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CHAPTER 2-4
JUVENILE JUSTICE
(Chapter revised 8/24/99)

§2-4-0 Purpose

The purpose of this Chapter is to secure for each child coming before the Tribal Court, such care, guidance, and control preferably in his/her own home or with an extended family member, that will serve his/her welfare and the best interests of the Nez Perce Tribe; to preserve and strengthen family ties whenever possible; to preserve and strengthen the child's cultural and ethnic identity whenever possible; to improve any home conditions or home environment which may be contributing to his/her delinquency; and, at the same time, to protect the peace and security of the Nez Perce Reservation and its individual residents from juvenile violence. To this end, this Chapter shall be liberally construed.

INTRODUCTORY PROVISIONS

§2-4-1 Definitions

(a) "Adult" means an individual who is eighteen (18) years of age or older or who is sixteen (16) years of age or older and has been married or who is sixteen (16) years of age or older and is the custodial parent of a child or who has been otherwise emancipated by the Court.

(b) "Child" or "minor" means an individual who is less than eighteen (18) years old who does not fall within the meaning of "Adult" as set out in §2-4-1(a).

(c) "Custodian" means a person, other than a parent or guardian, to whom custody of a child has been given.

(d) "Delinquent act" means an act which would be a crime if committed by an adult.

(e) "Detention" means exercising authority over a child by physically placing him in any juvenile facility designated by the Court and restricting the child's movement in that facility.

(f) "Domicile" means a person's residence in which they intend to remain indefinitely.

(g) "Emergency foster home" means a foster home which has been licensed to accept emergency placements of children at any hour of the day or night.

(h) "Foster home" means a home licensed by the tribe as provided in the Minor in need of Care chapter.

(i) "Guardian" means a person, other than a parent, assigned by a court of law, having the duty and authority to provide care and control of a child.

(j) "Habitual status offender" means any minor who has been found to have committed three (3) status offenses within twelve months.

(k) "Home Detention" means a dispositional alternative available to the Court whereby a juvenile offender may be released to the parent or legal guardian provided that the juvenile offender may not be out between the hours of 6:00 P.M. and 6:00 A.M. nor go beyond fifty (50) yards of the residence in which the Court ordered them to be detained without twenty-four (24) hour prior approval of the Court.

(l) "Juvenile delinquent" means a child who commits a delinquent act.

(m) "Juvenile shelter care facility" means any juvenile facility (other than a school) that cares for juveniles, including alcohol or substance abuse programs, emergency shelter or halfway houses, foster homes, emergency foster homes, group homes, shelter homes and medical facilities.

(n) "Parent" includes a natural or adoptive parent but does not include persons whose parental rights have been legally terminated, nor does it include the unwed father who has not been acknowledged or established as the child's biological father.

(o) "Probable cause" exists under this chapter when a tribal police officer has substantial objective basis for believing that a minor has committed or will commit a delinquent act. In determining whether probable cause exists, the officer may take into account all information which a prudent officer would deem relevant to the likelihood that an act has or will be committed and that the juvenile involved has committed or will commit such act.

(p) "Probation" means a legal status created by court order whereby a juvenile delinquent is permitted to remain in his home under prescribed conditions and under the supervision of a person designated by the court. A juvenile delinquent on probation is subject to return to court for further proceedings in the event of his failure to comply with any of the prescribed conditions of probation.

(q) "Secure juvenile facility" means a facility which (1) contains locked cells or rooms which are separated by sight and sound from any adult inmates; (2) restricts the movement of those placed in the locked cells or rooms, and (3) complies with the other requirements of the Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. 5601 et. seq.

(r) "Status offense" means truancy, running away from or being beyond the control of parents, guardian or custodian and curfew violations.

§2-4-2 Personal Jurisdiction

(a) Except as otherwise specifically provided, the Nez Perce Tribal Court shall have jurisdiction over any child who is a member or eligible to become a member of the Nez Perce Tribe no matter where domiciled, residing, or found and any other Indian child domiciled or found within the territorial boundaries of the Nez Perce Tribe. The Court may decline jurisdiction where a forum with concurrent jurisdiction is exercising its authority or in cases where neither the child nor either parent is a Reservation resident in cases where justice may require declination.

(b) To the extent necessary to make a proper disposition of the case, the Nez Perce Tribal Court shall have authority to exercise jurisdiction over all persons having the care, custody or control of a child over whom the Court exercises jurisdiction. This authority shall include the power to punish for contempt whether or not such contempt is committed in its presence.

