

# 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

Civil Traffic

Guilty

Dismissal

Pending/  
Warrant

Dismissal

Pending

Guilty/Default

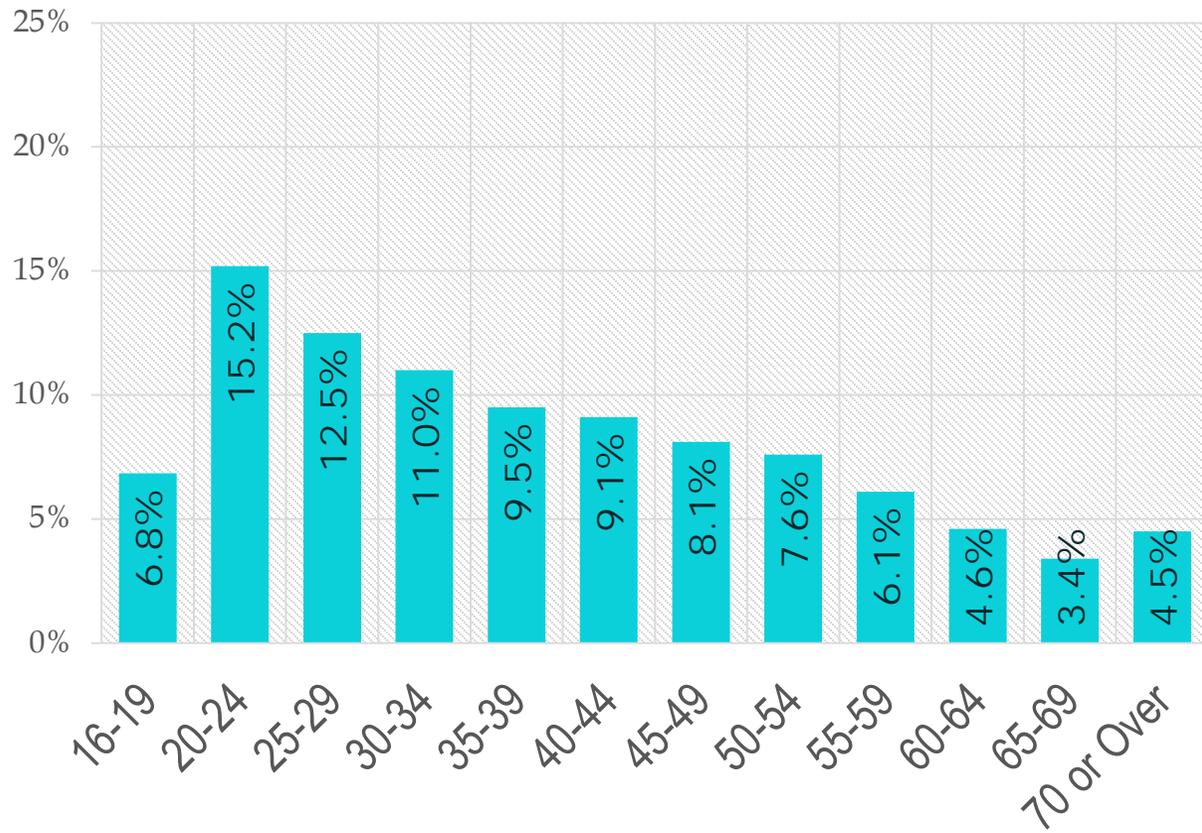
