

Violation Review Data Driven Results

Misdemeanor, Criminal Traffic and
Civil Traffic by Defendant
Fiscal Year 2014 Filings

Overview

- Sample data review
- Life cycle of a case

Civil Traffic, Criminal Traffic, and Misdemeanors

- Demographics
- Disposition and Sentencing
- Review of default, failure to appear and license suspension
- Assessments
- Time Payment Fees
- FARE impact
- Subsequent violations

Sample Data Overview

130 Justice and Municipal Courts

Statewide Data in Sample

- More than half of statewide filings for fiscal year 2014.
- 378,000 civil traffic defendants and 145,500 criminal defendants were included, representing more than 800,000 charges.

Life Cycle by Defendant

Criminal/Criminal
Traffic

Guilty

Dismissal

Pending/
Warrant

Sentencing

Civil Traffic

Dismissal

Pending

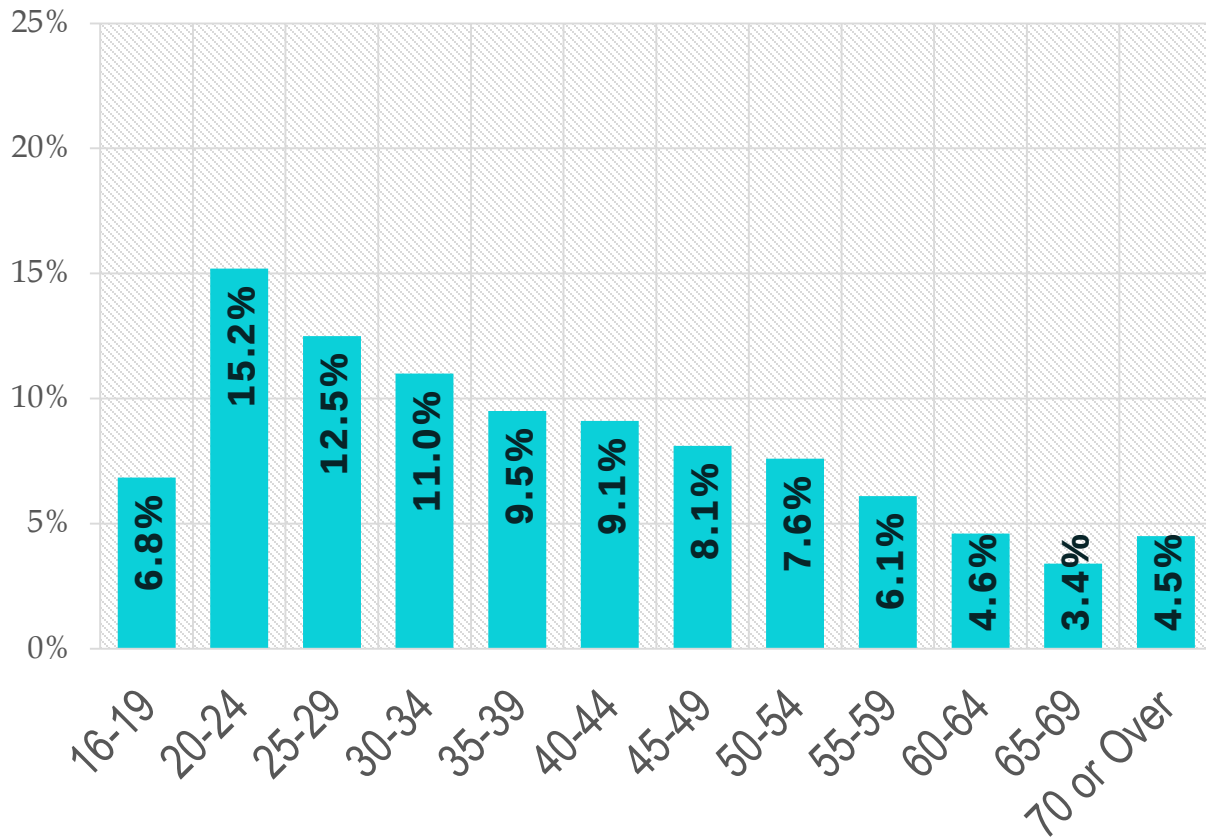
Guilty/Default

Guilty

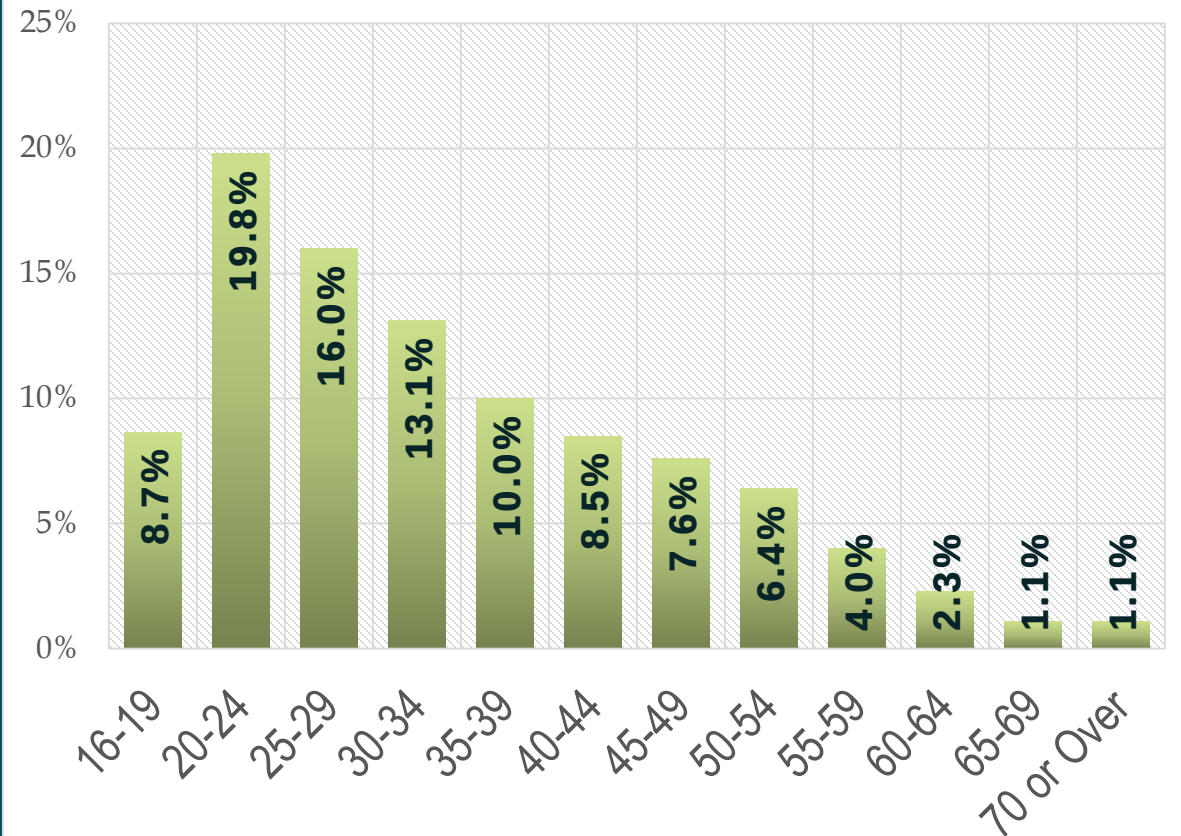
Defensive
Driving

Defendants by Demographic – Age

Civil Traffic

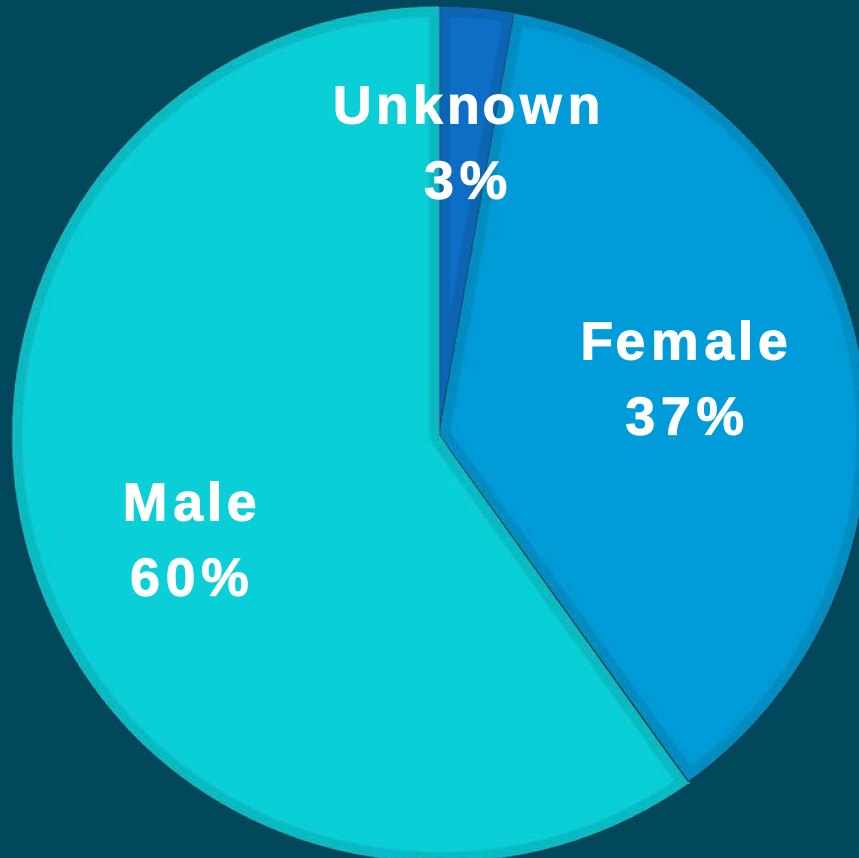


Criminal and Criminal Traffic

