to services.

If you have questions about abuse or neglect, please call the child abuse hotline:

1-800-678-9399 (24-hour hotline)

**Also report to your local law enforcement agency or the police agency
where the crime occurred.**



EMANCIPATION OF MINORS—(AGE OF MAJORITY)

The period of minority extends in males and females to the age of eighteen years; but all minors obtain their majority by marriage. It is further provided that the court in divorce actions may order support to age 21. If you are under the age of 18 and wish to get married, you must have your legal guardian's permission. A minor may petition the Juvenile Court for a Declaration of Emancipation. The minor must meet the following criteria to qualify for emancipation:

- A) 16 years of age or older
- B) Capable of living independently of his/her parents
- C) Capable of managing his/her financial affairs.

Further information regarding the emancipation process may be obtained from Juvenile Court.

RAPE

A person commits rape when the action involves sexual intercourse with another person without the other person's consent. Sexual misconduct is identified as having participated in any sexual behaviors with persons by touching the anus, buttock, genital area, breast, or otherwise takes indecent liberties with another person, or forces another person to take indecent liberties with you which includes the observation of pornography. Rape is a crime.

SEXUAL MISCONDUCT

According to Utah laws – teens and youth of a certain age range CANNOT consent to sexual activities. Even if a youth gave consent, they are not permitted by law to do so in certain circumstances – and anyone having sexual contact with them could face criminal charges. This rule still applies even if the contact was by a teen or youth with another teenager or youth. It is not an allowable defense if a person thought the minor was of an older age.

13 YEARS OLD AND UNDER – Youth of this age CANNOT consent to any type of sexual activity. It is unlawful to have any sexual contact with a child 13 years old and under and could result in felony charges of rape, sexual abuse of a child, sodomy, etc.

14 AND 15 YEARS OLD - Youth of this age CANNOT consent to sexual intercourse and sexual touching is also RESTRICTED depending on the age of the other person. Any sexual contact with a youth of this age could result in felony charges of unlawful sexual activity with a minor or sexual abuse of a minor, etc.

16 AND 17 YEARS OLD - Youth of this age CAN consent to sexual intercourse IF the other party is less than 10 years older than the youth. HOWEVER, it is UNLAWFUL to have sexual intercourse with a minor 16 or 17 years old if the person is 10 or more years older - even if the youth gave consent. Any sexual contact with a youth of this age could result in felony charges of unlawful sexual activity with a 16 or 17 year old, etc.

Penalties:

- Sexual crimes are considered serious and could begin with a CRIMINAL INVESTIGATION, possible ARREST, charged with a FELONY, which may result in PRISON time and other long-term CONSEQUENCES. Youth 17 and under are under the jurisdiction of the Juvenile Court and could face felony charges resulting in incarceration in a juvenile detention facility.
- A convicted adult could be permanently listed on the "SEX OFFENDER REGISTER" requiring annual registration with law enforcement about residence and work location for MONITORING purposes.
- Criminal charges can impact future JOB OPPORTUNITIES due to having a permanent FELONY RECORD.
- Criminal charges could ruin eligibility for IMMIGRATION STATUS resulting in DEPORTATION and/or denial of U.S. citizenship.

RUNAWAYS AND UNGOVERNABLES

- A. If you are under 18 and leave home without parental consent and/or with the intention of "running away", you are considered a "runaway". If you are under 18 and continually fail to comply with the reasonable and lawful requests of a parent or guardian, custodian or school authority to the point that you are beyond their control, you may be considered "ungovernable".
- B. Legislation (1977) gives original jurisdiction over runaways and ungovernables to the Division of Family Services or a contracting agency. In Salt Lake County, this agency is:

**Division of Youth Services
177 West Price Avenue, Salt Lake City, Utah 84115
801-269-7500 (24-hour hotline)**

The Division of Youth Services offers 24-hour crisis intervention for runaway and ungovernable youth and their families, and provides temporary shelter and assistance to homeless youth. Services include 48-hour interim shelter, host home time-out, 30-day group home services, individual and family therapy and aftercare support and educational services.

- C. If you are a runaway or ungovernable youth and continue to run or demonstrate ungovernable behavior that endangers you or the community, a community resources service representative (Youth Services Division staff) may make a referral to an appropriate Human Services agency for further intervention only after earnest and persistent efforts to work with you and your family have failed.
- D. If you are a runaway or ungovernable youth and you will not or cannot go home, temporary alternative living arrangements may be possible.