Sentencing

Guilty

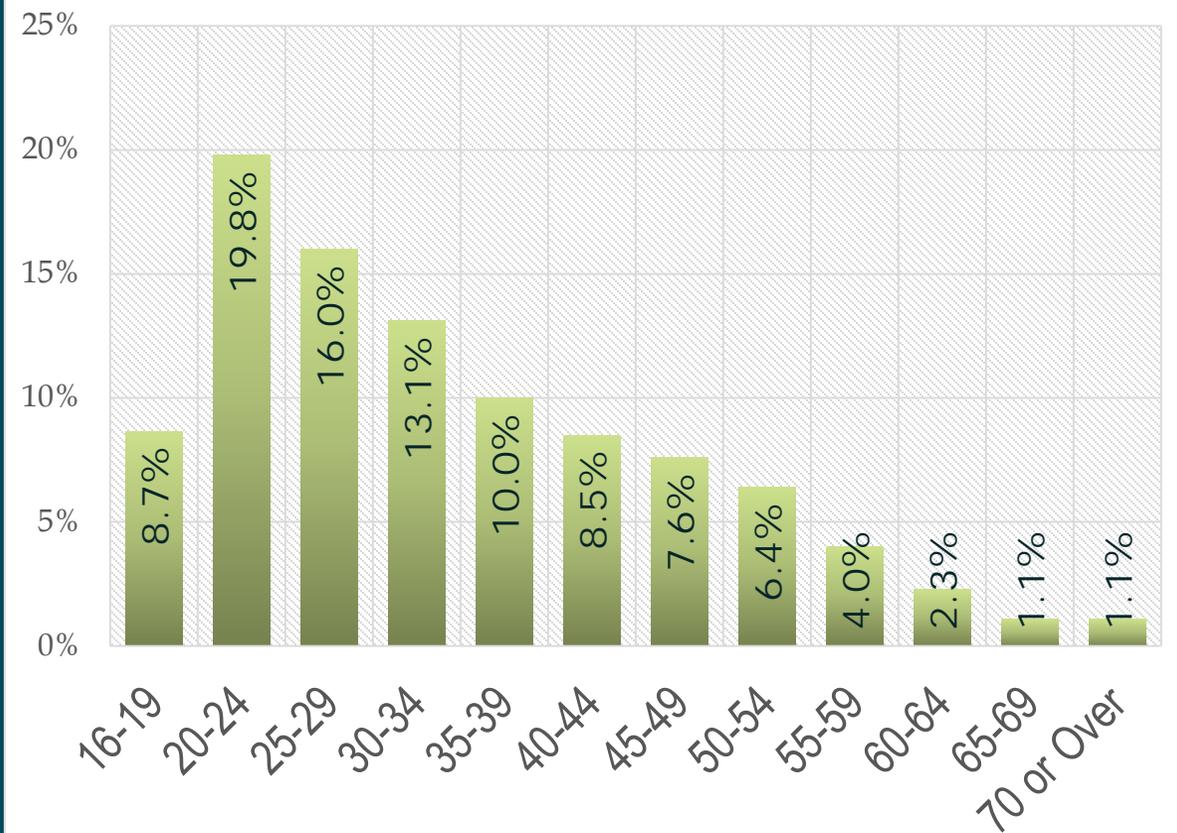
Defensive  
Driving

# Defendants by Demographic – Age

## Civil Traffic

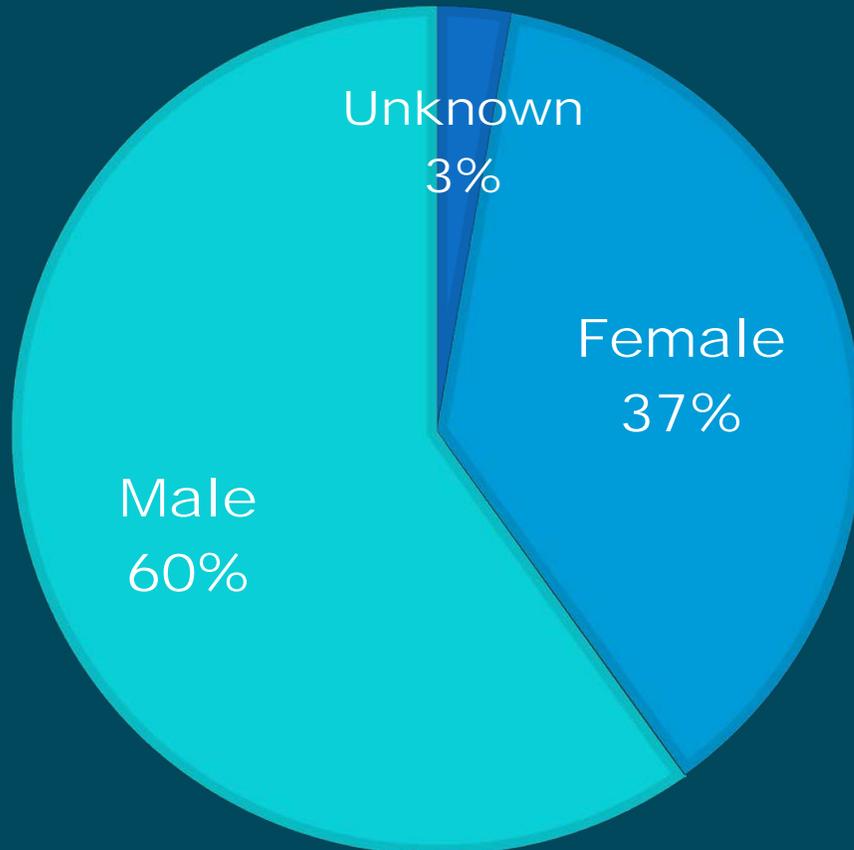