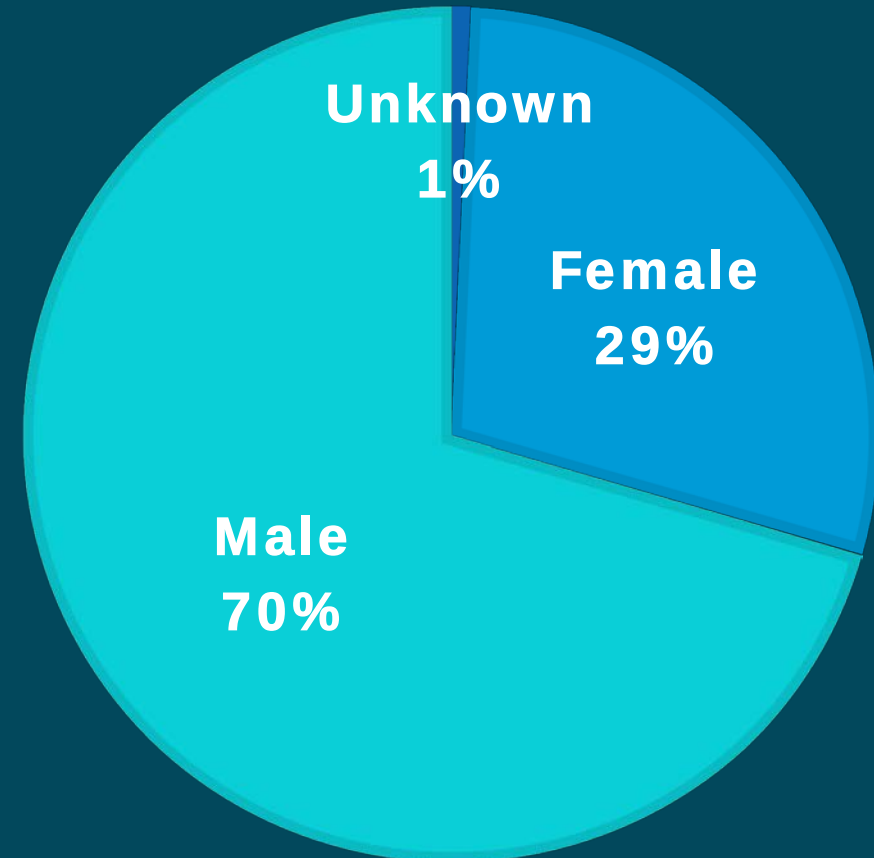


Defendants by Demographic - Gender

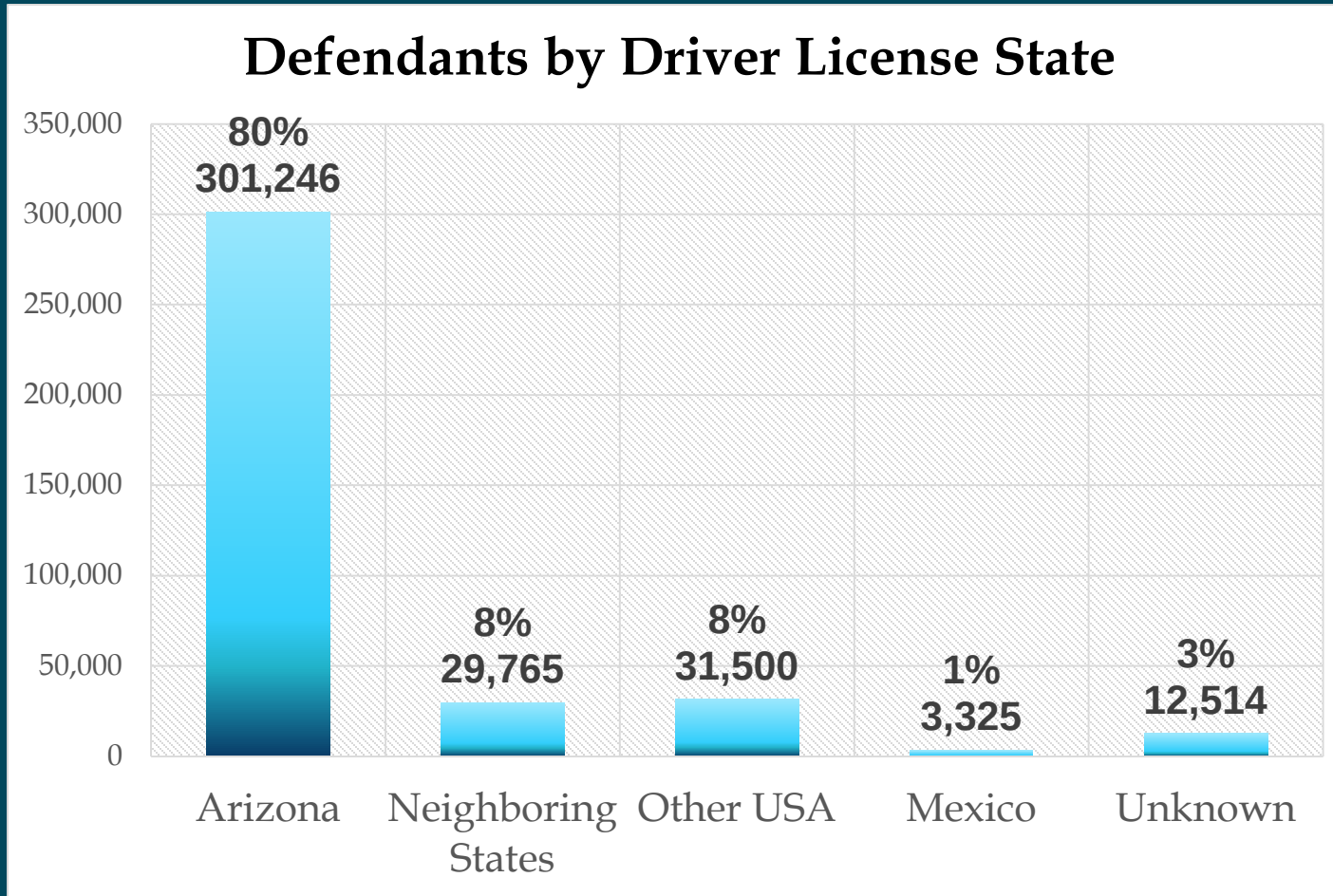
Civil Traffic



Misdemeanor and Criminal Traffic

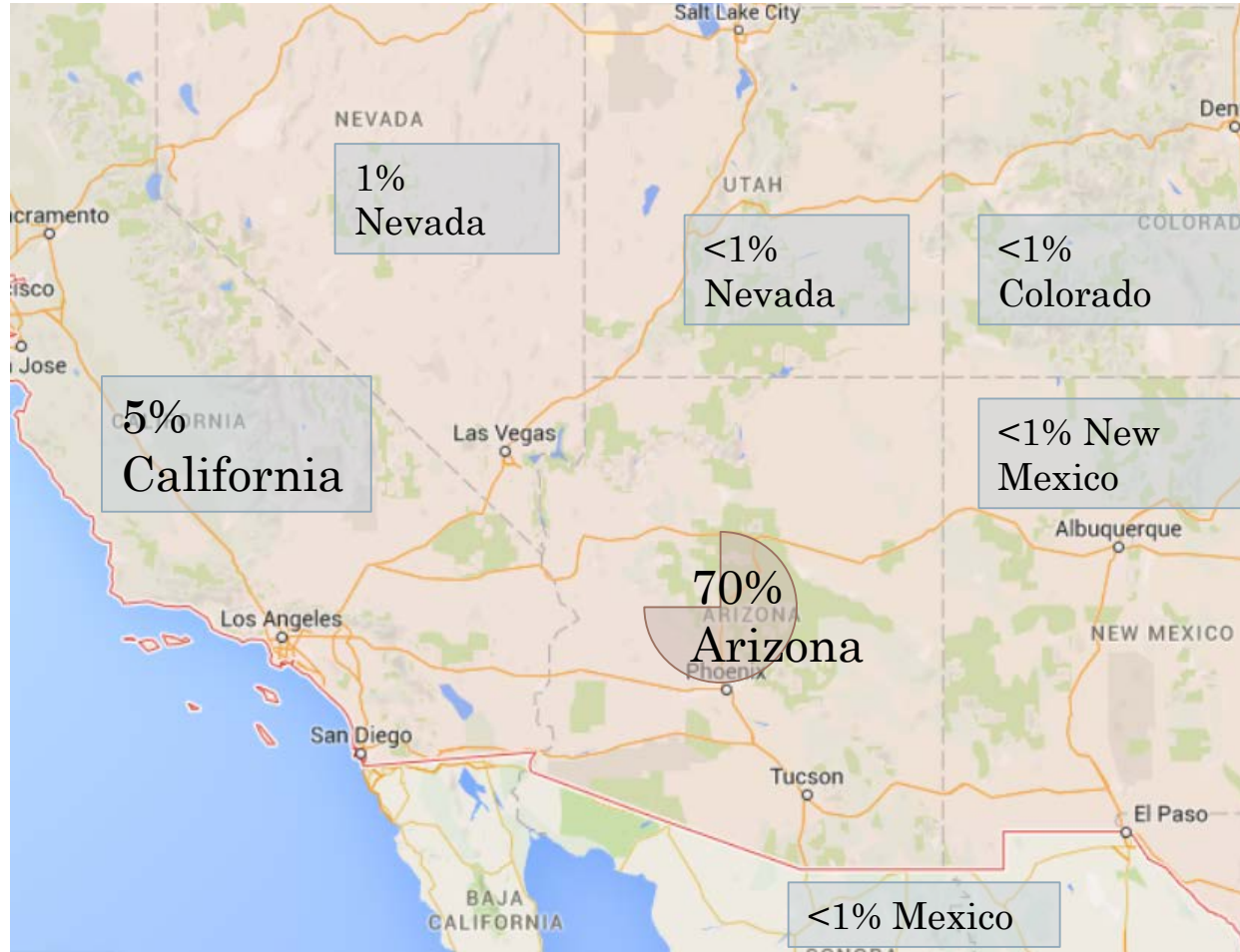


Civil Traffic Defendants by Driver License State



- Driving on Suspended License
 - 91% from Arizona
- Insurance Violation
 - 83% from Arizona

Criminal and Criminal Traffic Defendants by Driver License State



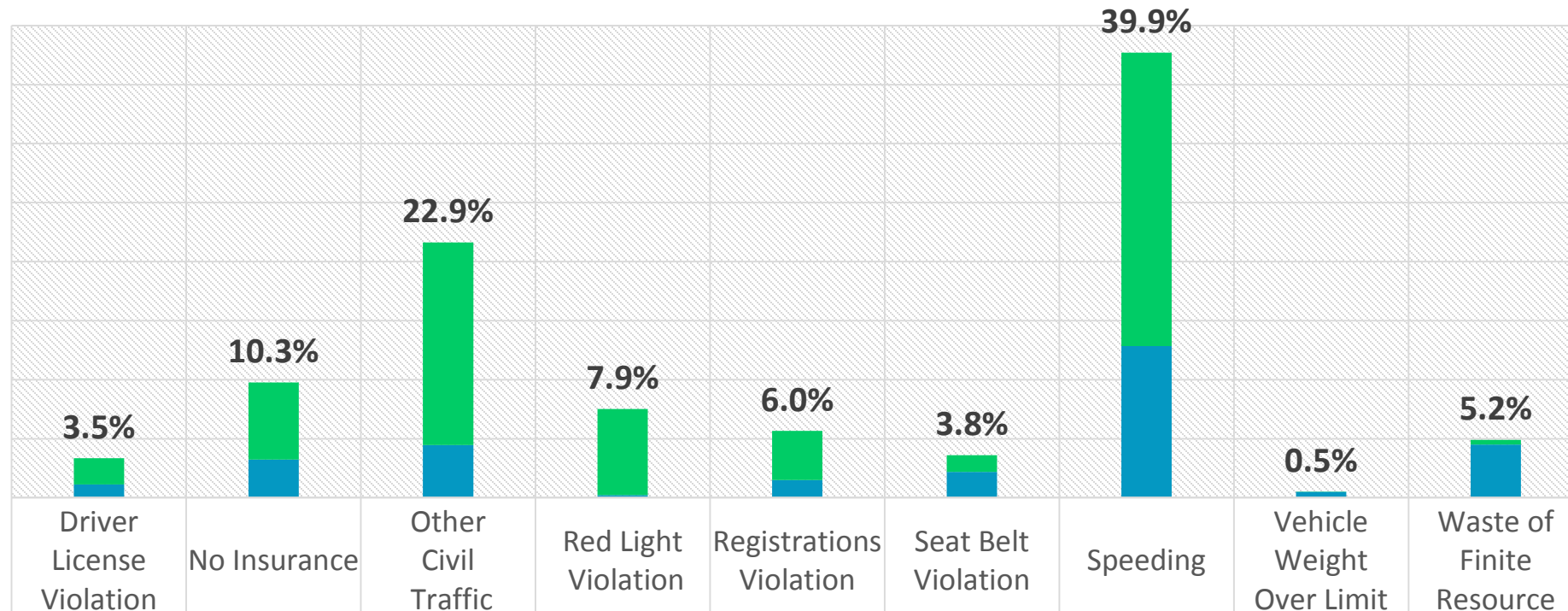
- ❖ 70% from Arizona
- ❖ 20% from other states
- ❖ <1% from Mexico
- ❖ 10% Unknown

Civil Traffic Violation Review

Defendants by Case Type – Civil Traffic

Civil Traffic Defendants by Case Type

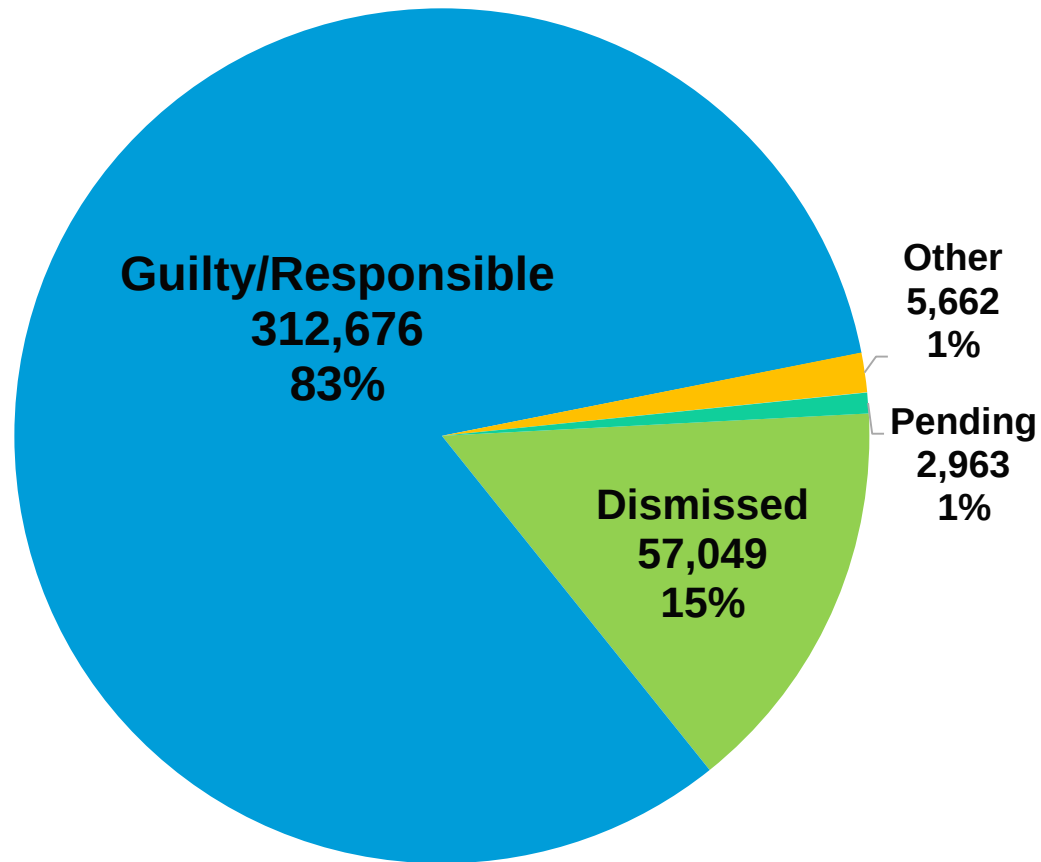
■ JUSTICE ■ MUNICIPAL



*Other Civil Traffic Include: Stop Sign Violations, License Plate Violations and Head Lamp Violations

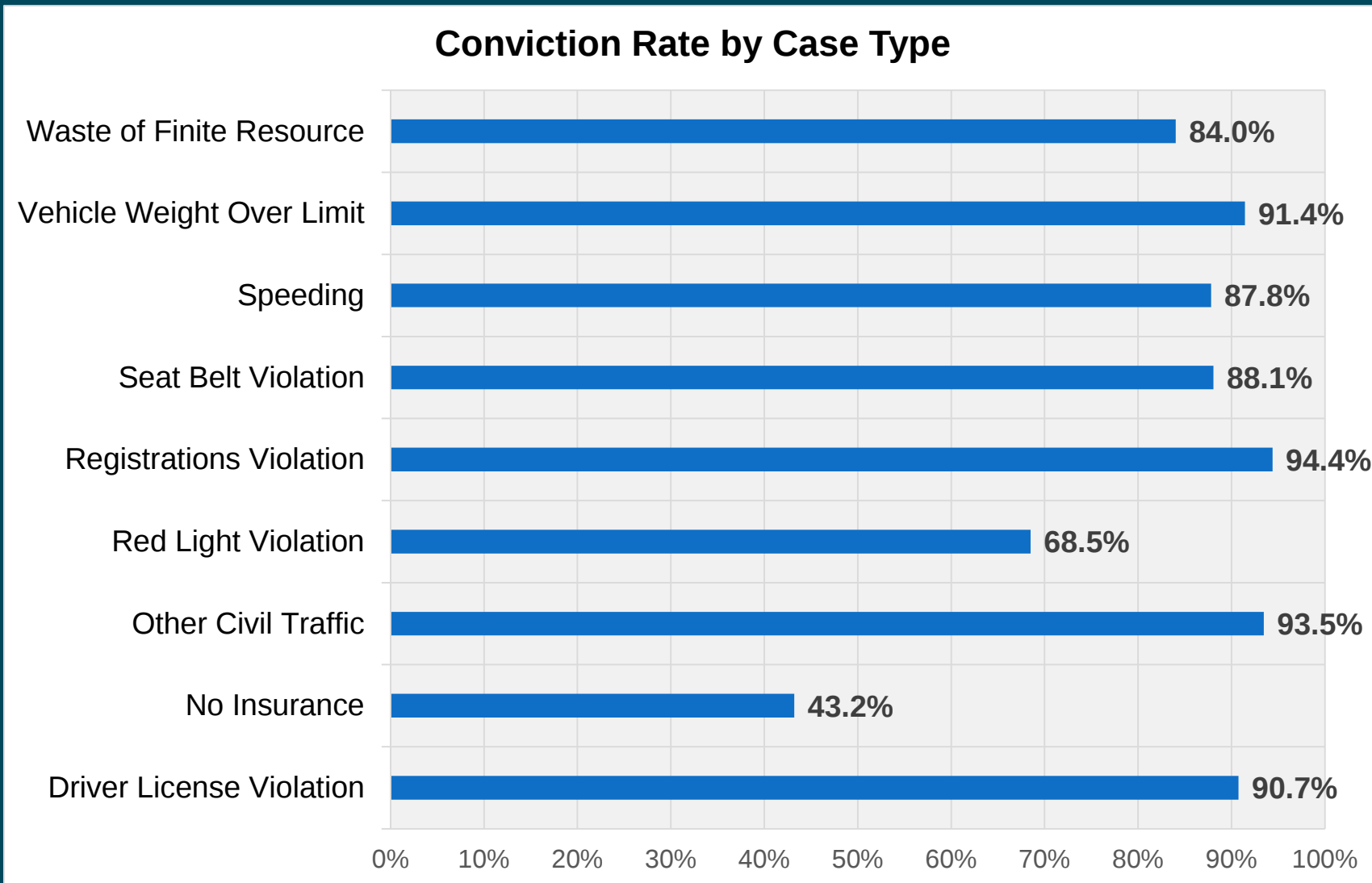
MUNICIPAL	8,962	26,070	68,677	29,252	16,689	5,621	99,456	13	1,612
JUSTICE	4,439	12,934	17,796	822	5,972	8,731	51,339	2,002	17,963
TOTAL	13,401	39,004	86,473	30,074	22,661	14,352	150,795	2,015	19,575

