

ARIZONA ADULT PROBATION

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Probation Revocation & Crime Reduction Report  
Fiscal Year 2009



July 1, 2008 - June 30, 2009

ADMINISTRATIVE OFFICE OF THE COURTS  
ADULT PROBATION SERVICES DIVISION  
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This Report Published By

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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:  
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# TABLE OF CONTENTS

	PAGE
A.R.S. § 12-270 Background	4
Adult Probation Population	5
Probation Revocations	6
New Felony Convictions	10
Appendix A - Arizona Department of Corrections Cost for Contracted Private Beds	11
Appendix B - A.R.S. § 12-270	12

## 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 2009, the average<sup>1</sup> number of people on probation was 85,622. For purposes of funding and caseload ratios of 60:1 that are reported to the Joint Legislative Budget Committee, the AOC categorizes a subset of those on probation as “direct supervision” cases. During FY 2009, the average number of direct supervision cases was 40,937. 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 2009 and Table 2 shows the average number of people on supervised probation (direct supervision) in FY 2009.

**Table 1: AVG. Probation Population**

County	Number of People
Apache	730
Cochise	1,185
Coconino	1,715
Gila	1,181
Graham	888
Greenlee	190
La Paz	385
Maricopa	56,951
Mohave	2,559
Navajo	1,755
Pima	7,945
Pinal	2,933
Santa Cruz	749
Yavapai	4,395
Yuma	2,060
<b>Statewide</b>	<b>85,622</b>

**Table 2: AVG. Direct Supervision Population**

County	Number of People
Apache	394
Cochise	700
Coconino	821
Gila	540
Graham	526
Greenlee	111
La Paz	121
Maricopa	24,214
Mohave	1,319
Navajo	1,014
Pima	5,459
Pinal	1,840
Santa Cruz	279
Yavapai	2,248
Yuma	1,353
<b>Statewide</b>	<b>40,937</b>

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<sup>1</sup> 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 2009 there were a total of 6,733 dispositions that resulted in probation grants being revoked. Table 3 shows the number of dispositions in each county that resulted in a revocation. Statewide, the number and type of dispositions that resulted in revocations were:

- 5,942 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);
- 616 dispositions resulted in a revocation to jail; and
- 175 dispositions resulted in a revocation with no incarceration.

**Table 3: Dispositions Resulting in a Revocation**

	Dispositions Resulting in Revocation to ADOC	Dispositions Resulting in Revocation to Jail	Dispositions Resulting in Revocation w/no Incarceration	Total Number of Dispositions Resulting in a Revocation
Apache	27	5	4	36
Cochise	85	23	11	119
Coconino	127	35	27	189
Gila	70	40	9	119
Graham	37	18	2	57
Greenlee	15	1	0	16
La Paz	21	0	0	21
Maricopa	4,001	322	82	4,405
Mohave	215	12	2	229
Navajo	88	12	4	104
Pima	592	59	11	662
Pinal	191	51	10	252
Santa Cruz	55	19	9	83
Yavapai	283	13	3	299
Yuma	135	6	1	142
<b>State Wide</b>	<b>5,942</b>	<b>616</b>	<b>175</b>	<b>6,733</b>

From FY 2008 base line to FY 2009 Arizona experienced a 13.3% decrease in the number of dispositions that resulted in a revocation. There was a decrease of 13.0% in the rate of dispositions that resulted in a revocation to the department of corrections; a 15.0% decrease in the rate of dispositions resulting in a revocation to jail; and a 14.5% 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 2008 Base Line	FY 2009 Actual	Growth (#)	Growth (%)
Apache	73	36	-37	-50.1
Cochise	135	119	-16	-11.9
Coconino	253	189	-64	-25.3
Gila	112	119	7	6.3
Graham	47	57	10	21.3
Greenlee	12	16	4	33.3
La Paz	24	21	-3	-12.5
Maricopa	4,714	4,405	-309	-6.6
Mohave	314	229	-85	-27.1
Navajo	156	104	-52	-33.3
Pima	968	662	-306	-31.6
Pinal	310	252	-58	-18.7
Santa Cruz	58	83	25	43.1
Yavapai	326	299	-27	-8.3
Yuma	218	142	-76	-34.9
<b>Statewide</b>	<b>7,720</b>	<b>6,733</b>	<b>-987</b>	<b>-12.8</b>