## Criminal and Criminal Traffic

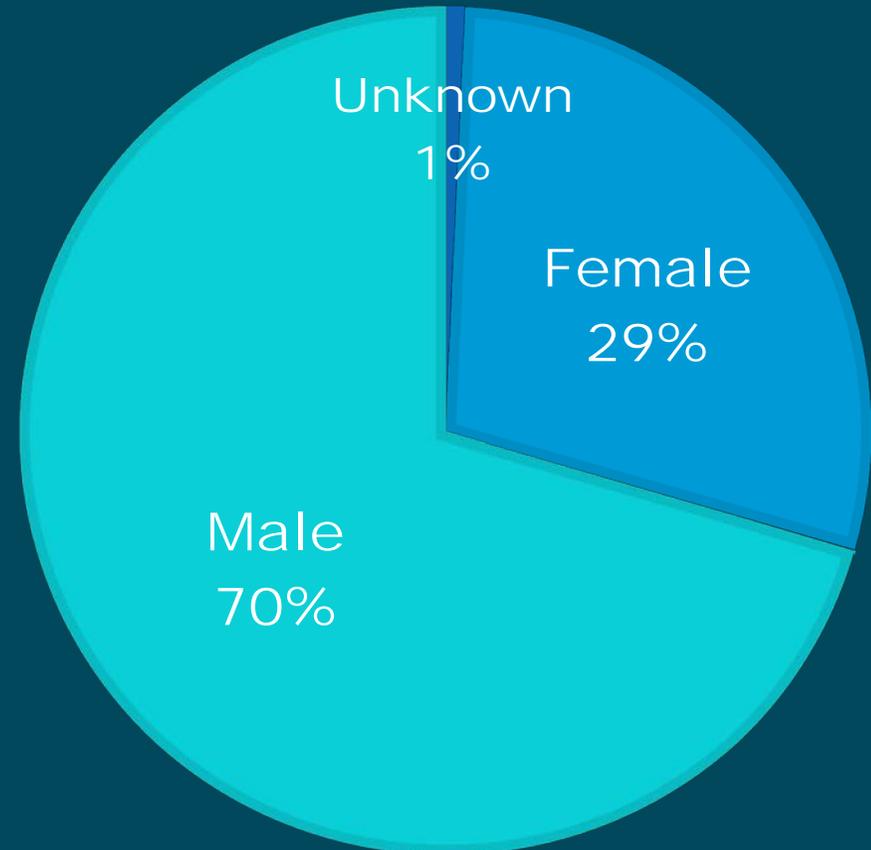


# Defendants by Demographic - Gender

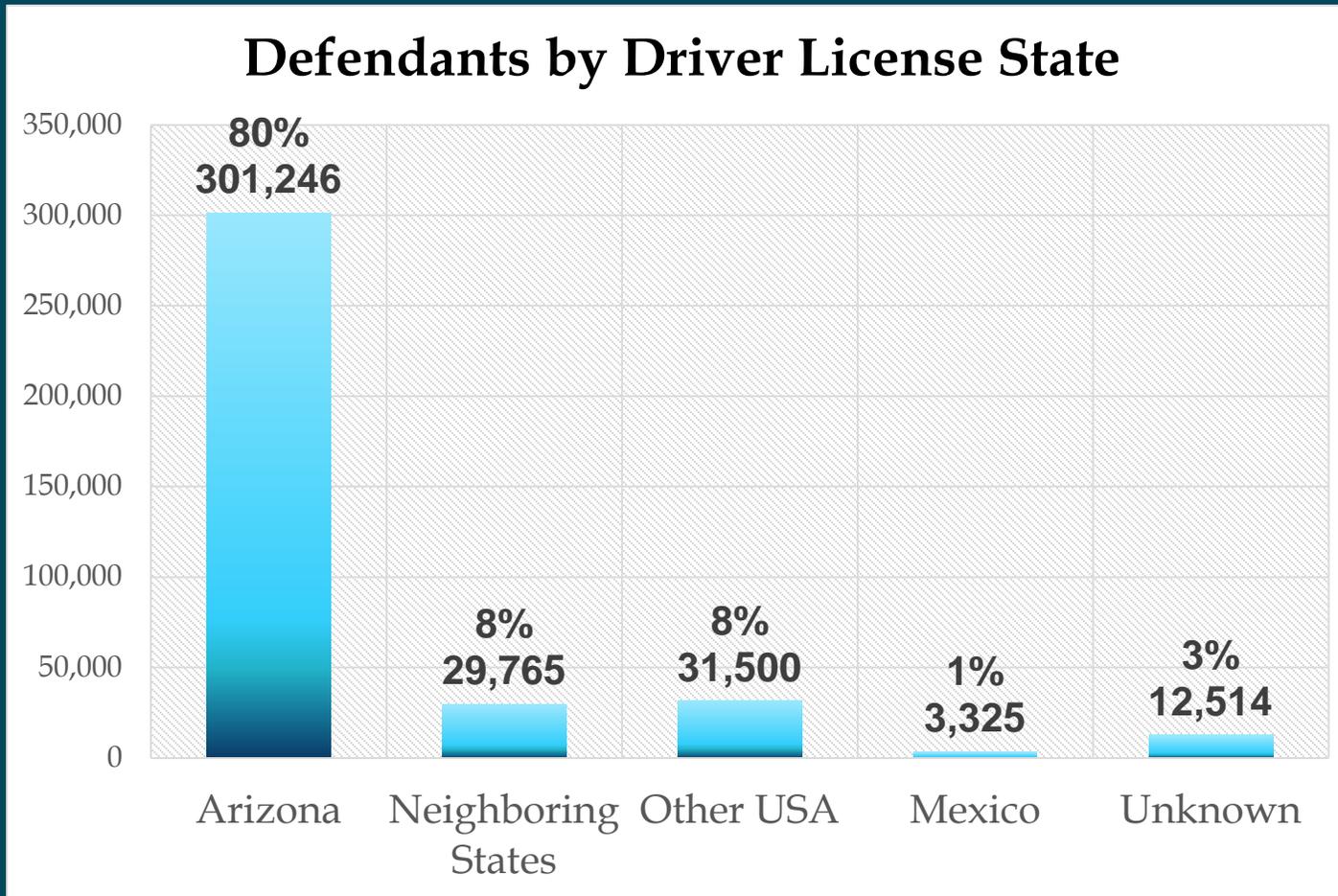
## Civil Traffic



## Misdemeanor