Civil Traffic Disposition of Defendants



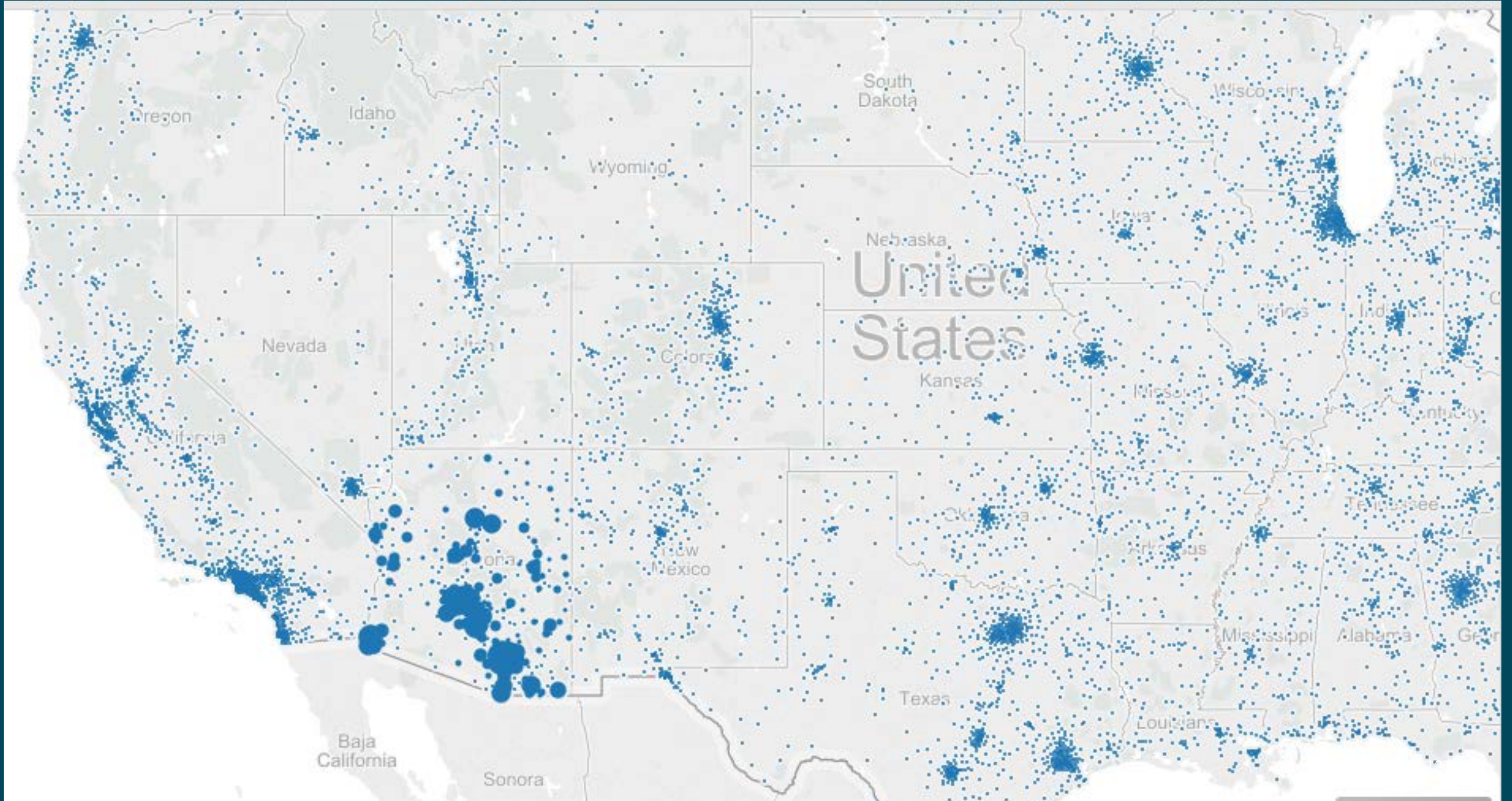
- 22% of the Guilty/Responsible are individuals who attend defensive driving and the original civil traffic violation is dismissed.

Conviction Rate by Case Type

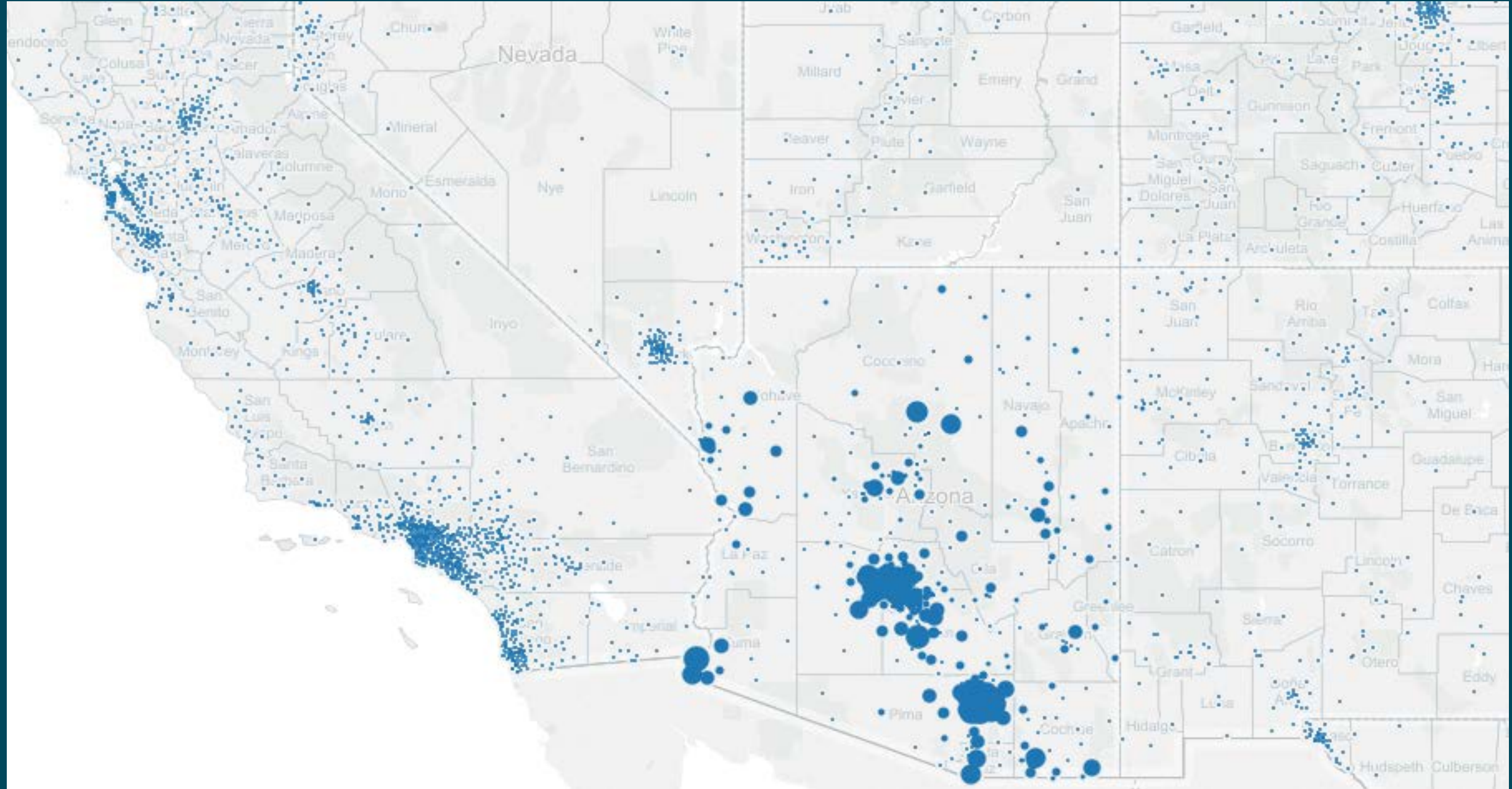


- **378,000 Total Defendants**
- **314,000 or 83% Guilty or Defensive Driving**
 - 57% Guilty/Responsible
 - 22% Defensive Driving
 - 4% Default Judgment
- 7% of the 83% guilty dispositions mentioned above were originally default judgments.