HARBORING A RUNAWAY

Utah State Code 62A-4a-501: Runaway means a youth who willfully leaves the residence of a parent or guardian without the permission of the parent or guardian. Harbor means to provide shelter in the home of the person who is providing the shelter; or any structure over which the person providing the shelter has any control. The requirement is to report within eight (8) hours, or as soon as it is reasonably practicable, of the time a person finds out the minor is a runaway. It is a class B misdemeanor to not report a runaway. The person must call the police, parent or legal guardian, nearest detention center, or youth services center by telephone or other reasonable means of the location of the minor. A parent or legal guardian may notify a law enforcement agency and request assistance in retrieving the runaway. A person may continue to provide shelter to a runaway after making the report. When any person has reason to believe that a child has been subjected to abuse or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately notify the nearest law enforcement agency or child protective service (see Utah State Code 62A-4a-403).

TRUANCY

Utah Law requires students to attend school until the age of 18. Only a District Board of Education can release you from school attendance and then not until you are 16. School authorities and parents are required to make earnest and persistent efforts to eliminate attendance problems. If these efforts fail, a referral can be made by the school district to Juvenile Court. (See Juvenile Court Powers)

A police officer, truancy specialist, truant officer or public school administrator may take you into temporary custody if you are absent from school without a valid excuse or pass. If you are taken into custody, you can be released to the school principal, a school receiving center, or parents or legal guardians. If parents or legal guardians cannot be reached and you refuse to return to school or go to the receiving center, you will be referred to the Salt Lake County Juvenile Receiving Center. Local school boards may now authorize the issuance of truancy citations by school administrators. Should you receive such a citation, you may be subjected to administrative penalties and to a fee assessed in accordance with a uniform fee schedule adopted by the State Board of Education.

DISRUPTIVE BEHAVIOR:

A minor whom continually participates in disruptive student behavior may be issued a citation and referred to Juvenile Court. Consequences for disruptive behavior may range from fines to court action.

CURFEW VIOLATIONS

- A. **In Salt Lake City**, if you are under **16** years of age, you are guilty of a curfew violation if you are out between the hours of **11:00 p.m. and 5:00 a.m.** If you are **16 or 17** years of age, your curfew is between **12:00 midnight to 5:00 a.m.**



It is up to you to know the curfew of the city you are in. Cities may have different designated curfew times. Refer to city ordinances for those times.

- B. In **Salt Lake County**, if you are under **16** years of age, your curfew is **10:00 p.m. to 4:00 a.m.** If you are **16 or 17** years of age, your curfew is **12:00 Midnight to 4:00 a.m.**

Penalties:

Because curfew violation is a status or "children's" offense, the Juvenile Court would impose a \$25.00 fee. In the Third District Juvenile Court, most curfew citations are handled by a bail-forfeiture process. Failure to pay may result in a formal appearance before the commissioner. Under most circumstances, curfew violators, not releasable to parent(s) will be taken to the Salt Lake County Juvenile Receiving Center.

SHOPLIFTING

- A. A police officer, store owner, or owner's agent may stop you if they suspect you of shoplifting and conduct a reasonable search for the allegedly stolen goods.
- B. You are guilty of theft by shoplifting if you take unauthorized control over a store's merchandise, remove (or attempt to remove) an item from the premises, or remove an item without paying for it.
- C. The mere possession of property recently stolen, when no satisfactory explanation of such possession is made, is sufficient for a presumption that the person stole the property.
- D. You are guilty of shoplifting if you are aware that someone else is shoplifting and you do nothing about the situation. You can be charged.
- E. You are guilty of shoplifting if you change the price tag to reflect a different price.
- F. You are guilty of shoplifting if you ask a peer to under ring the price on an item.

Penalties:

If you are under 18, the Juvenile Court has jurisdiction, and any of the possible Juvenile Court actions could be imposed. (See Juvenile Court Powers, page 1.)