and Criminal Traffic

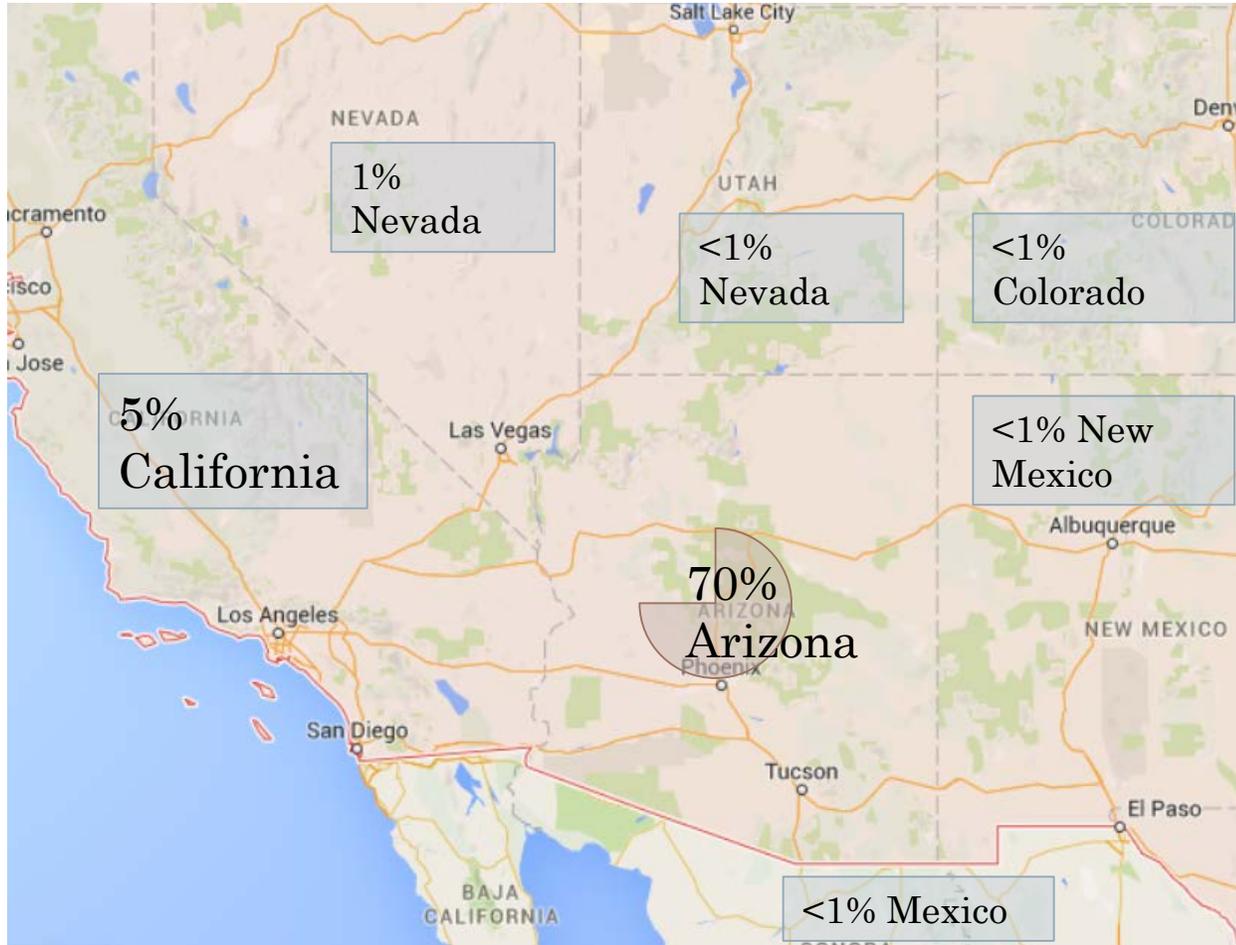


# Civil Traffic Defendants by Driver License State



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