§2-4-3 Extension of Jurisdiction

Under this Chapter, the Court has exclusive jurisdiction to try a child under eighteen (18) limited jurisdiction between eighteen (18) and twenty-one (21), and none thereafter. If the child turns eighteen (18) before a Petition is filed but after offense is committed, the child shall be tried as a juvenile, subject to §2-4-6.

Jurisdiction can be extended to twenty-one (21) if done before the juvenile is eighteen (18) in order to retain jurisdiction to impose sentence or to have time to execute full sentence.

§2-4-4 Capacity

A child under the age of six (6) is deemed incapable of committing a crime. A child of six (6) and under ten (10) is presumed incapable of committing a crime, but the presumption is rebuttable. A child ten (10) or over is deemed to be capable of committing a crime for capacity purposes.

§2-4-5 Nature of Juvenile Cases

Adjudication of a juvenile matter by the court shall not under any circumstances be deemed a criminal conviction unless the minor is tried as an adult for the alleged act.

§2-4-6 Trial as Adult

(a) The Tribal Prosecutor or the child may file a petition requesting the court to try a child as an adult if the child is fourteen (14) years of age or older and is alleged to have committed an act which would have been considered a crime if committed by an adult. Once the petition is filed, the court shall conduct a hearing on the matter.

- (1) The court may try the minor as an adult only if it:
 - (A) finds clear and convincing evidence that:
 - (i) there are no reasonable prospects for rehabilitating the child through resources available to the court; and
 - (ii) the act(s) allegedly committed by the child demonstrate conduct which constitutes a substantial danger to the public.

- (B) issues a written order that the child shall be tried as an adult with respect to the delinquent acts alleged in the petition after the conclusion of the hearing.

(b) If the child is between the ages of sixteen (16) and eighteen (18) and is accused of a violent offense: Aggravated Assault §4-1-39, Aggravated Battery §4-1-40, Aggravated Stalking §4-1-42, Murder §4-1-43, Manslaughter §4-1-44, Kidnaping §4-1-45, False Imprisonment §4-1-46, Rape §4-1-48, Forcible Sexual Penetration with a Foreign Object §4-1-49, Unlawful Sexual Intercourse §4-1-50, Sexual Assault §4-1-51, Sexual Molestation of a Minor under Sixteen §4-1-52, Aggravated Arson §4-1-55, Extortion §4-1-68, Domestic Violence §4-1-88, Abuse of Vulnerable Adults §4-1-89, Child Abuse §4-1-90, Riot §4-1-121, Setting a Dangerous Device §4-1-125, Weapons Offense §4-1-126, or Committing an Offense While Armed §4-1-127, the child will automatically be tried as an adult.

(c) Once a juvenile is transferred to Adult Court, he/she no longer meets the definition of a child or minor and all subsequent charges will be brought in Adult Court.

§2-4-7 Comity

State, federal or other Tribal Court orders involving children over whom the court has jurisdiction may be recognized by the court only after an independent review of such state proceedings has determined:

- (a) the court has jurisdiction over the child;
- (b) due process was provided to all participants; and
- (c) the proceeding did not violate the public policies or law of the tribe.

§2-4-8 Juvenile Probation Officers

(a) Such Juvenile Probation Officers as may be required to carry out the purposes of this Chapter shall be appointed by the Tribe. Juvenile Probation Officers shall be chosen for their ability and special aptitude for working with children. In addition, any members of Tribal Law Enforcement assigned duties similar to those of Juvenile Probation officers shall be deemed “Juvenile Probation Officers” for all purposes under this Chapter.

(b) Juvenile Probation Officers shall have the power and duty to carry out the objectives and provisions of this Chapter with regard to juvenile offender cases and shall:

- (1) make preliminary inquiries, social studies, and such other investigations as the Court may direct;
- (2) keep written records of such inquiries, social studies, and such other investigations and shall make written reports to the Court;
- (3) supervise and assist each child placed on probation or under his/her supervision;

- (4) keep informed concerning the conduct and conditions of each person on probation or under protective supervision and shall report thereon to the Court as the Judge may direct;
- (5) use all suitable methods to aid children on probation or under protective supervision to bring about improvements in their conduct or conditions;
- (6) take children into custody when there is reasonable cause to believe that they have violated conditions of their probation; and
- (7) perform such other duties in connection with the care, custody, or transportation of children as the Court may require.

