

ARIZONA ADULT PROBATION

Probation Revocation & Crime Reduction Report

Fiscal Year 2010



July 1, 2009 - June 30, 2010

ADMINISTRATIVE OFFICE OF THE COURTS
ADULT PROBATION SERVICES DIVISION
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Arizona Supreme Court . Administrative Office of the Courts



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For additional information about the Arizona Adult Probation Population, or for clarification of any information contained in this report, please contact the Arizona Supreme Court, Administrative Office of the Courts, Adult Probation Services Division at (602) 452-3460.

This report is available on the APSD Internet website at:
<http://www.azcourts.gov/apspd/SafeCommunitiesAct.aspx>

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A.R.S. § 12-270: BACKGROUND

With the passing of Senate Bill 1476, "The Safe Communities Act," effective December 31, 2008, "the Court may adjust the period of a probationer's supervised probation on the recommendation of an adult probation officer for earned time credit." In addition to the earned time credit, the bill also provides financial incentives to probation departments to reduce the number of probationers revoked to prison. The JLBC staff is required to calculate the "prison costs avoided" and "...beginning in FY 2010-2011 the legislature shall annually appropriate to the Administrative Office of the Courts forty per cent of any costs that are avoided as calculated..." by JLBC. The probation departments will be required to reinvest the monies for increasing the availability of substance abuse treatment, risk reduction programs, and to allocate grants to nonprofit victim services organizations to partner with the probation department and the court to assist victims and increase the amount of restitution collected from probationers.

A.R.S. § 12-270 also requires the Administrative Office of the Courts (AOC) the Adult Probation Services Division (APSD) and the State Department of Corrections to submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor. A copy of the report will be provided to the Joint Legislative Budget Committee, Secretary of State, and the Director of the Arizona State Library Archives and Public Records on an annual basis by October 1. The annual report shall include the following information:

- The average number of people on supervised probation in each county;
- The number of probationers in each county whose probation is revoked each year;
- The number of probationers in each county who are convicted of new crimes each year; and
- The State Department of Correction's most recent cost for contracted private beds.

ADULT PROBATION POPULATION

During FY 2010, the average¹ number of people on probation was 85,144. For purposes of funding and caseload ratios of 65:1 that are reported to the Joint Legislative Budget Committee, the AOC categorizes a subset of those on probation as “direct supervision” cases. During FY 2010, the average number of direct supervision cases was 41,176. Probationers who are not included in the direct supervision count include individuals categorized as being on administrative supervision or indirect supervision, incarcerated (jail or prison), supervised by another state, absconders, deported, etc.

For purposes of this report, a supervised probationer is defined as a probationer who is directly supervised. Table 1 shows the average number of people on probation by county in FY 2010 and Table 2 shows the average number of people on supervised probation (direct supervision) in FY 2010.

Table 1: AVG. Probation Population

County	Number of People
Apache	765
Cochise	1,181
Coconino	1,649
Gila	1,092
Graham	916
Greenlee	200
La Paz	392
Maricopa	56,676
Mohave	2,517
Navajo	1,765
Pima	7,996
Pinal	2,946
Santa Cruz	673
Yavapai	4,312
Yuma	2,066
Statewide	85,144

Table 2: AVG. Direct Supervision Population

County	Number of People
Apache	417
Cochise	708
Coconino	761
Gila	517
Graham	498
Greenlee	107
La Paz	130
Maricopa	24,545
Mohave	1,287
Navajo	1,014
Pima	5,601
Pinal	1,813
Santa Cruz	276
Yavapai	2,198
Yuma	1,302
Statewide	41,176

¹ The “average number of people” figures are based on the end of the month probation population as reported by the county adult probation departments.