For the shoplifter 18 years of age or over:

- Second Degree Felony (Stolen items valued over \$5,000): 1-15 years imprisonment and/or fine up to \$10,000.
- Third Degree Felony (Stolen items valued over \$1,000 but is less than \$5,000): 1-5 years imprisonment and/or fine up to \$5,000.
- Class A Misdemeanor (Stolen items valued between \$300 and \$1,000): up to 12 months in jail and/or fine up to \$2,500.
- Class B Misdemeanor (Stolen items valued at \$300 or less): up to 6 months in jail and/or a fine up to \$1,000.
- A person is also civilly liable for three times the amount of actual damage or loss of merchandise, attorney fees, and costs of the suit, from the retail business.

TRAFFIC VIOLATIONS

All persons under 21 are limited to a provisional license. At age 16 you may receive a temporary learner permit after successfully passing all parts of the written exam. Restrictions will be indicated on the permit according to Division rules. This is good for six months. Beginning at age 15, the Drivers License Division may issue an instruction permit effective for one year to any applicant enrolled in a Driver Education Program. Limits operation of a motor vehicle to when only an approved instructor is occupying a seat beside the permitted.

A license may not be granted to a person who has not completed a course in driver training approved by the Commissioner of the Department of Public Safety. For the first six months after receiving a license, anyone under 18 may not operate a vehicle on a highway with a passenger who is not an immediate family member.

Penalties:

If you are under 16, traffic offenses will be handled through Juvenile Court. (See Juvenile Court Powers)

If you are under 16 and receive a suspension of your license, suspension does not begin until the day you apply for a license.

If you are 16 and over, you can be referred to Juvenile Court, Circuit Court, or Justice of the Peace Courts for judgment. The Juvenile Court has limited but exclusive jurisdiction over auto homicide, DUI's, reckless driving, fleeing, and joyriding.

- A. Suspension of Driver's License: If a minor has been referred to the court and was adjudicated for allegations that resulted in the suspension of the minor's driver's license, the following procedures apply:
 - If you receive a citation for drug or alcohol offenses, the DMV will receive the citation from the officer and your license will be suspended within 30 days.
 - The Division of Motor Vehicles shall immediately suspend all driving privileges of any person upon receipt of an order suspending driving privilege.
 - 1st suspension—The DMV shall impose a suspension for 90 days, or if the person is under age to obtain a license, deny application for a driver's license for the first 90 days following the date of eligibility.
 - 2nd suspension—The DMV shall impose a suspension for 6 months, or if the person is under age to obtain a license, deny application for a driver's license for the first 6 months following the date of eligibility.
 - 3rd suspension or subsequent suspension—The DMV shall impose a suspension for 1 full year, or if the person is under age to obtain a license, deny application for a driver's license for 1 year following the date of eligibility.
 - If there is more than one license suspension, the terms are served consecutively.
- B. Other Traffic Violations other than an illegal operation of a motor vehicle:
 - Skateboarding violation—where the use of a skateboard on a road, highway, byway, etc., is prohibited. Class C misdemeanor, \$32.00 fine.
 - Jaywalking—Class C misdemeanor, \$43.00 fine.
 - Operation of an electronic motor device without proper license, \$47.00 fine.

HITCHHIKING

No person shall stand in a roadway, shoulder area or curb to "thumb" a ride.

If you are under 18 and found hitchhiking, you will be picked up and your parents will be contacted.

If you are over 18, a warning will be issued.

Law enforcement officials may issue citations and fines may be imposed. If given a citation for hitchhiking, fine imposed is \$47.00. State law considers hitchhiking a Class C misdemeanor.

WHEN YOU TURN EIGHTEEN

A. GENERALLY

The moment you turn 18 you may be tried within the adult court system, and you may receive the penalties that adult offenders receive for violation of federal, state, or municipal laws.

B. FELONIES - For violations classified as felonies (which include some drug and shoplifting offenses), the penalties include:

1. Probation - usually for first-time offenders.
2. Fine - at the Court's discretion: First or second degree felony up to \$10,000; third degree felony up to \$5,000.
3. Imprisonment - one year to life.
4. Death - for capital offenses.

C. MISDEMEANORS - For violations classified as misdemeanors (which include some drug and most shoplifting offenses), the penalties include:

1. Class A - 1 year in jail or imprisonment and/or up to \$2,500 fine.
2. Class B - 6 months in jail and/or up to \$1,000 fine.
3. Class C - 90 days in jail and/or up to \$750 fine.
4. Infraction - anything which is not listed as a misdemeanor is an infraction - with penalties up to \$750.00.