(c) Juvenile Probation officers shall have the powers of Tribal Police Officers for purposes of this Chapter, but shall, whenever possible, refrain from exercising such powers except in urgent situations in which an on-duty Tribal Police Officer is not immediately available.

CUSTODY

§2-4-9 When Juvenile may be Taken into Custody

A Tribal police officer may take a child into custody when:

- (a) the child commits a delinquent act in the presence of the officer;
- (b) the officer has probable cause to believe the child has committed a delinquent act;
- (c) a custody order or warrant for child has been issued by the court;
- (d) when the officer has reasonable grounds to believe the child has committed a status offense; or
- (e) when the juvenile probation officer has reasonable cause to believe that the child has violated conditions of their probation.

§2-4-10 Notification of Rights

A Tribal police officer taking a child into custody shall inform the child that:

- (a) he has a right to remain silent;
- (b) anything he says can be used against him in court;
- (c) he has a right to the presence of his parent, guardian, or custodian and/or counsel during questioning; and
- (d) he has a right to an attorney at his own expense.

§2-4-11 Custody Procedures

(a) While in custody, a child shall not be fingerprinted or photographed except by order of the court.

(b) After taking a child into custody the officer shall:

- (1) release the child to the child's parent, guardian or custodian and issue verbal counsel or warning as may be appropriate;
- (2) release the child to a relative or other responsible adult if the child's parent, guardian or custodian consents to the release; or
- (3) deliver the child to a juvenile shelter care facility or a secure juvenile facility. Status offenders shall not be placed in any secure juvenile facility, but instead, may be placed in a juvenile shelter care facility.

COURT PROCEDURES IN JUVENILE MATTERS

§2-4-12 Petition

An advisory hearing shall be initiated by a petition filed by the tribal prosecutor on behalf of the tribe. The petition shall set forth with specificity:

- (a) the name, birth date, residence, and tribal affiliation of the child;
- (b) the names and residences of the child's parent, guardian or custodian;
- (c) a citation to the section containing the offense which the child is alleged to have committed;
- (d) a plain and concise statement of facts upon which the allegations are based, including the date, time and location at which the alleged acts occurred; and
- (e) whether the child is in custody and, if so, the place of detention, date and time he was taken into custody.

§2-4-13 Juvenile Proceedings (amendment authorized 10/9/01)

(a) During proceedings in juvenile matters:

- (1) unless otherwise provided by this chapter, the rules of procedure shall be the same as that for adult criminal proceedings;
- (2) the child and his parent, guardian or custodian present in court shall be informed by the court of the rights provided to the child by the arresting officer and the:
 - (A) allegations against the child;

- (B) right to cross-examine witnesses;
 - (C) right of the child to subpoena witnesses and to introduce evidence on his own behalf;
 - (D) privilege against self-incrimination;
 - (E) there is no right to a jury trial; and
 - (F) possible consequences if the allegations in the petition are found to be true.
- (3) the child has a right to an attorney at his own expense;
 - (4) the child has no right to a jury trial; and
 - (5) the general public shall be excluded.
- (b) Discovery
- (1) At the expense of the defendant and upon his request, the prosecutor shall permit the defendant to inspect and copy or photograph the following items which are within the possession, custody or control of the prosecutor and/or tribal police:
 - (A) relevant written or recorded statements made by the defendant or copies thereof;
 - (B) copies of the defendant's prior criminal record;
 - (C) books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof obtained in connection with the defendant's case;
 - (D) results or reports of physical or mental examinations, scientific tests or experiments, or copies thereof made in connection with the defendant's case.
 - (2) Regardless of a request by the defendant, the prosecution and/or tribal police shall at least fifteen (15) business days before the Adjudicatory Hearing if the defendant is not in custody and five (5) business days if defendant is in custody, provide the defendant with:
 - (A) any evidence of an exculpatory nature in their possession or of which they may be aware;
 - (B) written notice stating names and addresses of the witnesses the prosecution intends to call at trial.