# Criminal and Criminal Traffic Defendants by Driver License State



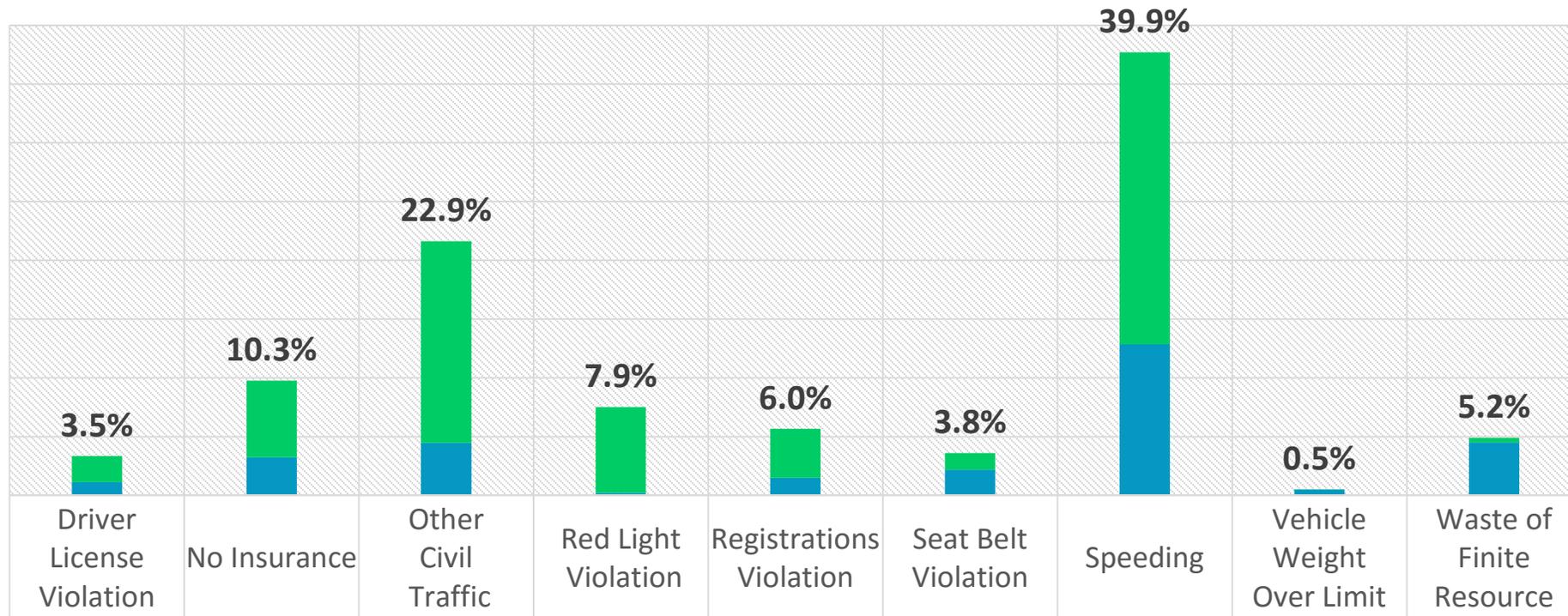
- ❖ 70% from Arizona
- ❖ 20% from other states
- ❖ <1% from Mexico
- ❖ 10% Unknown