D. There are many specified offenses which, if committed in concert with two or more persons, subjects the convicted perpetrator to enhanced jail or prison time.

E. Any offenses committed before your 18th birthday will be handled by the Juvenile Court, even though you may have turned 18 years of age. The Juvenile Court can maintain jurisdiction of a person's case to the age of 21. The court can also maintain jurisdiction of a person's case after the age of 21, if the person has outstanding fines and/or restitution obligations.

CELL PHONES AND INTERNET

Many youth have cell phones with cameras and texting functions as well as personal computers with internet access and email or messaging functions. Often, youth are stunned to be CHARGED WITH A CRIME because they did not know the legal consequences of sending or transmitting **sexually explicit messages and photos** to others. This also applies if someone **forwards** a sexually explicit message or photo to others even if they did not create the original message – they have now COMMITTED A CRIME.

Facts: • Sending “sexually explicit” images or messages could result in CRIMINAL CHARGES, but 85% of teens had no idea it was a crime; • Images sent over the internet or cell phones are NOT TRULY PRIVATE OR ANONYMOUS and get shared with others; • Posting or sending sexual photos or messages on Facebook, MySpace and other social networks is a CRIME and could include local CRIMINAL charges as well as additional FEDERAL charges

What to do:

- Do not take risks with emails or texting so you can prevent unintended consequences!
- Do not take sexually explicit photos of yourself or others.
- Do not reply to or forward sexually explicit messages or photos.

EXPUNGEMENT (SEALING) OF A JUVENILE COURT RECORD

You may petition the Juvenile Court to seal (expunge) your Juvenile Court record under the following conditions:

- You must be 18 years or older.
- It must be at least one full calendar year following the date of termination from the jurisdiction of the Juvenile Court.
- It must be one full calendar year that all financial obligations to the court, (fines, fees, community hours, restitution) have been completed
- One full year following the “unconditional” release from the jurisdiction of the State Division of Youth Corrections.

To seal (expunge) your record you must:

Petition the Juvenile Court for an expungement hearing by contacting the clerical department of the Juvenile Court. Upon the filing of the petition, the court shall set a date for an expungement hearing and shall notify the County Attorney, District Attorney, or any agency with custody of the records, and inform them of the court hearing.

The County Attorney, District Attorney, or any other person who may have relevant information about the petitioner may give testimony during the hearing. If the court finds upon the hearing that the petitioner has not been convicted of a felony or misdemeanor since the release from the Juvenile Court jurisdiction, or the unconditional release from a secure facility, and has no felony/misdemeanor charges pending against him/her, and the court finds that the rehabilitation of the petitioner has been attained, then the Juvenile Court shall order all records in the petitioners adjudicated Juvenile Court cases to be sealed.

All adjudicated Juvenile Court cases will be sealed except for fingerprint records and traffic violations. Upon the entry of the order, the petitioners case shall be considered never to have occurred. Only the petitioner can request to reopen the sealed records, and this can only occur through a petition to the court for the re-entry of the record.

When petitioning for an expungement application you must:

- Appear at the Juvenile Court in your area to obtain an expungement application.
- You must pay a court-ordered non-refundable filing fee. Payment must be made at the time you apply for expungement.
- If you wish to take the application home to fill out, your signature must be notarized when you return the application to the court.
- You must have a picture ID with you at the time of your application.
- You must bring in certification of an adult background check proving no felony/misdemeanor violations are pending in the District Court.
- You must be free of criminal charges as an adult.

**THINK YOU'RE TOO YOUNG FOR PRISON?
UTAH'S SERIOUS YOUTH OFFENDER LAW**

Utah's "Serious Youth Offender Law" became effective July 1, 1995. This new law is resulting in more 16 and 17 year old youth being sent to adult court. To avoid this happening to you, we give you this warning:

- If you are 16 or 17 years of age and you are charged with murder or aggravated murder, you will be sent to the adult court. Your case cannot be tried in Juvenile Court.
- If you are 16 or 17 years of age and are charged with a felony, and have already been to Cornell Corrections or other secure facility in Utah, you will be sent to adult court. You cannot be tried in Juvenile Court.
- If you are 16 or 17 years of age and are charged with any one of the following ten offenses, you will be sent to the adult court unless you can convince the judge to keep you in the Juvenile Court:
 - Aggravated arson
 - Aggravated kidnapping
 - Aggravated burglary
 - Aggravated robbery
 - Second time felony use of a dangerous weapon.
 - Attempted aggravated murder
 - Attempted murder
 - Aggravated sexual assault
 - Shooting a firearm from a vehicle
 - Aggravated assault that intentionally causes serious bodily injury
- Note that the use of a weapon or serious injury or death to a victim will usually result in your transfer to adult court if you are the offender.
- If you are 14 years of age or older and are charged with any felony, you can be sent to adult court if the Juvenile Court certifies a request from the prosecutor for your transfer to adult court.