- (3) Upon the request of the prosecutor and at the expense of the tribe, the defendant shall permit the prosecutor to inspect and copy or photograph:
 - (A) results or reports of physical or mental examinations, scientific tests or experiments made in connection with the defendant's case;
 - (B) books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof obtained in connection with the defendant's case.
- (4) Regardless of a request by the prosecutor, the defendant shall at least seven (7) business days before the Adjudicatory Hearing if defendant is not in custody and three (3) business days if the defendant is in custody, provide the prosecution with written notice of names and addresses of the witnesses it intends to call at the Adjudicatory Hearing.
- (5) If, prior to or during trial, a party discovers additional evidence or material which is subject to discovery or inspection under this rule, such party shall promptly notify the other party or the court of the existence of the additional evidence or material.
- (6) Except to the extent such material is otherwise subject to discovery, this rule shall not authorize the discovery or inspection of:
 - (A) reports, memoranda, or other internal documents made by the defendant, an attorney for either party or agents of the either party in connection with the investigation, prosecution or defense in the case;
 - (B) statements made by the defendant, witnesses or prospective witnesses in connection with the case.
- (7) Upon motion by a party, the court may deny or restrict discovery or issue such other order as is appropriate. If the court enters an order granting relief all items or documents reviewed in camera shall be sealed and preserved in the record of the court to be made available to the appellate court in the event of an appeal.
- (8) Once the court determines that a party has failed to comply with this rule, it may grant a motion to compel submitted by the opposing party, grant a continuance, prohibit the party from introducing evidence not disclosed or it may enter such other order as it deems just. In addition to any other action taken by the court upon a finding that a party has failed to comply with this rule, the court may award attorney's fees and costs to the prevailing party resulting from procedures to compel discovery.

§2-4-14 Detention Hearing

(a) When a child is placed into secured confinement upon being taken into custody, the court shall hold a detention hearing within one (1) business day of the initial detention. At such hearing, the court shall determine:

- (1) whether probable cause exists to believe the child committed the alleged delinquent act; and
- (2) whether continued detention is necessary pending further proceedings.

(b) If the court determines that there is a need for continued detention, it shall specify where the child is to be placed until the adjudicatory hearing.

INFORMAL ADJUSTMENT/ADVISORY HEARING

§2-4-15 Informal Adjustment (section amended effective 3/12/02)

(a) In the case of a minor who commits a status offense or is a first time offender, the Prosecutor may hold an informal conference with the child and the child's parent, guardian or custodian, and/or other persons whose presence is considered appropriate to discuss alternatives to the filing of a petition for an adjudicatory hearing if:

- (1) The admitted facts bring the case within the jurisdiction of the Court;
- (2) An informal adjustment conference of the matter would be in the best interest of the child and the Tribe;
- (3) The child and his parent, guardian or custodian consent to an informal adjustment conference; and
- (4) An informal adjustment is not in conflict with §2-4-6.

(b) Notice of the informal adjustment conference shall be given to the child and his parent, guardian or custodian and their counsel as soon as the time for the conference has been established.

(c) Any statement made during the informal adjustment conference may be admitted into evidence at any adjudicatory hearing or any other proceeding under this Code. The child and his parent, guardian or custodian shall be informed of this provision.

(d) At the conclusion of the informal adjustment conference the Prosecutor will:

- (1) refer the child and the parent, guardian or custodian to a community agency for needed assistance;
- (2) order, by agreement of the child and his/her parent(s,) terms of supervision calculated to assist and benefit the child which regulate the child's activities and which are within the ability of the child to perform, such an order must be approved by the Court;

- (3) recommend restitution to be made by the child; or
- (4) make a decision to file a petition with the Court.

(e) Upon the successful completion of the informal adjustment, the case shall be closed, and no further action taken. If the child fails to attend the informal adjustment conference, the Prosecutor shall file a petition for an adjudicatory hearing. If the child fails to successfully complete the terms of the agreement, the Prosecutor shall file a petition for an adjudicatory hearing.

§2-4-16 Advisory Hearing

(a) After receipt of the petition, the Court shall schedule an advisory hearing and inform the parties of the date and time of the hearing in the summons. If a child is in custody the advisory hearing must be held within ten (10) business days after receipt of the petition or the petition shall be dismissed unless:

- (1) The hearing is continued upon motion of the child;
- (2) The hearing is continued upon motion of the Prosecutor by reason of the unavailability of material evidence or witnesses and the Court finds the Prosecutor has exercised due diligence to obtain the evidence or witnesses and reasonable grounds exist to believe that the evidence or witnesses will become available;
- (3) The hearing is continued upon motion of the Prosecutor by reason of difficulty of serving the summons and upon a showing of due diligence in attempting to discover the address or whereabouts of the person(s) to be served; or
- (4) The hearing is continued upon the Court's determination that a continuance is in the best interest of the child.