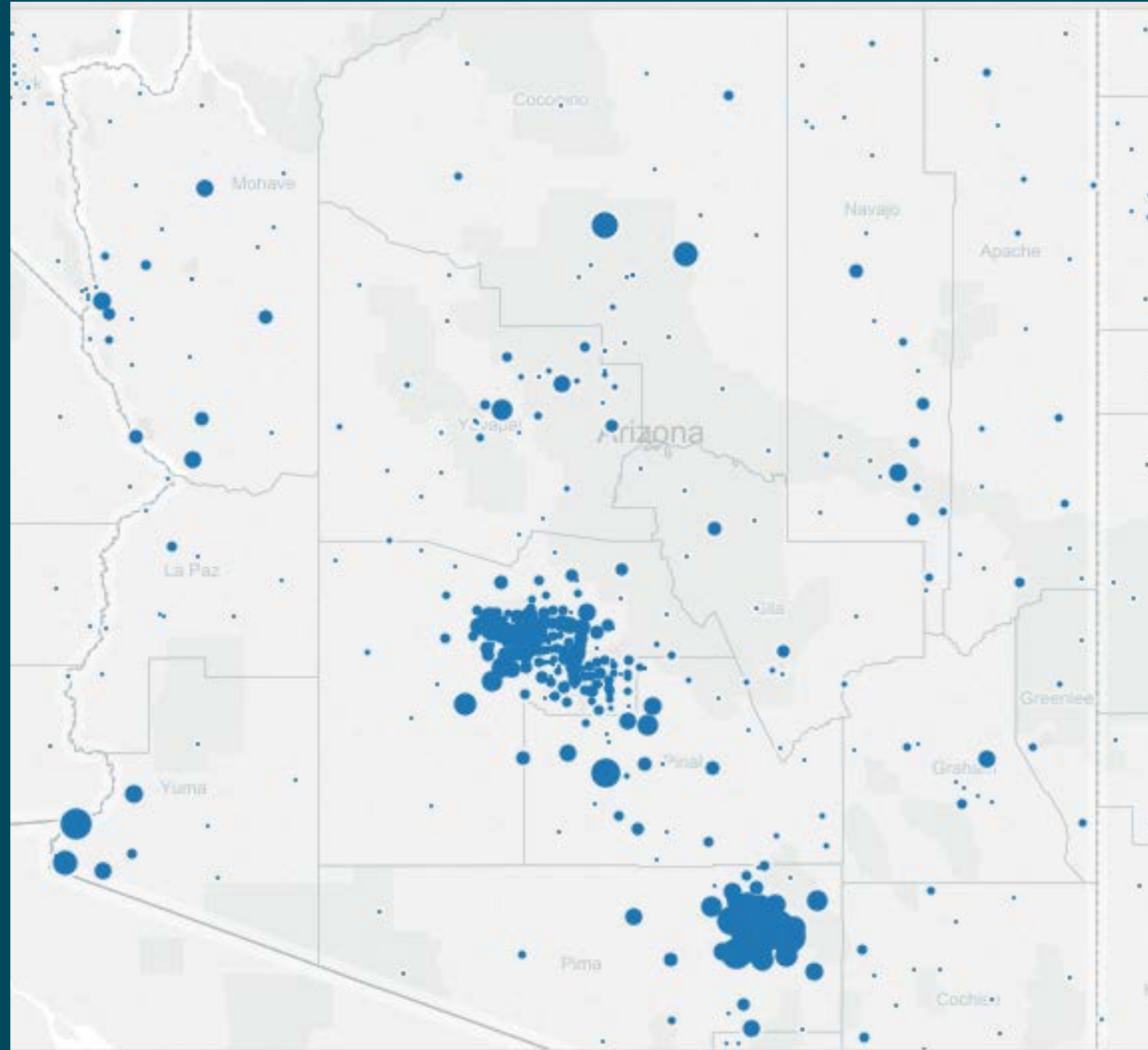
CIVIL TRAFFIC DEFENDANTS BY ZIP CODE



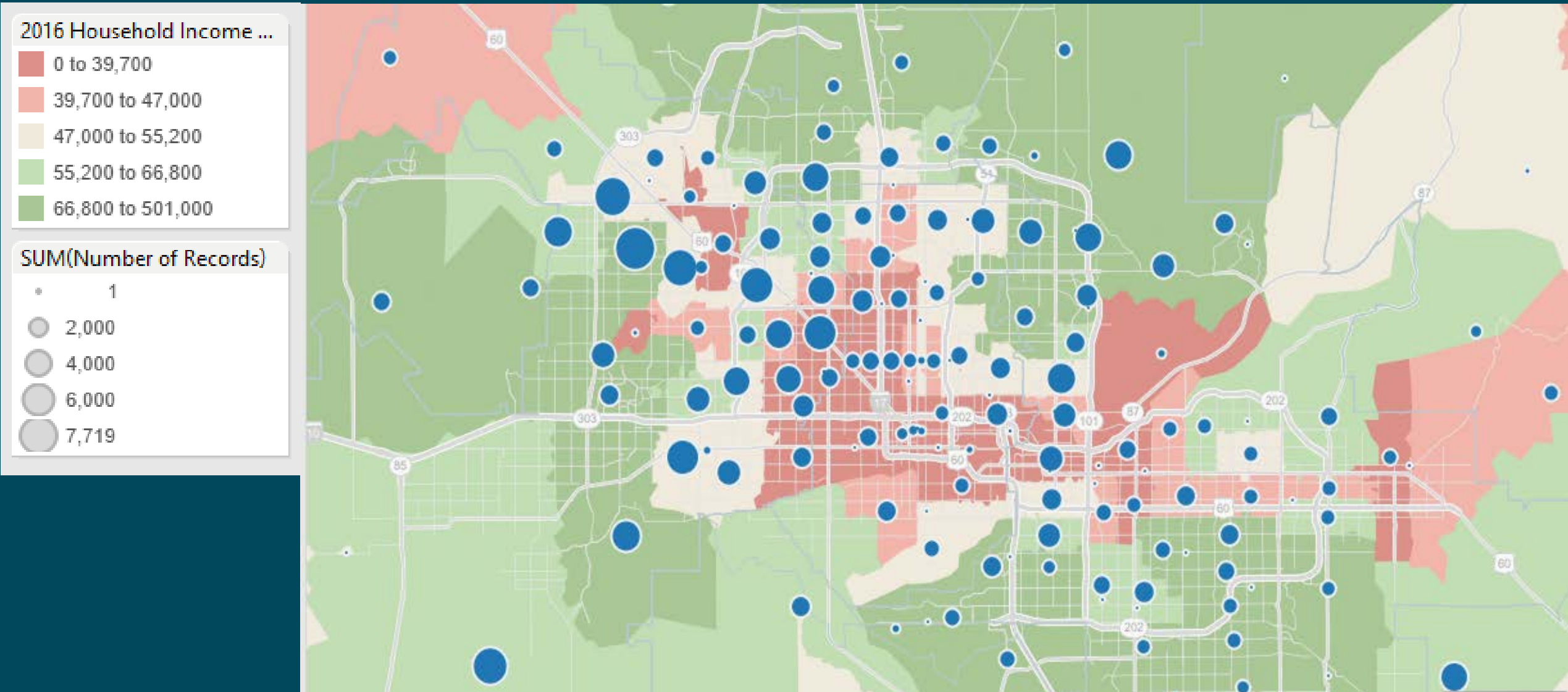
CIVIL TRAFFIC DEFENDANTS BY ZIP CODE



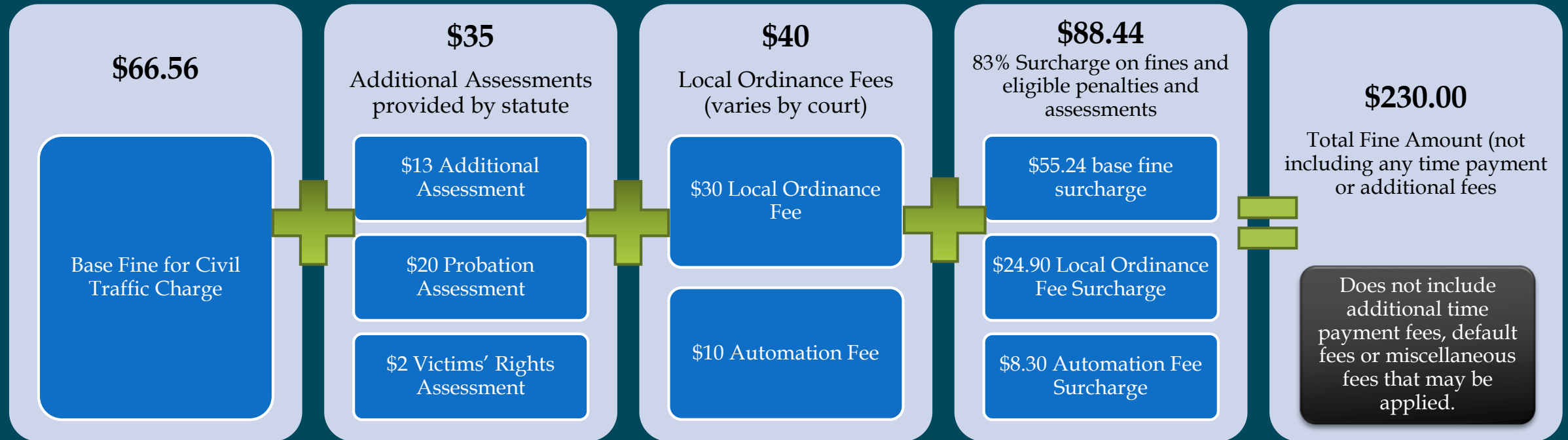
CIVIL TRAFFIC DEFENDANTS BY ZIP CODE



CIVIL TRAFFIC DEFENDANTS BY ZIP CODE COMPARED TO MEDIAN HOUSEHOLD INCOME



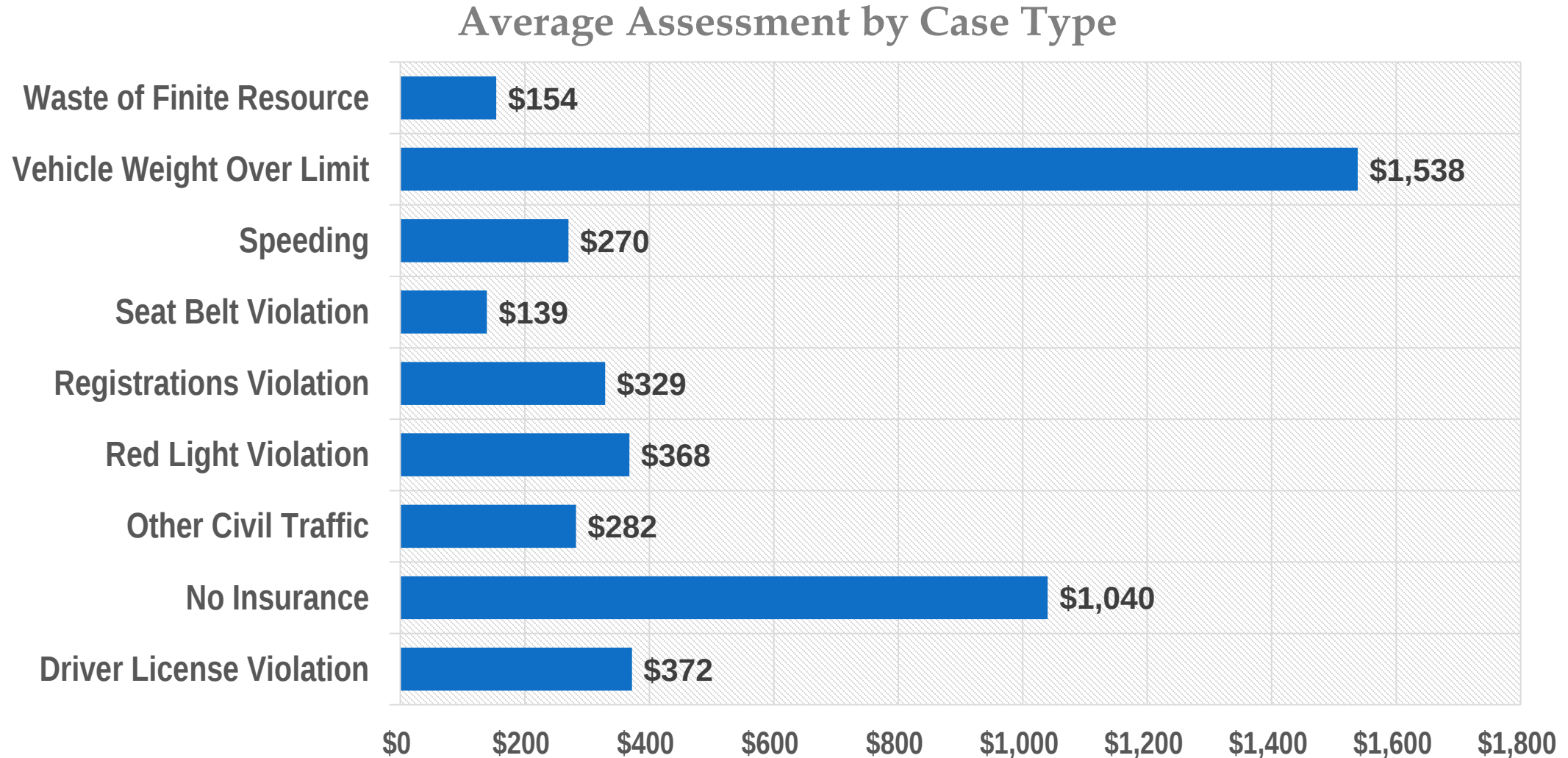
Sample Civil Traffic Assessment



Assessment Category by Percent

Assessment Category	Civil Traffic Average Assessment	Percent of Total
Fines	\$124	36%
Surcharges	\$98	29%
Probation Surcharge	\$17	5%
Additional Assessments	\$14	4%
Local Court Fee	\$34	10%
FARE Collections	\$31	9%
Miscellaneous Fees	\$24	7%
Group Total	\$342	100%

Civil Traffic Assessments by Defendant



Time Payment

Defendants with Time Payment Fee:

- 59% of guilty/responsible defendants paid in full. 41% either went on time payment or were defaulted and assessed a time payment fee.
- 78% of the defendants with violation for no insurance
- Percent of defendants is about the same for females (43%) and males (40%).

Case Type	Defendants with Time Payment Fee	
	Percent of Category	Percent of Total
Driver License Violation	57%	7%
No Insurance	78%	14%
Other Civil Traffic	36%	25%
Red Light Violation	41%	4%
Registrations Violation	38%	9%
Seat Belt Violation	32%	4%
Speeding	39%	33%
Vehicle Weight Over Limit	55%	1%
Waste of Finite Resource	23%	3%
GROUP TOTAL	41%	100%

Comparing Assessments with Time Payment Fees

Average Assessments

- The average total assessment for defendants with time payment fees is \$480 compared to \$213 for those without.
- Base fines are 93% higher for defendants with a time payment fee.
- Defendants with time payment fees had average assessments of \$64 for collections fees and \$20 for time payment fees.

Case Type	Average Assessment		Percent Difference
	With Time Payment Fee	Without Time Payment Fee	
Driver License Violation	\$240	\$451	88%
No Insurance	\$508	\$1,115	119%
Other Civil Traffic	\$201	\$354	76%
Red Light Violation	\$318	\$430	35%
Registrations Violation	\$200	\$446	123%
Seat Belt Violation	\$92	\$225	145%
Speeding	\$221	\$338	53%
Vehicle Weight Over Limit	\$1,262	\$1,759	39%
Waste of Finite Resource	\$115	\$282	145%
Total	\$213	\$480	125%

Failure to Appear / Failure to Pay Resulting in Driving License Suspension

- 11% or 103,000 defendants have their driver license suspended statewide. Statewide estimated based on AOC data reports.
- 27% of the suspensions were related to a speeding violation.
- 91% had a license from Arizona.
- 59% were between 20 and 34 years of age.

Subsequent Violations

- 53% or 54,400 of these defendants are later cited for a criminal misdemeanor driving on a suspended driving license.

Driving on Suspended License

Defendants with Additional Violations

- 15,200 or 28% of the 54,400 original defendants were cited for driving on a suspended license and failed to appear on the criminal traffic violation.
- Of the subsequent criminal traffic violations, 20% are for insurance violations and 12% are for license violations.
- The majority of misdemeanor violations were for drug offenses.
- The average assessment is \$917

Violations while Driving on a Suspended License

Case Type	Percent
Criminal Traffic	92%
Misdemeanor	8%
Civil Traffic	<1%

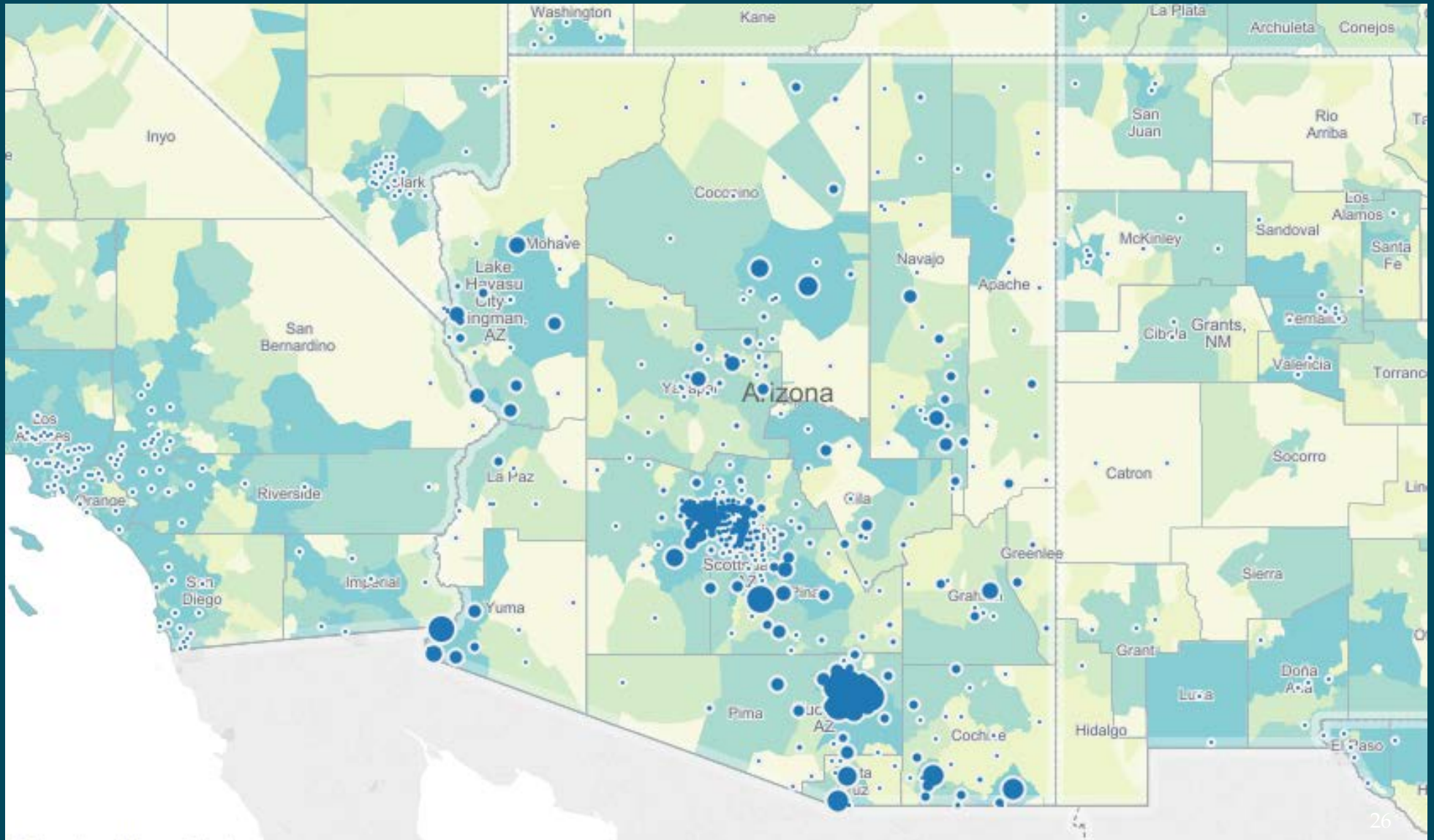
Driver License Suspension (DLS) Assessments