Table 5: Revocations to ADOC

	FY 2008 Base Line	FY 2009 Actual	Growth (#)	Growth (%)
Apache	37	27	-10	-27.0
Cochise	121	85	-36	-29.8
Coconino	221	127	-94	-42.5
Gila	82	70	-12	-14.6
Graham	36	37	1	2.8
Greenlee	10	15	5	50.0
La Paz	21	21	0	0
Maricopa	4,393	4,001	-392	-8.9
Mohave	304	215	-89	-29.3
Navajo	123	88	-35	-28.5
Pima	733	592	-141	-19.2
Pinal	217	191	-26	-12.0
Santa Cruz	25	55	30	120.0
Yavapai	290	283	-7	-2.4
Yuma	188	135	-53	-28.2
<b>Statewide</b>	<b>6,801</b>	<b>5,942</b>	<b>-857</b>	<b>-12.6</b>

Table 6: Revocations to Jail

	FY 2008 Base Line	FY 2009 Actual	Growth (#)	Growth (%)
Apache	8	5	3	-37.5
Cochise	11	23	12	109.1
Coconino	18	35	17	94.4
Gila	26	40	14	53.8
Graham	9	18	9	100.0
Greenlee	2	1	-1	-50.0
La Paz	0	0	0	0
Maricopa	300	322	22	7.3
Mohave	0	12	12	120.0
Navajo	19	12	-7	-36.8
Pima	173	59	-114	-65.9
Pinal	70	51	-19	-27.1
Santa Cruz	21	19	-2	-9.5
Yavapai	35	13	-22	-62.9
Yuma	27	6	-21	-77.8
<b>Statewide</b>	<b>719</b>	<b>616</b>	<b>-103</b>	<b>-14.3</b>

Table 7: Revocations w/no Incarceration

	FY 2008 Base Line	FY 2009 Actual	Growth (#)	Growth (%)
Apache	28	4	-24	-85.7
Cochise	3	11	8	266.7
Coconino	14	27	13	92.9
Gila	4	9	5	125.0
Graham	2	2	0	0
Greenlee	0	0	0	0
La Paz	3	0	-3	-100.0
Maricopa	21	82	61	290.5
Mohave	10	2	-8	-80.0
Navajo	14	4	-10	-71.4
Pima	62	11	-51	-82.3
Pinal	23	10	-13	-56.5
Santa Cruz	12	9	-3	-25.0
Yavapai	1	3	2	200.0
Yuma	3	1	-2	-66.7
<b>Statewide</b>	<b>200</b>	<b>175</b>	<b>-25</b>	<b>-12.5</b>

## NEW FELONY CONVICTIONS

During FY 2009, 3,114 people on probation had a new felony conviction<sup>2</sup>. Table 4 shows the number of probationers who had a new felony conviction during FY 2009.

**Table 8: Number of Probationers With A New Felony Conviction**

	FY 2008 Base Line	FY 2009 Actual	Growth (#)	Growth (%)
Apache	37	5	-32	-86.5
Cochise	36	10	-26	-72.2
Coconino	63	15	-48	-76.2
Gila	36	59	23	63.9
Graham	23	44	21	91.3
Greenlee	6	0	-6	-100.0
La Paz	4	4	0	0
Maricopa	2,222	2,388	166	7.5
Mohave	58	14	-44	-75.9
Navajo	45	40	-5	-11.1
Pima	221	233	12	5.4
Pinal	182	90	-92	-50.5
Santa Cruz	18	10	-8	-44.4
Yavapai	195	160	-35	-17.9
Yuma	28	29	1	3.6
<b>Statewide</b>	<b>3,174</b>	<b>3,114</b>	<b>-60</b>	<b>-1.9</b>

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<sup>2</sup> 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, 2009, 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)	57.15	1,400 Beds
GEO Group (Phoenix West DWI)	49.28	400 Beds

Using the above information and total beds available, the calculated average cost is \$57.70 per day for each regular private bed placement as of June 30, 2009.

As of June 30, 2009, 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:

Corrections Corporation of America (Diamondback)	\$59.45	2,052 Beds
Corrections Corporation of America (Huerfano)	\$64.00	677 Beds
Cornell Corrections of Texas, Inc. (Hinton)	\$54.50	1,763 Beds

## 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.