# Civil Traffic Violation Review

# Defendants by Case Type - Civil Traffic

Civil Traffic Defendants by Case Type

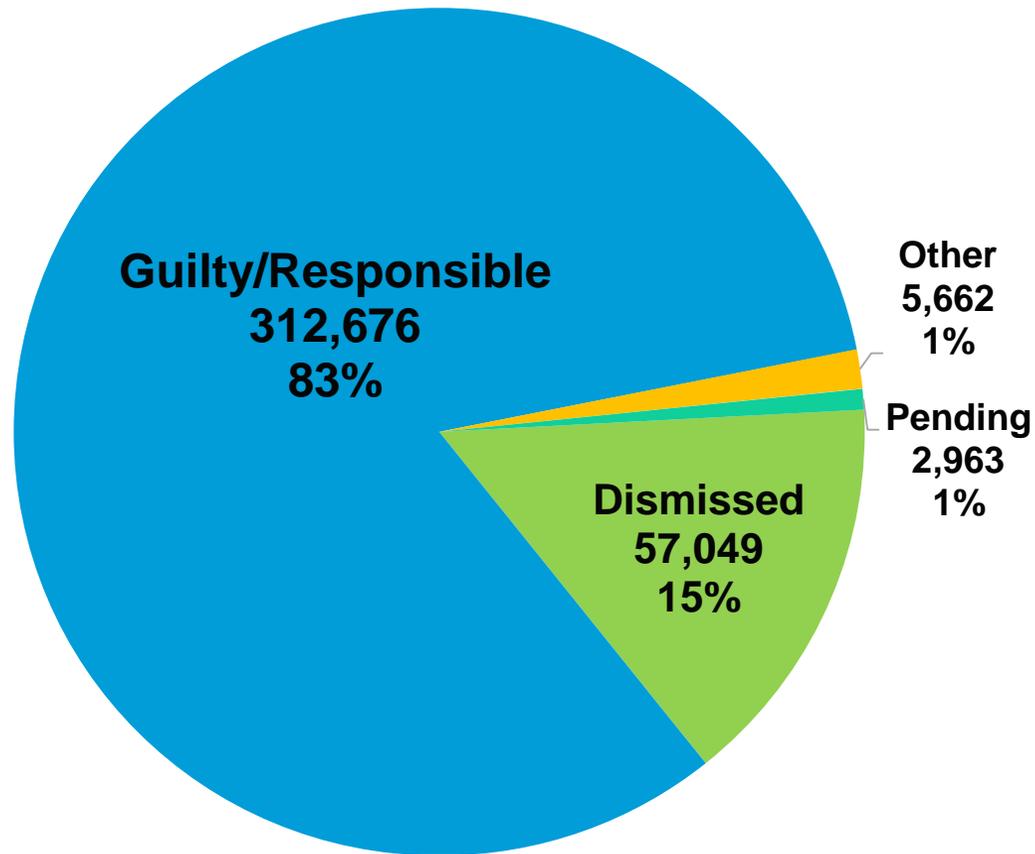
■ JUSTICE ■ MUNICIPAL



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

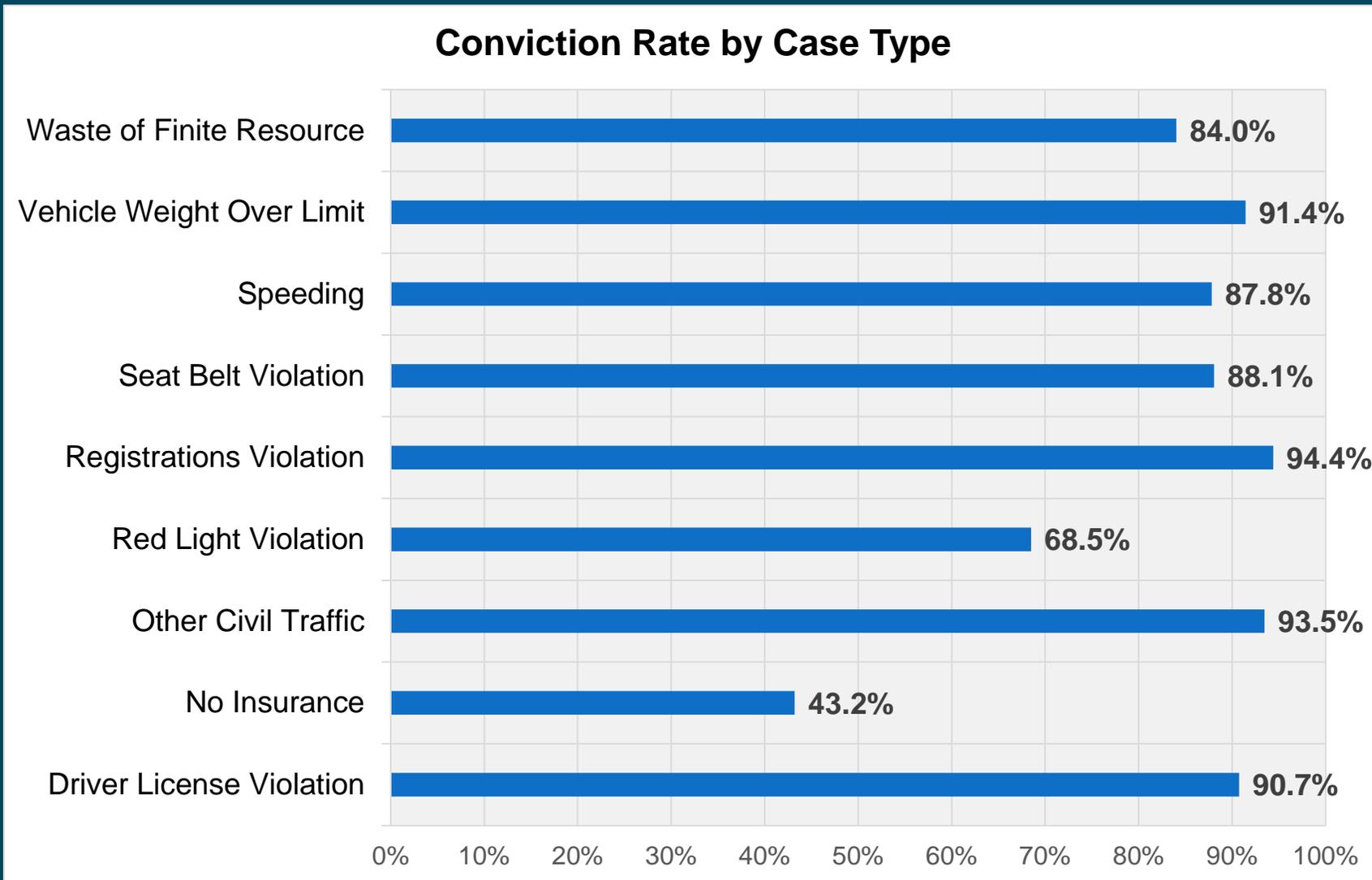
■ MUNICIPAL	8,962	26,070	68,677	29,252	16,689	5,621	99,456	13	1,612