Case Type	Civil Traffic Average Assessment	DLS Average Assessment	Percent Difference
Driver License Violation	\$372	\$493	33%
No Insurance	\$1,040	\$1,247	20%
Other Civil Traffic	\$282	\$389	38%
Red Light Violation	\$368	\$458	24%
Registrations Violation	\$329	\$509	55%
Seat Belt Violation	\$139	\$202	45%
Speeding	\$270	\$352	30%
Vehicle Weight Over Limit	\$1,538	\$1,592	4%
Waste of Finite Resource	\$154	\$272	77%
GROUP TOTAL	\$342	\$555	62%

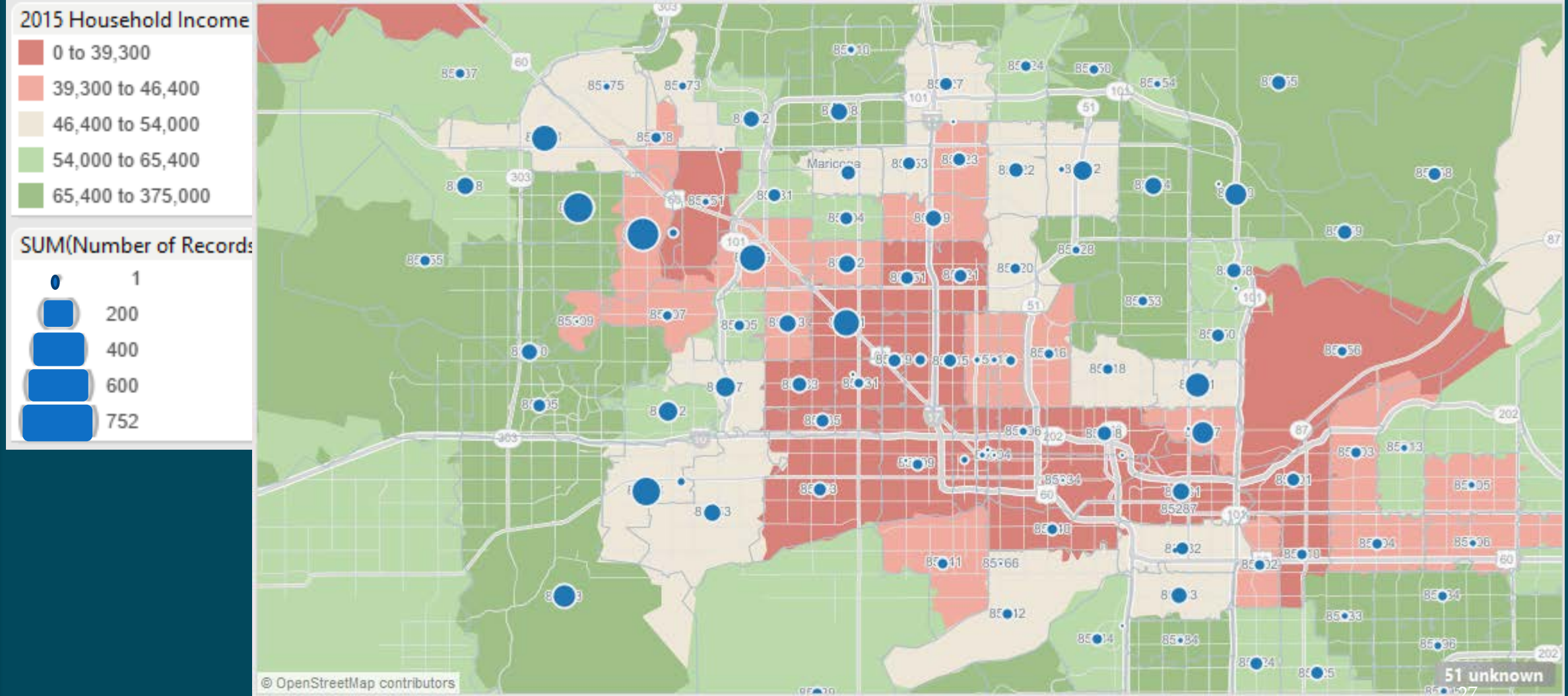
Driver License Suspension (DLS) Assessments

Assessment Category	All Civil Traffic Avg Assessment	DLS Avg Assessment	Difference	Percent Difference
Fines	\$124	\$199	\$75	60%
Surcharges	\$98	\$153	\$55	56%
Probation Surcharge	\$17	\$21	\$4	24%
Additional Assessments	\$14	\$16	\$2	14%
Local Court Fee	\$34	\$41	\$7	21%
FARE Collections	\$31	\$86	\$55	177%
Miscellaneous Fees	\$24	\$39	\$15	63%
Group Total	\$342	\$555	\$213	62%

Defendants with Suspended Driver License by Zip Code



Defendants with Suspended Driver License Compared to Household Income by Zip Code



Civil Traffic Defendants

FARE Study Results

Guilty/Responsible
(Excluding Defensive Driving)

20% of Guilty Defendants
result in FARE collections

92% of Defendants with
Time Payment Fee

Other Civil
Traffic* 35%

*Includes: Stop Sign, License
Plate and Head Lamp , Seat
Belt and Red Light Violations.

Speeding
31%

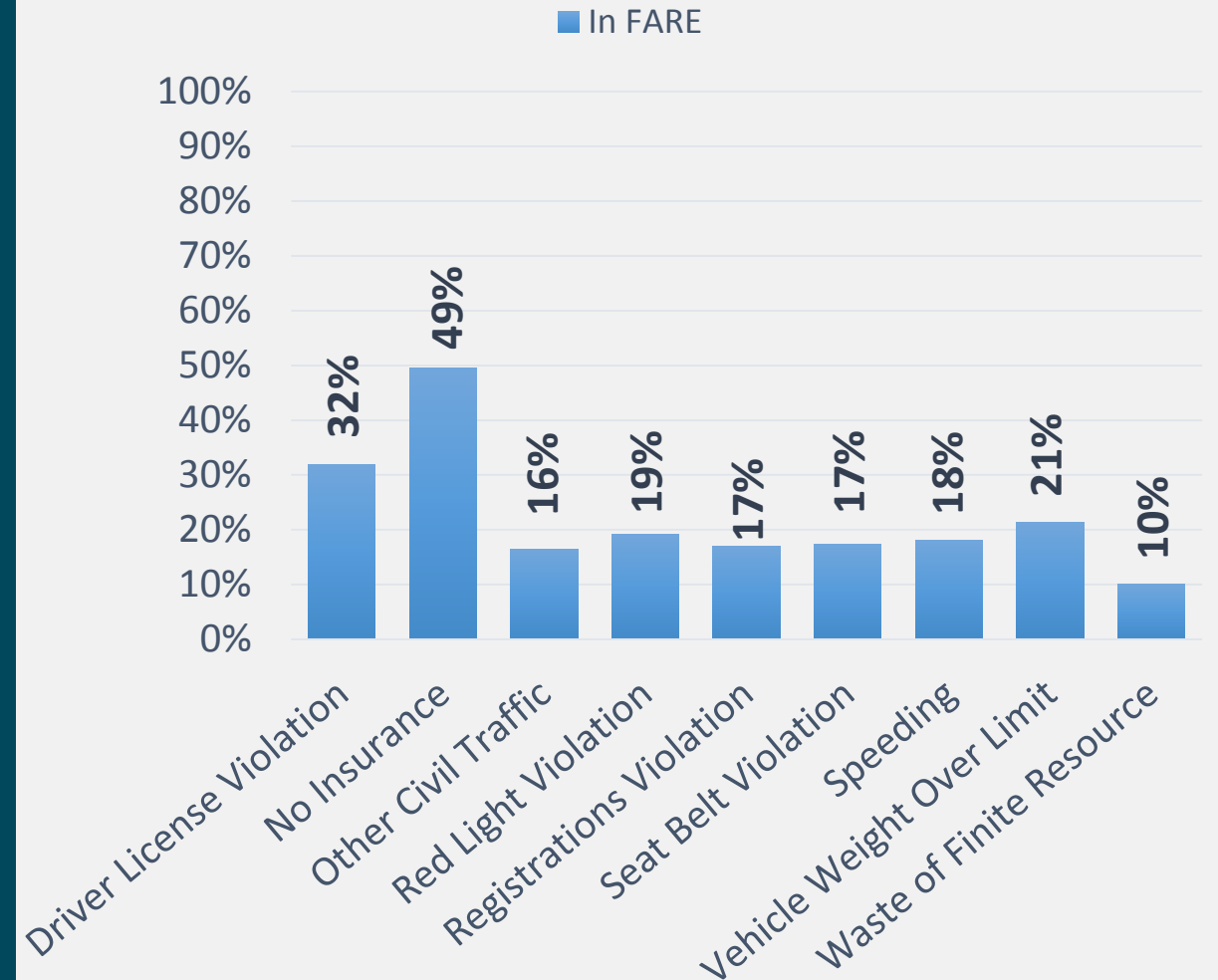
No Insurance
18%

Driver License/
Registration
Violation
16%

CIVIL TRAFFIC DEFENDANTS IN FARE

- 20% of Guilty/Responsible resulted in FARE collections
- Statewide estimate, 182,400 filings in FY14 eventually participated in FARE.
- 56% of defendants caught driving on a suspended license resulted in FARE collections.

FARE Participation Comparison by Case Type



Defendants with Driver License Suspended in FARE

- 29% of the defendants in FARE are related to their driver license being suspended.
- 61% of the defendants on FARE are male and 38% are female. This is comparable with non-FARE defendants which are 63% and 35%, respectively.
- The average of defendant in FARE is 32 compared with 35 in non-FARE, for both males and females.

Case Type	Percent Of Total
Driver License Violation	47%
No Insurance	39%
Other Civil Traffic	31%
Red Light Violation	27%
Registrations Violation	21%
Seat Belt Violation	22%
Speeding	22%
Vehicle Weight Over Limit	23%
Waste of Finite Resource	20%
GROUP TOTAL	29%

Defendants with Driver License Suspended in FARE

- 11% of defendants statewide have their driver license suspended for failure to appear or failure to pay. Estimated based on AOC data reports.
- 89% of DLS defendants are assigned to FARE.
- The average assessment for defendants in FARE is estimated at \$785 compared to \$589 for non-FARE, a difference of 20%.

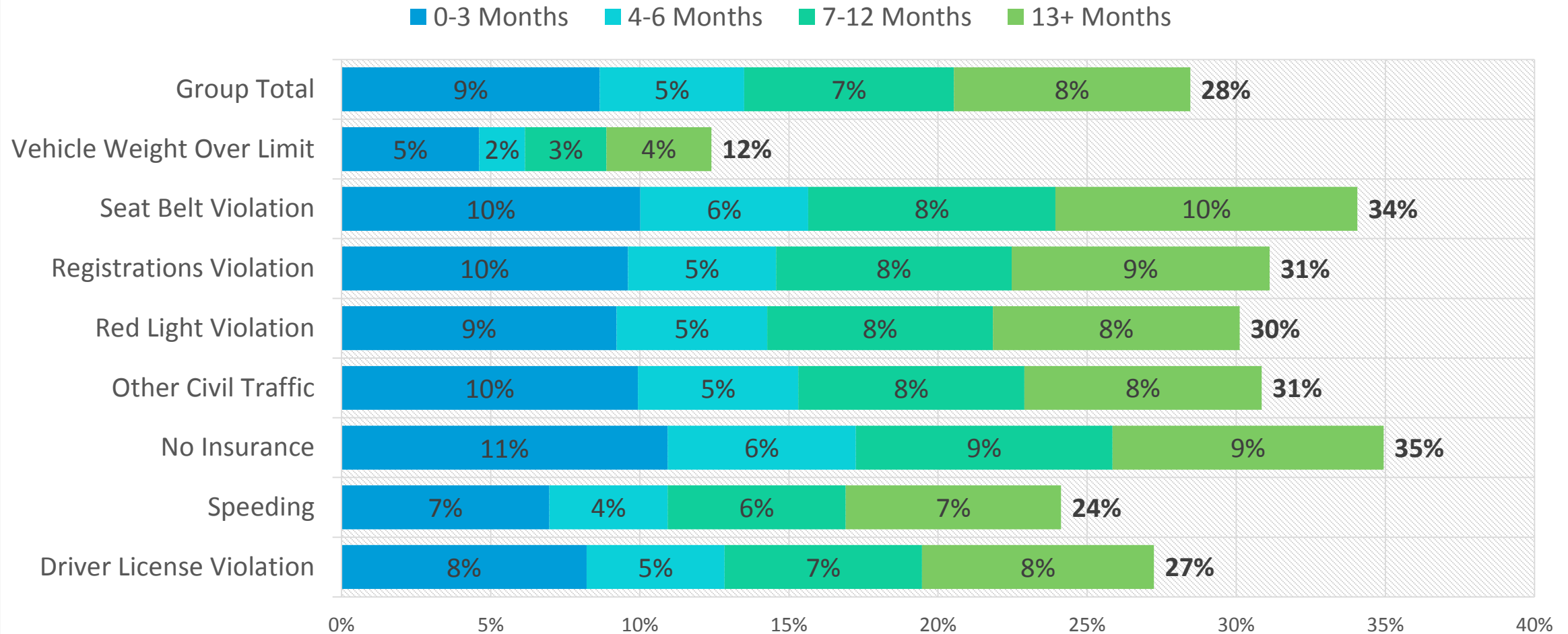
Case Type	Percent In FARE
Driver License Violation	91%
No Insurance	85%
Other Civil Traffic	90%
Red Light Violation	94%
Registrations Violation	87%
Seat Belt Violation	91%
Speeding	91%
Vehicle Weight Over Limit	76%
Waste of Finite Resource	91%
GROUP TOTAL	89%