PROBATION REVOCATIONS

If a probationer is found in violation of the condition(s) of probation, the probation grant can be revoked. In Arizona there are three types of revocation classification: revoked with no incarceration; revoked to jail; and revoked to prison. By the end of FY 2010 there were a total of 5,459 dispositions that resulted in probation grants being revoked. Table 3 shows the number of dispositions in each county that resulted in a revocation during FY 2010. Statewide, the number and type of dispositions that resulted in revocations were:

- 4,913 dispositions resulted in a revocation to the Department of Corrections (see Appendix A for a detailed breakdown of the costs for private bed placements for the Department of Corrections);
- 441 dispositions resulted in a revocation to jail; and
- 105 dispositions resulted in a revocation with no incarceration.

Table 3: Dispositions Resulting in a Revocation

	Dispositions Resulting in a Revocation to ADOC	Dispositions Resulting in a Revocation to Jail	Dispositions Resulting in Revocation w/no Incarceration	Total Number of Dispositions Resulting in a Revocation
Apache	20	0	0	20
Cochise	75	18	9	102
Coconino	119	10	24	153
Gila	52	18	1	71
Graham	50	18	3	71
Greenlee	9	2	0	11
La Paz	24	0	2	26
Maricopa	3,127	243	50	3,420
Mohave	207	0	0	207
Navajo	55	8	2	65
Pima	564	73	0	637
Pinal	197	30	3	230
Santa Cruz	35	8	6	49
Yavapai	218	3	2	223
Yuma	161	10	3	174
State Wide	4,913	441	105	5,459

From FY 2009 to FY 2010 Arizona experienced a 18.9% decrease in the number of dispositions that resulted in a revocation. There was a decrease of 17.3% in the rate of dispositions that resulted in a revocation to the department of corrections; a 28.4% decrease in the rate of dispositions resulting in a revocation to jail; and a 40.6% decrease in the rate of dispositions resulting in a revocation with no incarceration. Tables 4 through 7 outline the increase and decrease of dispositions that resulted in a revocation to the department of corrections, jail, or no incarceration throughout the state.

Table 4: Total Revocations

	FY 08 Base Line	FY 09 Actual	FY 10 Actual	Growth: Base Line to FY 09 (#)	Growth: Base Line to FY 09 (%)	Growth: FY08 Base Line to FY10 (#)	Growth: FY08 Base Line to FY10 (%)	Growth: FY09 to FY10 (#)	Growth: FY09 to FY10 (%)
Apache	73	36	20	-37	-50.7	-53	-72.6	-16	-44.4
Cochise	135	119	102	-16	-11.9	-33	-24.4	-17	-14.3
Coconino	253	189	153	-64	-25.3	-100	-39.5	-36	-19.0
Gila	112	119	71	7	6.3	-41	-36.6	-48	-40.3
Graham	47	57	71	10	21.3	24	51.1	14	24.6
Greenlee	12	16	11	4	33.3	-1	-8.3	-5	-31.3
La Paz	24	21	26	-3	-12.5	2	8.3	5	23.8
Maricopa	4,714	4,405	3,420	-309	-6.6	-1294	-27.5	-985	-22.4
Mohave	314	229	207	-85	-27.1	-107	-34.1	-22	-9.6
Navajo	156	104	65	-52	-33.3	-91	-58.3	-39	-37.5
Pima	968	662	637	-306	-31.6	-331	-34.2	-25	-3.8
Pinal	310	252	230	-58	-18.7	-80	-25.8	-22	-8.7
Santa Cruz	58	83	49	25	43.1	-9	-15.5	-34	-41.0
Yavapai	326	299	223	-27	-8.3	-103	-31.6	-76	-25.4
Yuma	218	142	174	-76	-34.9	-44	-20.2	32	22.5
Statewide	7,720	6,733	5,459	-987	-12.8	-2,261	-29.3	-1,274	-18.9