(b) At the Advisory Hearing the Court shall:

- (1) Read the Petition to the child and explain the allegation(s) in the petition;
- (2) Explain the consequences of the Petition to the child;
- (3) Give an explanation to the child of his rights in the proceedings, including the right to request a continuance to obtain counsel; and
- (4) Offer the child the opportunity to admit or deny the allegation(s) in the petition.

(c) If the child admits to the allegation(s) in the petition, the Court shall schedule a Dispositional Hearing within ten (10) business days if the child is in custody. If the child is

released from custody or was not taken into custody, then the dispositional hearing shall be held within twenty (20) business days thereafter, if the Court finds:

- (1) The child fully understands his/her rights and the potential consequences of his/her admission.
- (2) The child voluntarily, intelligently, and knowingly admits to all facts necessary to constitute a basis for the action; and
- (3) The child has not, in his/her purported admission to the allegation(s), set forth facts which, if found to be true, constitute a defense to the allegation(s).

(d) If the child denies the allegation(s) in the petition, the Court shall schedule an Adjudicatory hearing.

ADJUDICATORY HEARING/DISPOSITIONAL HEARING

§2-4-17 Adjudicatory Hearing

(a) The court shall conduct the adjudicatory hearing to determine whether the child has committed a delinquent act or status offense. If the child remains in custody, the adjudicatory hearing shall be held within ten (10) business days after the advisory hearing. If the child is released from custody or was not taken into custody, the hearing shall be held within thirty (30) business days after the advisory hearing. If the Adjudicatory Hearing is not held within ten (10) business days after the advisory hearing when the child is in custody, the Petition shall be dismissed and cannot be filed again unless:

- (1) The hearing is continued upon motion of the child;
- (2) The hearing is continued upon motion of the Prosecutor by reason of the unavailability of material evidence or witnesses and the Court finds the Prosecutor has exercised due diligence to obtain the evidence or witnesses and reasonable grounds exist to believe that the evidence or witnesses will become available; or
- (3) The hearing is continued upon the Court's determination that a continuance is in the best interest of the child.

(b) The Court shall conduct the adjudicatory hearing for the sole purpose of determining the guilt or innocence of the child. The hearing shall be private and closed.

(c) The Court shall hear testimony concerning the circumstances which gave rise to the Petition. If the court finds beyond a reasonable doubt that the allegations contained in the juvenile delinquent petition are true it shall schedule a disposition hearing and specify whether the child is to be placed or continued in out-of-home placement pending the hearing. If the court finds that the allegations in the petition have not been established beyond a reasonable doubt it shall dismiss the petition and order the child released from any detention imposed in connection with the proceeding.

§2-4-18 Consolidation of Proceedings

When more than one child is alleged to be involved in the same delinquent act, the proceedings may be consolidated, except that separate hearings may be held with respect to disposition.

§2-4-19 Predisposition Report

(a) Once a juvenile is found to have committed a delinquent act or status offense, the Juvenile Probation Officer shall prepare a written report describing reasonable and appropriate alternative dispositions. The report shall contain specific recommendations for the care of and assistance to the child calculated to resolve the problems presented in the Petition. The Juvenile Probation Officer shall present the predispositional report to the Court, the child or his/her representative, and the Prosecutor at least two (2) days before the dispositional hearing.

(b) By motion of a party or by its own authority, the Court shall continue the dispositional hearing pending the receipt of a predispositional study and report.

(c) The Court may order a psychiatric examination of the child, parent, guardian or custodian. The parent, guardian or custodian may refuse to be examined but such refusal can be considered by the Court in making its determination on disposition.

§2-4-20 Dispositional Hearing

(a) A date for a dispositional hearing shall be set by the Court at the conclusion of the advisory hearing or the adjudicatory hearing as appropriate. The court shall conduct dispositional hearings to determine how to resolve a case after a finding that a child has committed a delinquent act or status offense. If the child remains in custody after the advisory hearing or adjudicatory hearing, the dispositional hearing shall be held within ten (10) business days thereafter. If the child is released from custody or was not taken into custody after the advisory hearing or adjudicatory hearing, then the dispositional hearing shall be held within twenty (20) business days thereafter.