Civil Traffic Defendants with Subsequent Violations – Number of Violations

Case Type	No Subsequent Violations	One Subsequent	Two Subsequent	3-5 Subsequent	6-10 Subsequent	10+ Subsequent	Cumulative Percent with Subsequent Violations
Driver License Violation (3%)	73%	16%	6%	4%	1%	0%	27%
Speeding (43%)	76%	16%	5%	3%	0%	0%	24%
No Insurance (16%)	65%	21%	8%	6%	1%	0%	35%
Other Civil Traffic (21%)	69%	18%	7%	5%	1%	0%	31%
Red Light Violation (8%)	70%	19%	6%	4%	0%	0%	30%
Registrations Violation (5%)	69%	20%	7%	4%	0%	0%	31%
Seat Belt Violation (3%)	66%	19%	8%	6%	1%	0%	34%
Vehicle Weight Over Limit (1%)	88%	10%	2%	0%	0%	0%	12%
Group Total	72%	18%	6%	4%	1%	0%	28%

Civil Traffic Defendants with Subsequent Violations

Defendants by Return Month



Misdemeanor and Criminal Traffic Violation Review

Initial Primary Offense Category to Final Primary Offense Category

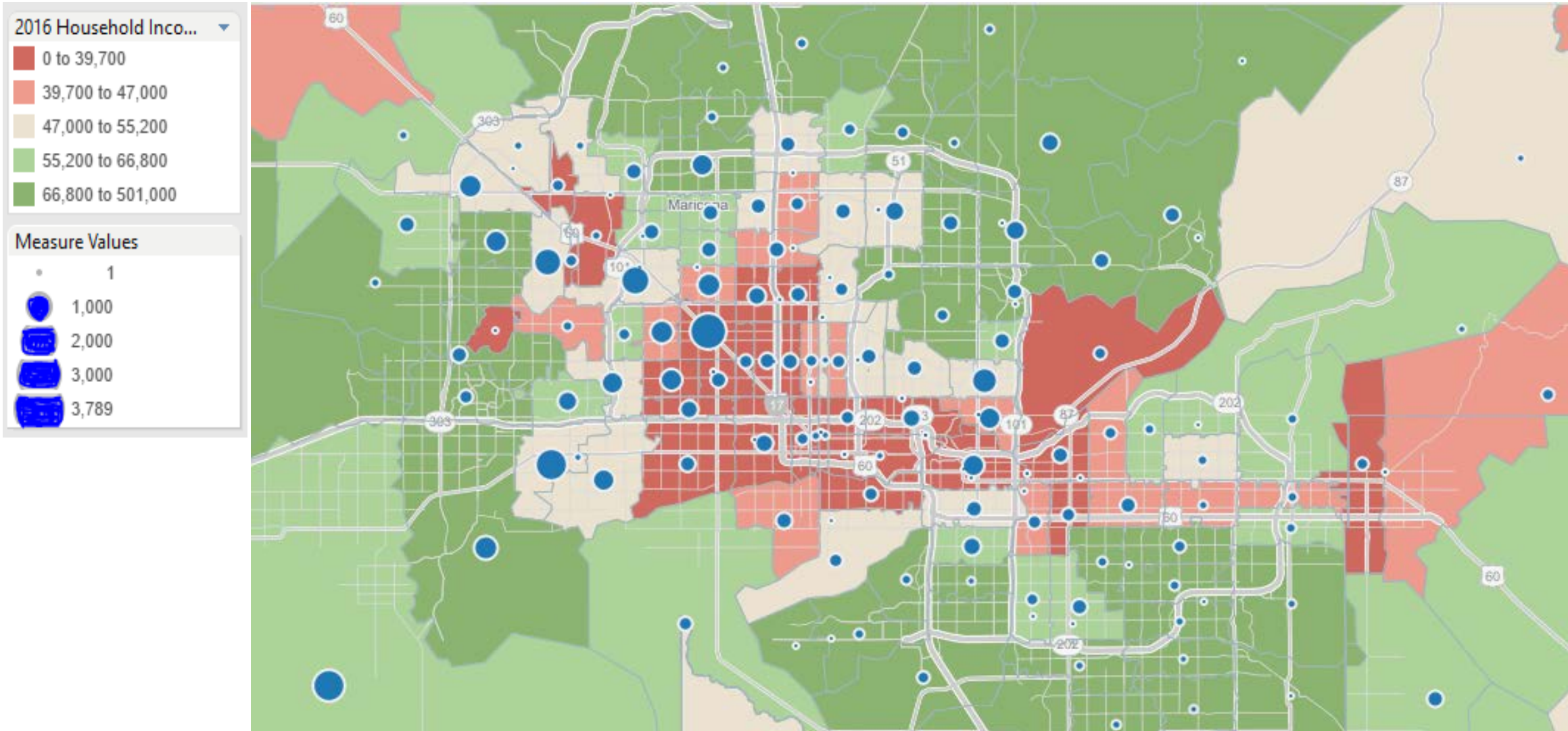
Initial Primary Offense Category

- 68% MISDEMEANOR NON-TRAFFIC
 - 23% “Other misdemeanor” (Category includes Title 4 liquor violations and failure to comply with court order violations.)
- 32% MISDEMEANOR TRAFFIC
 - 14% driving on suspended license

Final Primary Offense Category

- 61% MISDEMEANOR NON-TRAFFIC
 - “Other Misdemeanor” decreased by 65%
 - Violent Crimes against a person related offenses decreased by 29%
- 31% MISDEMEANOR TRAFFIC
 - Extreme DUI decreased by 59% while MV DUI *increased* by 23%
- 8% Civil Traffic

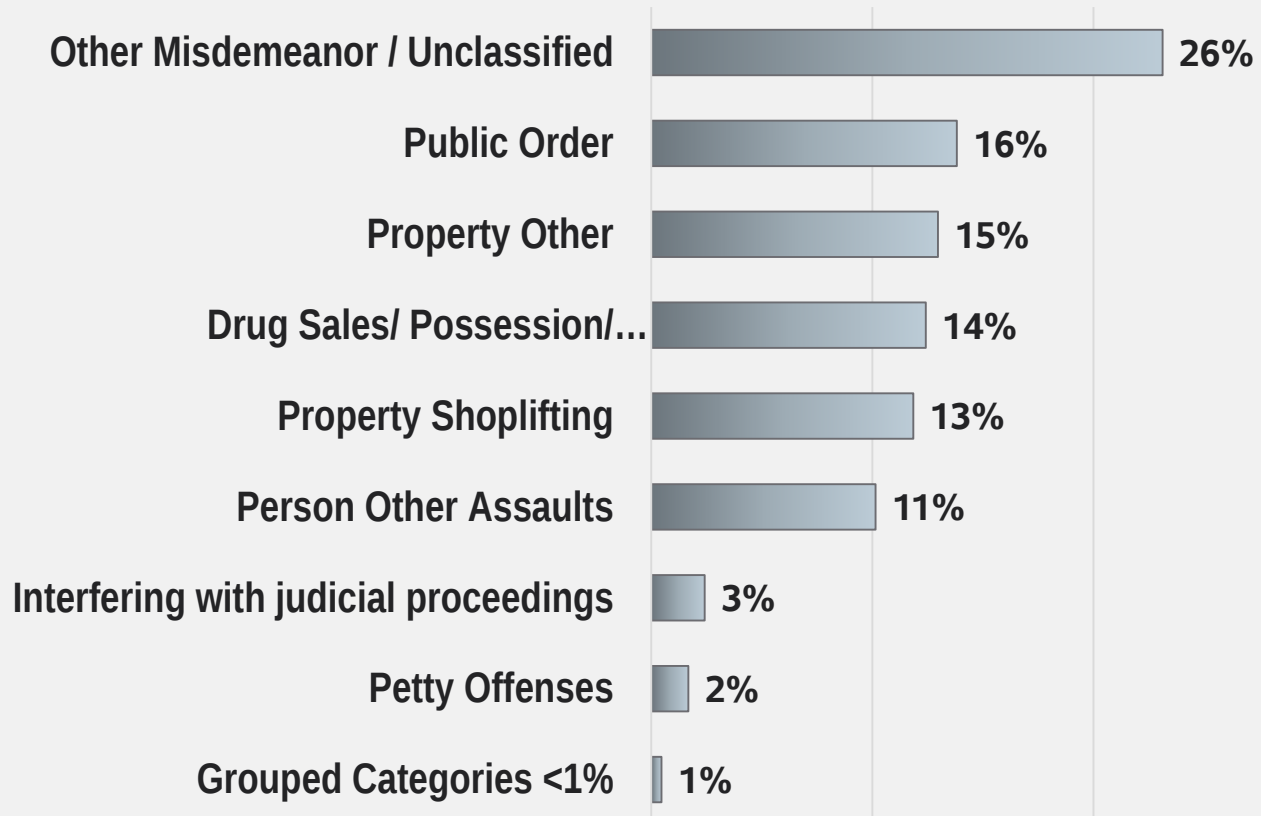
Criminal Defendants by Zip Code and Median Household Income



Defendants by Primary Case Type

Misdemeanor Non-Traffic

Misdemeanor Defendants by Primary Case Type



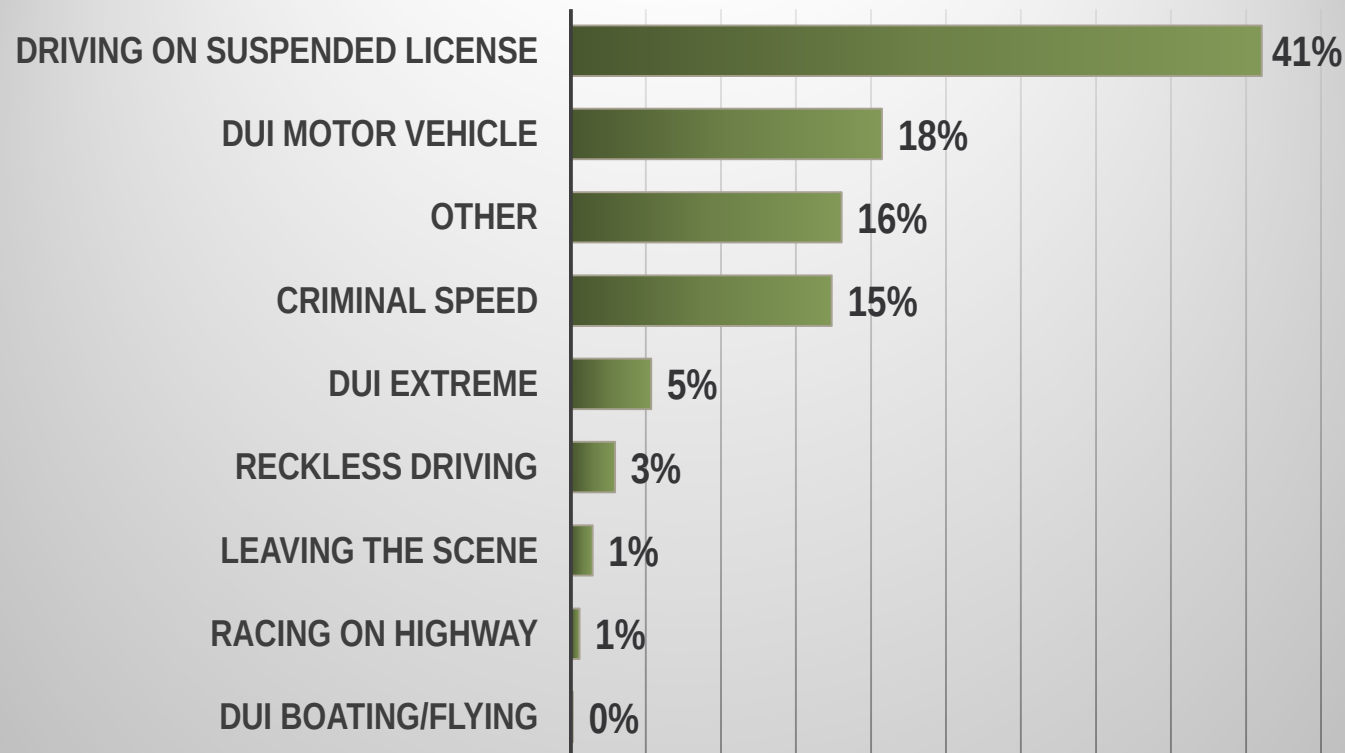
- ❖ “Other misdemeanor” category includes Title 4 liquor violations and failure to comply with court order violations.
- ❖ “Property Other” includes trespassing violations.
- ❖ 28% of the violations were property crimes.
- ❖ 12% were violent crimes against a person.
- ❖ 14% were drug related.