Table 5: Revocations to ADOC

	FY 08 Base Line	FY 09 Actual	FY 10 Actual	Growth: Base Line to FY 09 (#)	Growth: Base Line to FY 09 (%)	Growth: FY08 Base Line to FY10 (#)	Growth: FY08 Base Line to FY10 (%)	Growth: FY09 to FY10 (#)	Growth: FY09 to FY10 (%)
Apache	37	27	20	-10	-27.0	-17	-45.9	-7	-25.9
Cochise	121	85	75	-36	-29.8	-46	-38.0	-10	-11.8
Coconino	221	127	119	-94	-42.5	-102	-46.2	-8	-6.3
Gila	82	70	52	-12	-14.6	-30	-36.6	-18	-25.7
Graham	36	37	50	1	2.8	14	38.9	13	35.1
Greenlee	10	15	9	5	50.0	-1	-10.0	-6	-40.0
La Paz	21	21	24	0	0.0	3	14.3	3	14.3
Maricopa	4,393	4,001	3,127	-392	-8.9	-1,266	-28.8	-874	-21.8
Mohave	304	215	207	-89	-29.3	-97	-31.9	-8	-3.7
Navajo	123	88	55	-35	-28.5	-68	-55.3	-33	-37.5
Pima	733	592	564	-141	-19.2	-169	-23.1	-28	-4.7
Pinal	217	191	197	-26	-12.0	-20	-9.2	6	3.1
Santa Cruz	25	55	35	30	120.0	10	40.0	-20	-36.4
Yavapai	290	283	218	-7	-2.4	-72	-24.8	-65	-23.0
Yuma	188	135	161	-53	-28.2	-27	-14.4	26	19.3
Statewide	6,801	5,942	4,913	-859	-12.6	-1888	-27.8	-1,029	-17.3

Table 6: Revocations to Jail

	FY 08 Base Line	FY 09 Actual	FY 10 Actual	Growth: Base Line to FY 09 (#)	Growth: Base Line to FY 09 (%)	Growth: FY08 Base Line to FY10 (#)	Growth: FY08 Base Line to FY10 (%)	Growth: FY09 to FY10 (#)	Growth: FY09 to FY10 (%)
Apache	8	5	0	-3	-37.5	-8.0	-100.0	-5	-100.0
Cochise	11	23	18	12	109.1	7.0	63.6	-5	-21.7
Coconino	18	35	10	17	94.4	-8.0	-44.4	-25	-71.4
Gila	26	40	18	14	53.8	-8.0	-30.8	-22	-55.0
Graham	9	18	18	9	100.0	9.0	100.0	0	0.0
Greenlee	2	1	2	-1	-50.0	0.0	0.0	1	100.0
La Paz	0	0	0	0	0	0.0	0.0	0	0.0
Maricopa	300	322	243	22	7.3	-57.0	-19.0	-79	-24.5
Mohave	0	12	0	12	0	0.0	0.0	-12	-100.0
Navajo	19	12	8	-7	-36.8	-11.0	-57.9	-4	-33.3
Pima	173	59	73	-114	-65.9	-100.0	-57.8	14	23.7
Pinal	70	51	30	-19	-27.1	-40.0	-57.1	-21	-41.2
Santa Cruz	21	19	8	-2	-9.5	-13.0	-61.9	-11	-57.9
Yavapai	35	13	3	-22	-62.9	-32.0	-91.4	-10	-76.9
Yuma	27	6	10	-21	-77.8	-17.0	-63.0	4	66.7
Statewide	719	616	441	-103	-14.3	-278.0	-38.7	-175	-28.4