One thoughtless action can change the rest of your life.



Think before you act!

JUVENILE DRUG COURT

The Juvenile Drug Court was developed for first time misdemeanor drug offenders and second time alcohol offenders to address substance abuse issues. The goal of the Juvenile Drug Court is to assist minors and their families in preventing future substance abuse problems and address current substance abuse issues.

The Juvenile Drug Court is an optional program for those who qualify. The guidelines for participation into the Juvenile Drug Court Program are:

- Minor must live in the Salt Lake Valley, under the jurisdiction of the Juvenile Court.
- Minor must have limited juvenile court history.
- Ages 12- 17.
- No prior violent offenses.
- No outstanding fines, restitution, or community hours.
- Minor admits to the allegations.



Youth are evaluated for participation in the Juvenile Drug Court and, if appropriate, may be offered the chance to participate. Juvenile Drug Court is a six to ten month program. Initially, the time frame for each individual is determined by the results of a substance abuse evaluation. The minor enters a contract which binds him/her to comply with the rules of the program. The standard orders of the Juvenile Drug Court program include:

- 60 hours of community service per substance related offense.
- Substance abuse evaluation.
- Six to nine week educational program.
- Substance abuse treatment/counseling.
- Random drug screens.
- Regular school attendance.
- Tracking services.
- Court appearance every 4 -6 weeks.

In exchange for compliance and completion of the Juvenile Drug Court Program, the current drug/alcohol violations will be dismissed by the court. Other advantages are:

- Regular court supervision.
- Cessation of substance use.
- Increased family communication educational classes and/or counseling.
- Educational classes and/or counseling.
- No loss of driving privileges.

Salt Lake County Division of Youth Services
177 West Price Avenue, Salt Lake City, Utah 84115-4345
Phone: 801-269-7500

Web Site: www.youth.slco.org

The Division of Youth Services is part of a nationwide Safe Place network.
Visit our website for a list of Safe Place locations in Salt Lake County.

BOYS GROUP HOME
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7540

SUBSTANCE ABUSE TREATMENT AND PREVENTION
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7500

CHILDREN'S JUSTICE CENTERS:

- ◆ **Salt Lake Center:**
257 - 11th Avenue, Salt Lake City, UT 84103
Phone: 801-355-0781
- ◆ **South Valley Center:**
8282 South 2200 West, West Jordan, UT 84088
Phone: 801-566-3868

VOLUNTEER AND INTERN PROGRAM
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7506

CHRISTMAS BOX HOUSE
3660 South West Temple, SLC, UT 84115-4345
Phone: 801-284-3300

YOUTH EMPLOYABILITY SERVICES (YES)
◆ **Salt Lake Office:**
1385 South State Street #123, SLC, UT 84115
Phone: 801-468-0115
◆ **Tooele Office:**
305 West Main Street
Tooele, Utah 84074
Phone: (435) 840-2125

CRISIS INTAKE SERVICES (CIS)
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7500

DYS SOUTH:

- JUVENILE RECEIVING CENTER
- YOUTH SERVICES COUNSELING

CRISIS INTAKE SERVICES (CIS)
1262 West 12700 South, Riverton, UT 84065
Phone: 801-468-3830

GIRLS GROUP HOME
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7570

- JUVENILE RECEIVING CENTER (JRC)
- YOUTH SERVICES COUNSELING

INTENSIVE IN-HOME SERVICES
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7500

SUBSTANCE ABUSE TREATMENT AND PREVENTION
1262 West 12700 South, Riverton, UT 84065
Phone: 801-468-3830

SAFE PLACE
177 West Price Avenue, SLC, UT 84115-4345
Phone: 801-269-7500

This information was prepared and revised November 2009