Defendants by Case Type

Criminal & Civil Traffic

Criminal Traffic Defendants

Criminal Traffic Defendants by Primary Charge

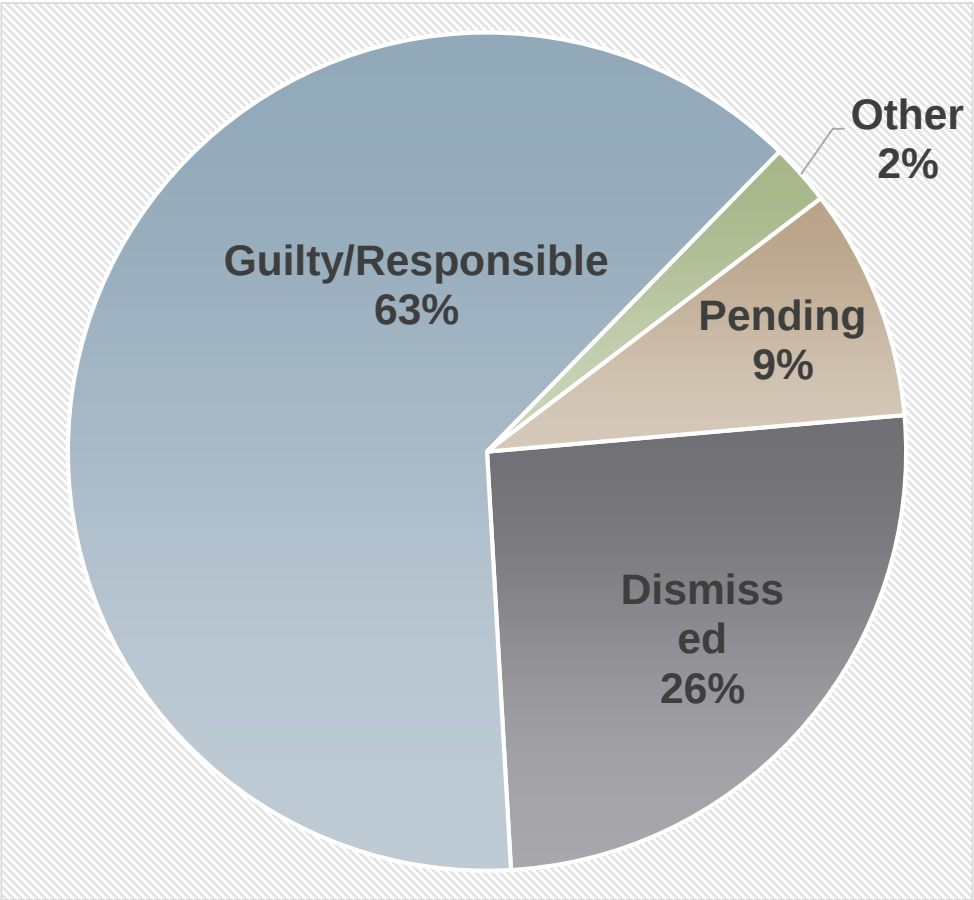


Civil Traffic Defendants

- 8% of defendants had their misdemeanor or criminal traffic charge dismissed or reduced, resulting in the civil traffic charge as the primary charge.
- Most civil traffic offenses included:
 - Driver License Violations (25%)
 - “Other” Civil Traffic (23%)
 - Speeding Violations (22%) and
 - No Insurance Violations (17%)

Disposition of Criminal Defendants

Disposition of Defendants



Conviction Rate by Case Type

	Guilty/ Responsible	Total Dispositions	Conviction Rate
Civil Traffic	11,447	11,578	99%
Criminal Traffic	31,699	40,713	78%
DUI	7,508	10,494	76%
Misdemeanor Non-traffic	48,844	80,220	61%
Property- Shoplifting	7,680	10,560	73%

Note: AOC DUI study in 2005, reported a conviction rate of 76.3%.

Sentencing of Defendants

Criminal Traffic

- Sentencing of Defendants
 - 68% Monetary, Public Service, or Diversion
 - 19% County Jail/County Jail & Probation
 - 12% None
 - 1% Probation/Probation & Monetary and/or Public Service
 - <1% Suspended Sentence
- 80% of the defendants sentenced to jail were for DUI related violations. 12% were for driving on a suspended license.

Misdemeanor Non-traffic

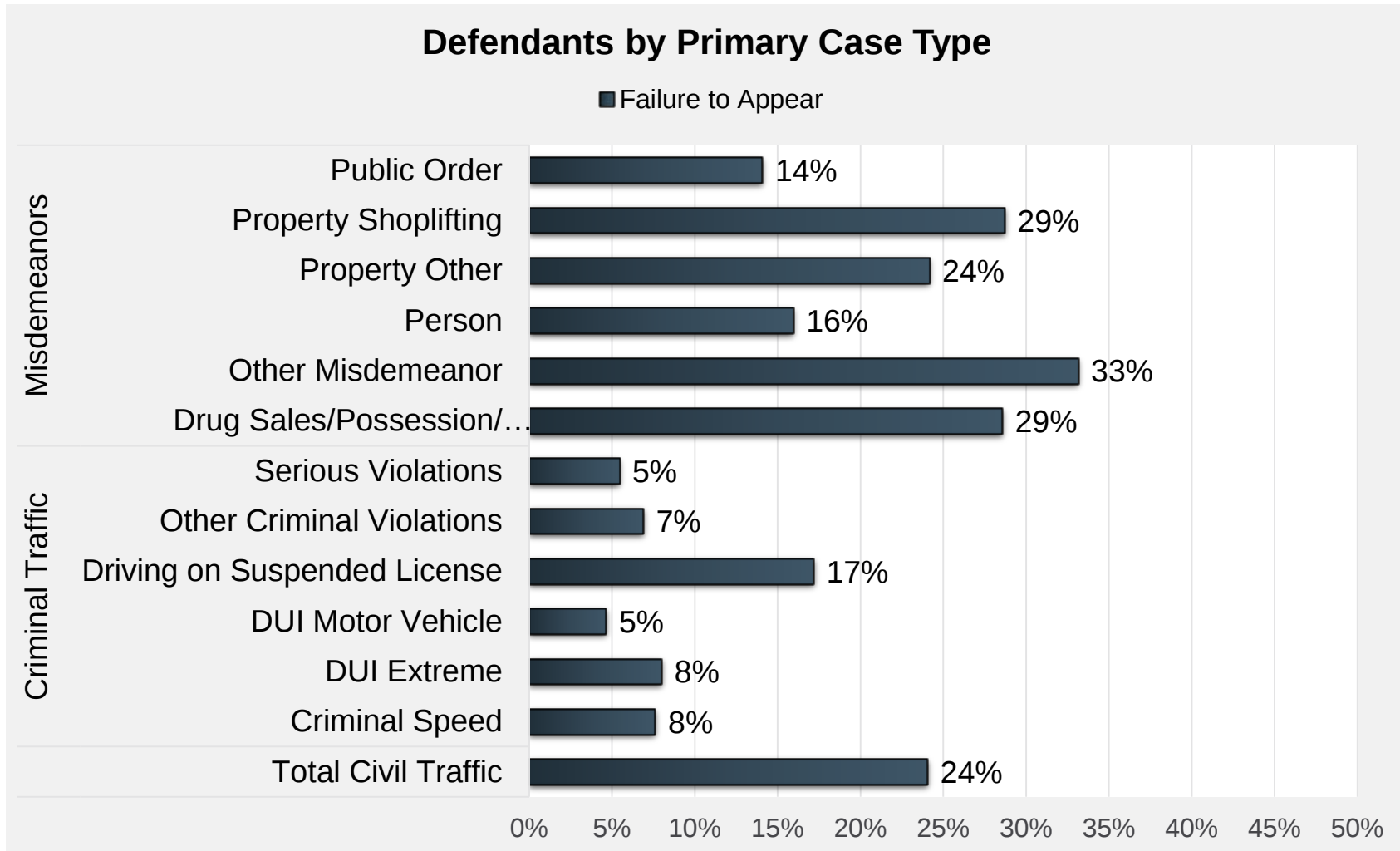
- Sentencing of Defendants
 - 43% Monetary, Public Service, or Diversion
 - 28% County Jail/County Jail & Probation
 - 15% None
 - 12% Probation/Probation & Monetary and/or Public Service
 - 1% Suspended Sentence
- The majority of defendants sentenced to jail were for public order and property related offenses.



94% of civil traffic defendants result in a monetary/ public service or diversion sentence.

ARS §13-2506 and §13-3904

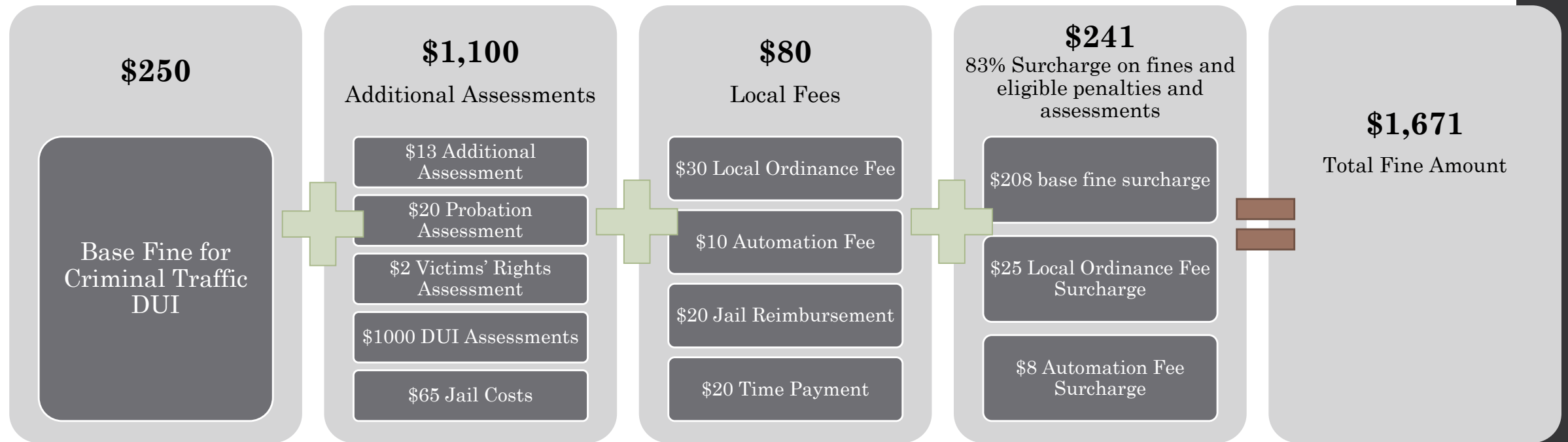
Violations of Failure to Appear and Promise to Appear (FTA)



❖ Of the total defendants, 21% had a violation of §13-2506 or §13-3904.

❖ Civil traffic defendants include those that initially had a criminal violation but were later reduced or dismissed to civil traffic.

Sample Assessment Criminal Traffic DUI

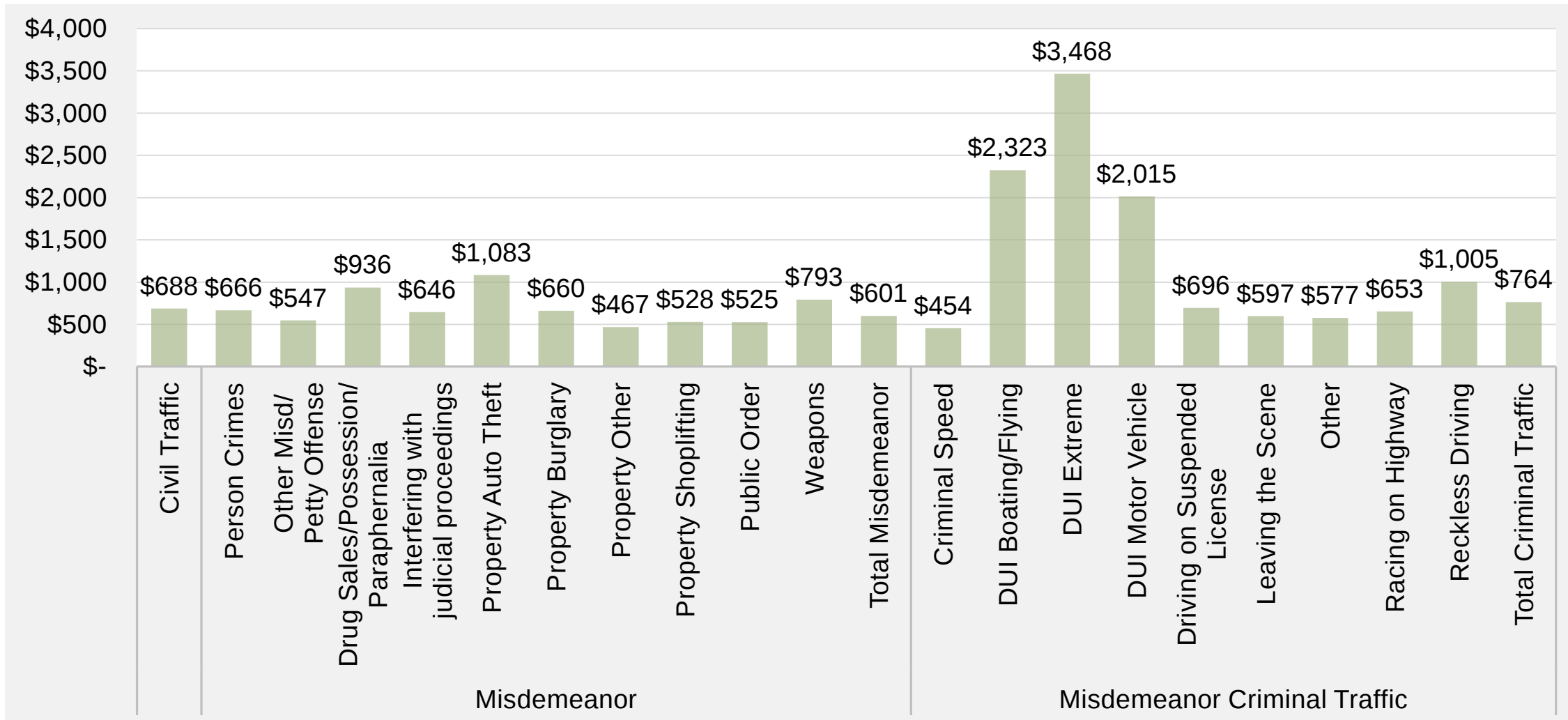


Additional offense specific assessments may apply. For example, DUI convictions carry additional assessments of \$250-\$1,500.

Assessment Category by Percent

Assessment Category	Average Assessment	Percent of Total
Fines	\$258	34%
Surcharges	\$201	26%
Probation Surcharge	\$18	2%
Additional Assessments	\$119	16%
Local Court Fee	\$43	6%
FARE Collections	\$78	10%
Miscellaneous Fees	\$48	6%
Group Total	\$766	100%

Average Assessments by Case Type



Time Payment Fees

Defendants assessed time payment fee

- 58% of the defendants who plead or were found guilty.
- 62% of criminal traffic defendants and 54% of misdemeanor non-traffic.
- The percent of defendants is about the same for females (61%) and males (57%).