Table 7: Revocations w/no Incarceration

	FY 08 Base Line	FY 09 Actual	FY 10 Actual	Growth: Base Line to FY 09 (#)	Growth: Base Line to FY 09 (%)	Growth: FY08 Base Line to FY10 (#)	Growth: FY08 Base Line to FY10 (%)	Growth: FY09 to FY10 (#)	Growth: FY09 to FY10 (%)
Apache	28	4	0	-24	-85.7	-28	-100.0	-4	-100.0
Cochise	3	11	9	8	266.7	6	200.0	-2	-18.2
Coconino	14	27	24	13	92.9	10	71.4	-3	-11.1
Gila	4	9	1	5	125.0	-3	-75.0	-8	-88.9
Graham	2	2	3	0	0.0	1	50.0	1	50.0
Greenlee	0	0	0	0	0.0	0	0.0	0	0.0
La Paz	3	0	2	-3	-100.0	-1	-33.3	2	0.0
Maricopa	21	82	49	61	290.5	28	133.3	-33	-40.2
Mohave	10	2	0	-8	-80.0	-10	-100.0	-2	-100.0
Navajo	14	4	2	-10	-71.4	-12	-85.7	-2	-50.0
Pima	62	11	0	-51	-82.3	-62	-100.0	-11	-100.0
Pinal	23	10	3	-13	-56.5	-20	-87.0	-7	-70.0
Santa Cruz	12	9	6	-3	-25.0	-6	-50.0	-3	-33.3
Yavapai	1	3	2	2	200.0	1	100.0	-1	-33.3
Yuma	3	1	3	-2	-66.7	0	0.0	2	200.0
Statewide	200	175	104	-25	-12.5	-96	-48.0	-71	-40.6

NEW FELONY CONVICTIONS

During FY 2010, 2,188 people on probation had a new felony conviction², this was a decrease of 29.7% from FY 2009 to FY 2010. Table 4 shows the number of probationers who had a new felony conviction during FY 2010.

Table 8: Number of Probationers with a New Felony Conviction

	FY 08 Base Line	FY 09 Actual	FY 10 Actual	Growth: Base Line to FY 09 (#)	Growth: Base Line to FY 09 (%)	Growth: FY08 Base Line to FY10 (#)	Growth: FY08 Base Line to FY10 (%)	Growth: FY09 to FY10 (#)	Growth: FY09 to FY10 (%)
Apache	37	5	11	-32	-86.5	-26	-70.3	6	120.0
Cochise	36	10	60	-26	-72.2	24	66.7	50	500.0
Coconino	63	28	16	-35	-55.6	-47	-74.6	-12	-42.9
Gila	36	59	33	23	63.9	-3	-8.3	-26	-44.1
Graham	23	44	29	21	91.3	6	26.1	-15	-34.1
Greenlee	6	0	2	-6	-100.0	-4	-66.7	2	0
La Paz	4	4	7	0	0.0	3	75.0	3	75.0
Maricopa	2,222	2,388	1,510	166	7.5	-712	-32.0	-878	-36.8
Mohave	58	14	25	-44	-75.9	-33	-56.9	11	78.6
Navajo	45	40	31	-5	-11.1	-14	-31.1	-9	-22.5
Pima	221	233	233	12	5.4	12	5.4	0	0.0
Pinal	182	90	57	-92	-50.5	-125	-68.7	-33	-36.7
Santa Cruz	18	10	6	-8	-44.4	-12	-66.7	-4	-40
Yavapai	195	160	126	-35	-17.9	-69	-35.4	-34	-21.3
Yuma	28	29	42	1	3.6	14	50.0	13	44.8
Statewide	3,174	3,114	2,188	-60	-1.9	-986	-31.1	-926	-29.7

² The Administrative Office of the Courts reports on new felony convictions as the established baseline (A.R.S. §12-270 (A)(2)) is “The percentage of people on supervised probation from each county who are convicted of a new felony offense compared to the percentage of probationers who would have been convicted of a new felony offense at the baseline probation conviction rate.”