■ JUSTICE	4,439	12,934	17,796	822	5,972	8,731	51,339	2,002	17,963
TOTAL	13,401	39,004	86,473	30,074	22,661	14,352	150,795	2,015	19,575

# Civil Traffic Disposition of Defendants



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

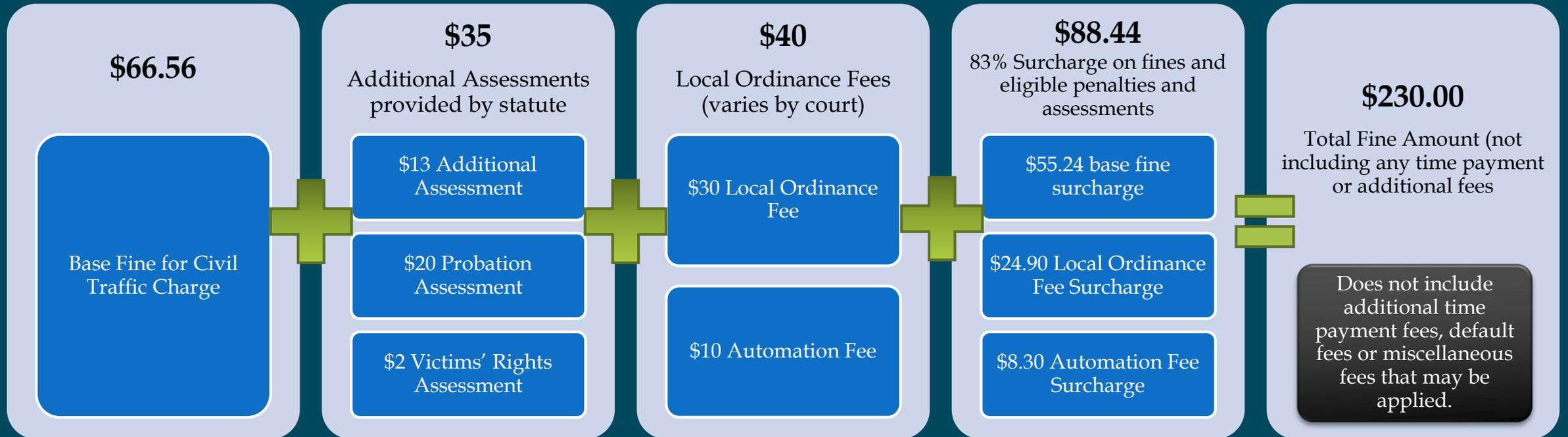
# Conviction Rate by Case Type



- **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.