(b) If a child has been adjudicated a juvenile offender, a habitual status offender or the child has admitted the allegation(s) in an advisory hearing, the Court may make the following dispositions:

- (1) Place the child on probation subject to conditions set by the Court and subject to the probation requirements set by the Probation Officer;
- (2) Place the child in an institution or agency designated by the Court for the purpose of treatment and/or rehabilitation;
- (3) The Court may order home detention where such disposition is in the best interests of the child and the Tribe;
- (4) The Court may order community service where appropriate supervision is available by any individual or organization duly authorized by the Court to supervise such community service;

- (5) The child may be committed to a detention facility.
- (6) The Court may order the child and/or the parent, guardian or custodian to attend any counseling or treatment that the Court finds is in the best interests of the child and the Tribe;
- (7) The Court may order the child and the parent, guardian or custodian to pay any restitution for damages to person or property that has resulted from the actions of the child. Restitution shall include payment of money damages, surrender of property, or performance of any other act for the benefit of any person or party injured personally or in his property by the juvenile offender.
- (8) The Court may order the child and the parent, guardian or custodian to pay Court costs not to exceed twenty-five dollars (\$25.)
- (9) The Court may enter any other order it deems appropriate.

§2-4-21 Jurisdiction Over Parents

Whenever a juvenile is found to come under the purview of this chapter, the court shall have jurisdiction and authority to have the juvenile and the juvenile's parent(s), legal guardian or custodian sign a probationary contract with the court containing terms and conditions that the juvenile and the juvenile's parent(s), legal guardian or custodian must adhere to as a condition of the juvenile's probation. The probationary contract may provide that upon a violation or breach of the terms and conditions of the probationary contract the juvenile's parent(s), legal guardian or custodian shall be liable to the court for a specific monetary sum not to exceed one thousand dollars (\$1,000) for the breach of contract. All such monies received by the court pursuant to this section shall be paid to the Nez Perce Tribal Court. In lieu of or in addition to a monetary payment, the court may order that the parent(s), legal guardian or custodian provide community service, attend parenting classes or undergo other treatment or counseling.

§2-4-22 Status Offenses

(a) Truancy. Any minor who violates § 4-3-53(a) may be charged, petitioned and adjudicated with the status offense of being a Truant; (subsection amended eff. 11/12/02)

(b) Runaway. Any minor who violates § 4-3-53(c) Runaway may be charged, petitioned and adjudicated with the status offense of being a Runaway; (subsection amended eff. 11/12/02)

(c) Beyond Parental Control. Any minor who behaves in such a way as to be deemed by the court's caseworker as beyond the control of his parent(s), guardian or custodian may be charged, petitioned and adjudicated with the status offense of being Beyond Parental Control;

(d) Curfew Violation. Any minor who violates §4-3-52 may be charged, petitioned and adjudicated with the status offense of Curfew Violation;

(e) Habitual Status Offender. Any juvenile who has been adjudicated for commission of two (2) status offenses within twelve (12) months may be charged, petitioned and adjudicated as an habitual status offender for the third status offense committed within that twelve (12) month period. (previous subsection (e) deleted eff. 11/12/02).

JUVENILE RECORDS

§2-4-23 Maintenance of Records/Confidentiality (section amended 4/10/01)

(a) A record of all hearings under this chapter shall be made and preserved. Law enforcement records and files concerning a child shall be kept separate from the records and files of adults. Other than name, docket number, specific charges and specific convictions, all court records and law enforcement records related to juveniles shall be confidential and shall not be open to inspection to any but the following:

- (1) the child;
- (2) the child's parent(s), guardian or custodian;
- (3) the child's counsel;
- (4) law enforcement, juvenile court, and social services personnel directly involved in the handling of the case;
- (5) the tribal prosecutor;
- (6) other prosecuting attorneys or courts of competent jurisdiction; and/or
- (7) any other person by order of the court, upon a showing of extraordinary need.

(b) The victim of misconduct shall always be entitled to the name of the juvenile involved, the name of the juvenile's parents or guardian, and their addresses and telephone numbers, if available in the records of the court;

(c) Records or statistical information may be released for purposes of legitimate research or study upon order of the court as long as such information does not identify or tend to reveal the identity of any individual upon which it is based.

§2-4-24 Destruction of Records

The court may destroy the records of any juvenile once such person reaches the age of twenty-one (21).