APPENDIX A

Arizona Department of Corrections
1601 West Jefferson
Phoenix, Arizona 85022

Probation Revocation and Crime Reduction Performance Funding Report
on the
Arizona Department of Correction's
Most Recent Cost for Contracted Private Beds A.R.S. § 12-270(D)(4)

Most Recent Cost for Contracted Private Beds

As of June 30, 2010, the Department of Corrections had contracts to place inmates in private in-state Regular beds at the following rates per bed per day as follows:

GEO Group (Central Arizona Correctional Facility)	\$67.22	1,000 Beds
Management Training Corporation (Marana South)	49.03	450 Beds
GEO Group (Florence West RTC)	44.98	200 Beds
GEO Group (Florence West DWI)	55.79	400 Beds
Management Training Corporation (Kingman)	60.10	3,298 Beds
GEO Group (Phoenix West DWI)	49.28	400 Beds

Using the above information and total beds available, the calculated average cost is \$57.29 per day for each regular private bed placement as of June 30, 2010.

As of June 30, 2010, the Department of Corrections had contracts to place inmates in private out-of-state Provisional beds at the following rates per bed per day as follows:

Cornell Corrections of Texas, Inc. (Hinton)	\$54.50	2,000 Beds
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APPENDIX B

A.R.S. §12-270

12-270. Probation revocation and crime reduction performance funding; reports

A. The joint legislative budget committee staff shall annually calculate:

1. Any costs that have been avoided by reducing the percentage of people on supervised probation from each county whose probation is revoked and who are sentenced to a term of imprisonment in the state department of corrections. The joint legislative budget committee staff shall calculate the cost avoidance for each county by comparing the number of people whose probation is revoked and who are sentenced to a term of imprisonment in the state department of corrections to the estimated number of supervised probationers that would have been revoked at the baseline revocation percentage rate. This calculation shall be based on the fiscal year prior to the fiscal year in which the report is required pursuant to subsection E of this section. The baseline revocation percentage rate shall be the revocation percentage rate in fiscal year 2007-2008. The joint legislative budget committee staff shall calculate an annual per person avoided cost by using the state department of corrections cost for contracted private beds as of June 30 in the fiscal year prior to the fiscal year in which the report is required pursuant to subsection E of this section and the average length of incarceration for a person whose probation is revoked and who is sentenced to a term of imprisonment in the state department of corrections.

2. The percentage of people on supervised probation from each county who are convicted of a new felony offense compared to the percentage of probationers who would have been convicted of a new felony offense at the baseline probation conviction rate. This calculation shall be based on the fiscal year prior to the fiscal year in which the report is required pursuant to subsection E of this section. The baseline probation conviction rate shall be the conviction rate in fiscal year 2007-2008.

B. Notwithstanding section 12-269, beginning in fiscal year 2010-2011, the legislature shall annually appropriate to the administrative office of the courts forty per cent of any costs that are avoided as calculated in subsection A, paragraph 1 of this section to be deposited in the adult probation services fund of each county established pursuant to section 12-267 if there is a reduction in the percentage of people from that county who are on supervised probation and who are convicted of a new felony offense as calculated in subsection A, paragraph 2 of this section.

C. The monies appropriated pursuant to this section shall be used to supplement, not supplant, any other state or county appropriation for the superior court adult probation department.

D. On or before October 1 of each year, the administrative office of the courts and the state department of corrections shall jointly report to the president of the senate, the speaker of the house of representatives and the governor and shall provide a copy of the report to the joint legislative budget committee, the secretary of state and the director of the Arizona state library, archives and public records. The report shall include:

1. The average number of people on supervised probation in each county.
2. The number of probationers in each county whose probation is revoked each year.
3. The number of probationers in each county who are convicted of new crimes each year.
4. The state department of correction's most recent cost for contracted private beds.

E. Beginning in fiscal year 2009-2010, the joint legislative budget committee staff shall annually report by November 15 to the joint legislative budget committee the results calculated pursuant to this section.

F. On or before June 30, 2014, the auditor general shall:

1. Complete a performance audit, as defined in section 41-1278, of the probation revocation or adjustment and crime reduction performance as provided by this section and section 13-924.

2. Provide a copy of the performance audit to the president of the senate, the speaker of the house of representatives, the governor, the secretary of state, the director of the Arizona state library, archives and public records and any other person requesting a copy.