Defendants Assessed a Time Payment Fee by Case Type	Percent of Category
Civil Traffic	65%
Criminal Traffic	62%
Criminal Speed	42%
DUI Related	72%
Suspended License	69%
Other Serious Traffic	57%
All Other Criminal Traffic	49%
Misdemeanor	54%
Drug Related	65%
Other Misdemeanor	51%
Interfering w/ Judicial Proceedings	52%
Person Related	56%
Property Related	55%
Petty Offense	26%
Public Order	52%
Weapons	56%

Assessments with Time Payment Fee

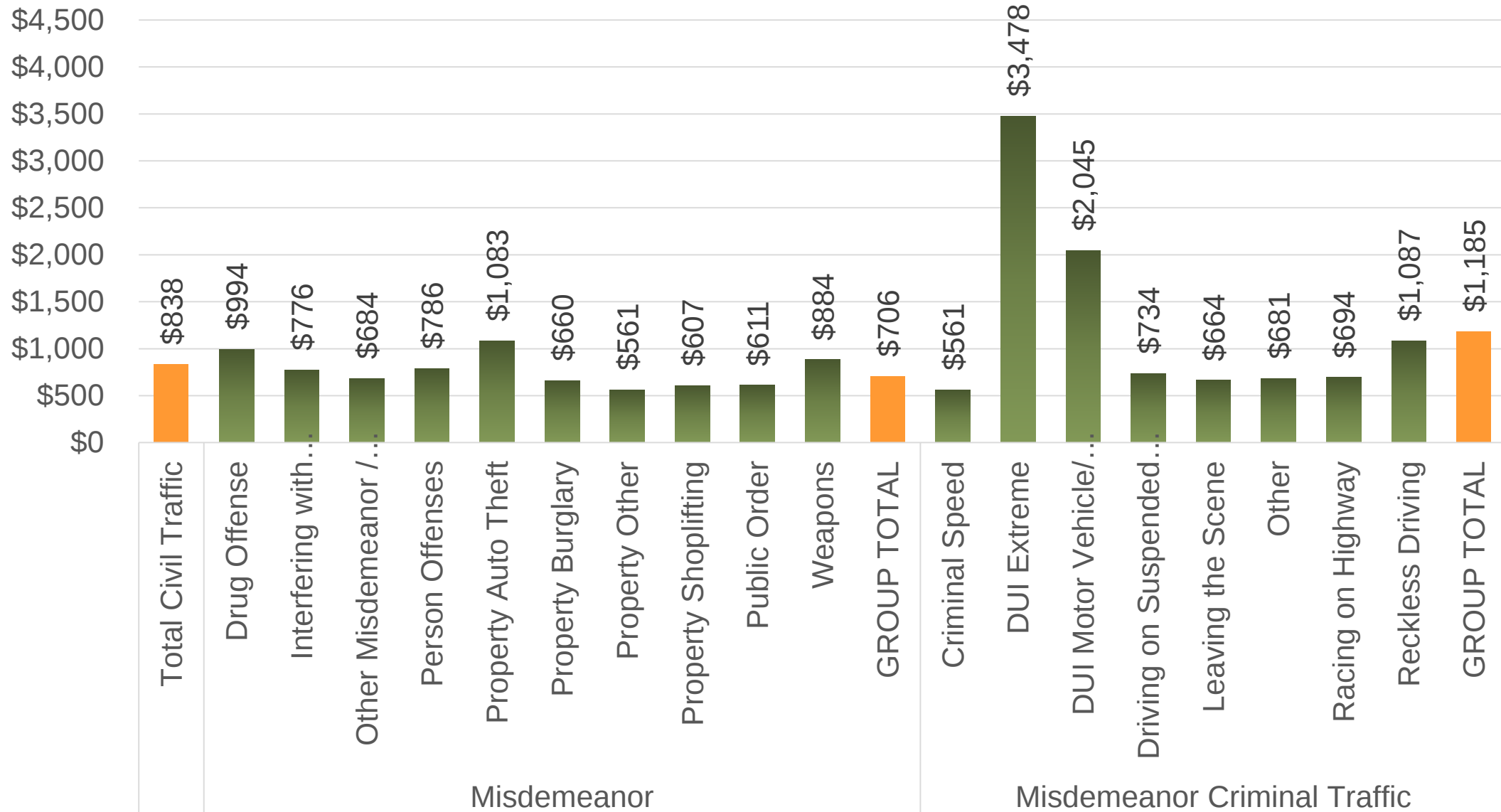
Average Assessments

- ❖ Average assessment with a time payment fee is \$896 compared with \$407 for defendants without the fee.
- ❖ Base fines 84% higher for those with time payment fees.
- ❖ Defendants with time payments fees have additional assessments of \$99 for collections fees and \$22 for time payment fees.
- ❖ 86% of defendants with an Extreme DUI are assessed a time payment fee. The average assessment for these violations is \$3,478.

Case Type	Average Assessment		
	With Time Payment	Without Time Payment	Percent Difference
Criminal Traffic	\$1,185	\$572	107%
Misdemeanor Non-traffic	\$706	\$327	116%
Civil Traffic	\$838	\$327	156%
Total	\$896	\$407	120%

Average Assessments by Primary Case Type

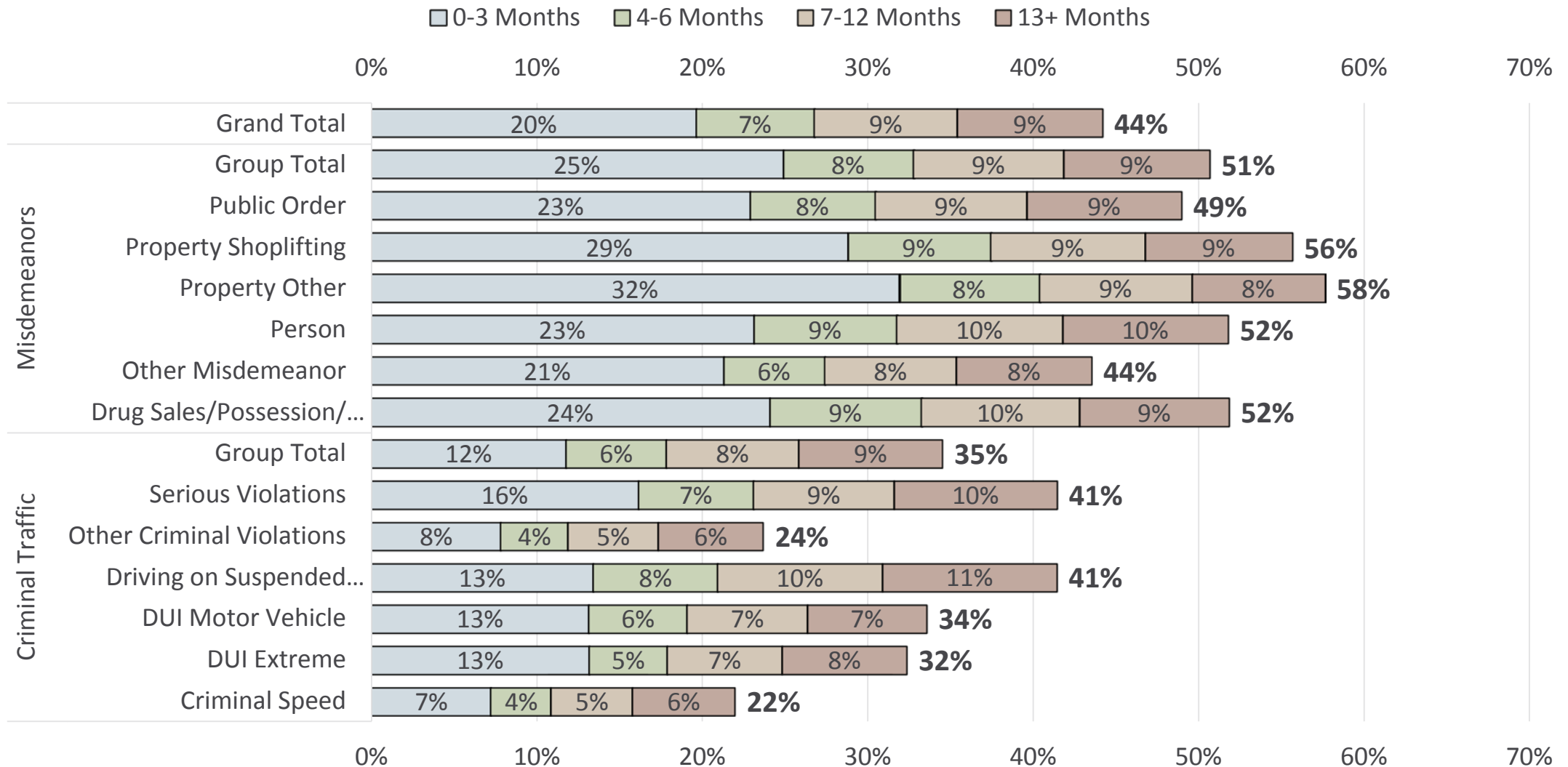
Defendants with Time Payment Fee



Criminal Defendants Subsequent Violations

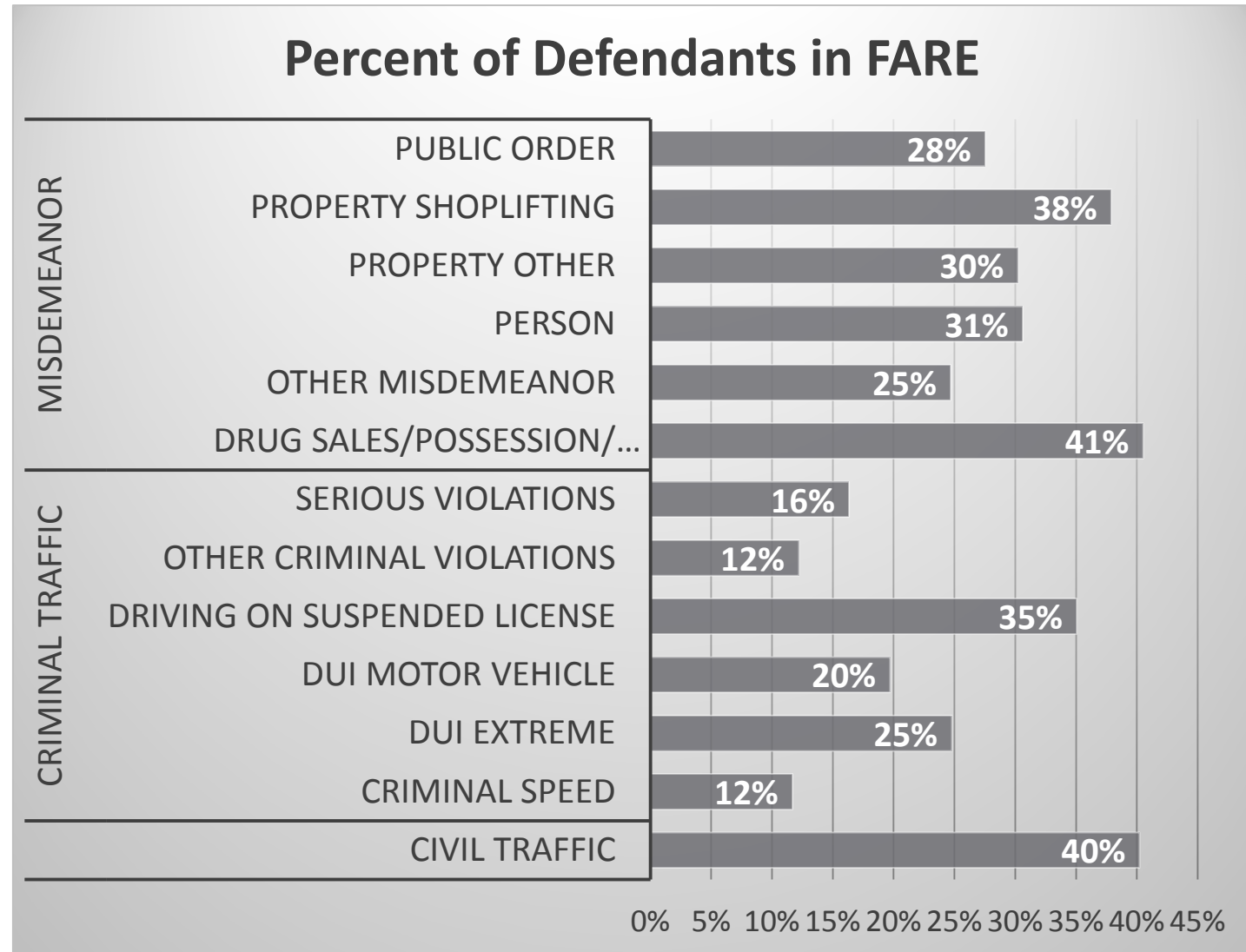
	No Subsequent	One Subsequent	Two Subsequent	3-5 Subsequent	6-10 Subsequent	Plus 10 Subsequent	Cumulative with Subsequent
GRAND TOTAL ALL CRIMINAL (100%)	56%	20%	10%	10%	3%	2%	44%
Criminal Group Total (60%)	49%	20%	11%	12%	5%	3%	51%
Drug Sales/Possession/Paraphernalia (9%)	48%	20%	11%	14%	5%	2%	52%
Other Misdemeanor (16%)	56%	19%	9%	10%	4%	3%	44%
Person (10%)	48%	23%	12%	12%	4%	1%	52%
Property Other (9%)	42%	20%	11%	15%	7%	5%	58%
Property Shoplifting (9%)	44%	21%	11%	15%	6%	3%	56%
Public Order (7%)	51%	21%	11%	11%	4%	1%	49%
Criminal Traffic Group Total (40%)	65%	20%	8%	6%	1%	0%	35%
Criminal Speed (6%)	78%	14%	5%	3%	0%	0%	22%
DUI Extreme (3%)	68%	21%	7%	4%	0%	0%	32%
DUI Motor Vehicle (5%)	66%	21%	7%	5%	1%	0%	34%
Driving on Suspended License (19%)	59%	22%	10%	8%	1%	0%	41%
Other Criminal Violations (6%)	76%	15%	5%	3%	1%	0%	24%
Serious Violations (2%)	59%	21%	10%	8%	2%	0%	41%

Criminal Defendants Subsequent Violations



DEFENDANTS IN FARE

- ❖ 29% of defendants with guilty disposition resulted in FARE collections
- ❖ Statewide estimate that in FY14, 42,000 filings eventually participated in FARE.
- ❖ 35% of defendants caught driving on a suspended license resulted in FARE collections.



DATA DRIVEN RESULTS

- CIVIL TRAFFIC

- 83% Conviction Rate, 22% attended defensive driving.
- Average assessment is \$342, while no insurance is \$1,040.
- Estimated 11% or 103,000 defendants statewide fail to appear or fail to pay and driver license is suspended.
- 28% of civil traffic defendants are cited for a subsequent violation.

- CRIMINAL

- 63% Conviction Rate, while DUI conviction rate is 76%.
- 19% of criminal traffic and 28% of misdemeanors are sentenced to jail.
- Average assessment is \$766, MV DUI average assessment is \$2,015.
- Overall, 44% of criminal defendants return with subsequent violations, 35% from criminal traffic and 51% of misdemeanors.

Arizona Supreme Court
Court Services Division
Research & Statistics
March 2016