# Sample Civil Traffic Assessment

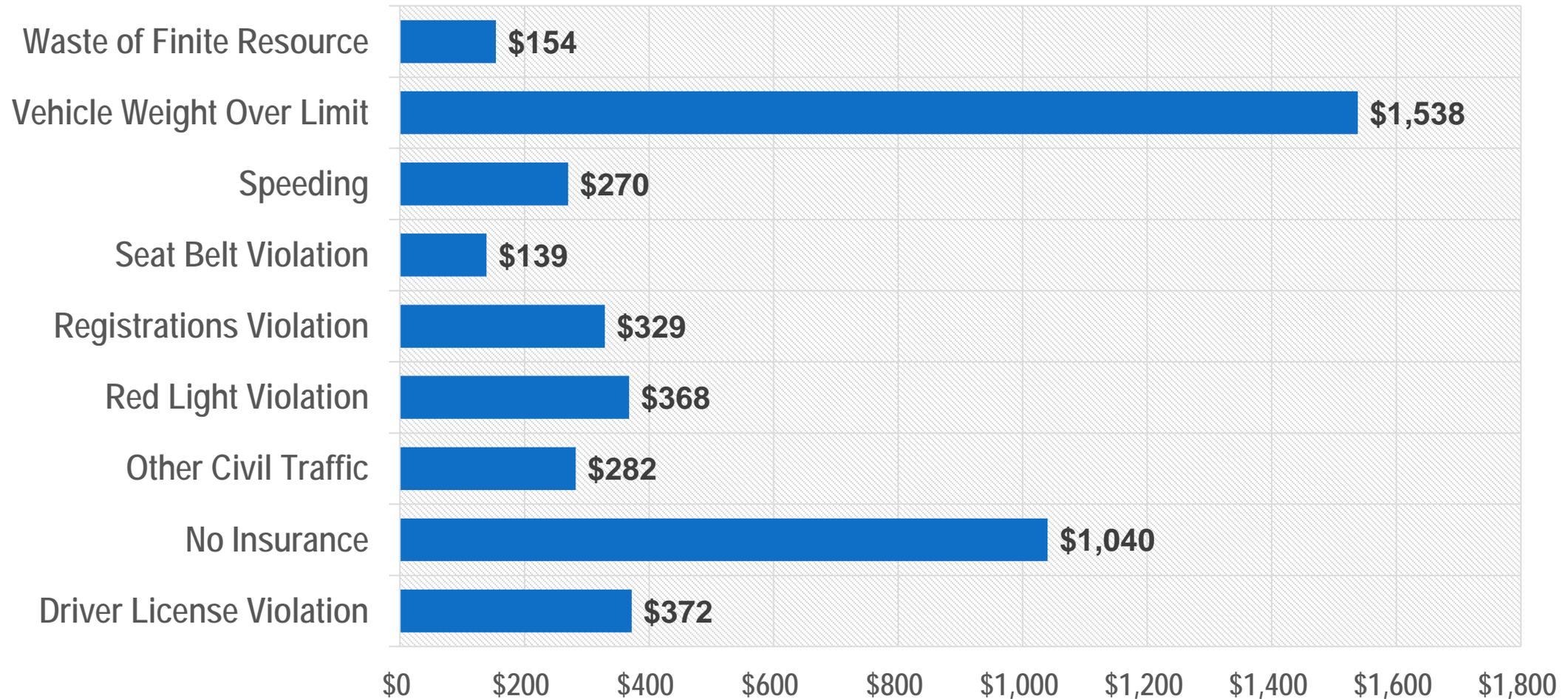


# Assessment Category by Percent

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

Average Assessment by Case Type



# 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
<b>Driver License Violation</b>	<b>57%</b>	<b>7%</b>
<b>No Insurance</b>	<b>78%</b>	<b>14%</b>
<b>Other Civil Traffic</b>	<b>36%</b>	<b>25%</b>
<b>Red Light Violation</b>	<b>41%</b>	<b>4%</b>
<b>Registrations Violation</b>	<b>38%</b>	<b>9%</b>
<b>Seat Belt Violation</b>	<b>32%</b>	<b>4%</b>
<b>Speeding</b>	<b>39%</b>	<b>33%</b>
<b>Vehicle Weight Over Limit</b>	<b>55%</b>	<b>1%</b>
<b>Waste of Finite Resource</b>	<b>23%</b>	<b>3%</b>
<b>GROUP TOTAL</b>	<b>41%</b>	<b>100%</b>

# 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
	Without Time Payment Fee	With 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%
<b>Total</b>	<b>\$213</b>	<b>\$480</b>	<b>125%</b>

# 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

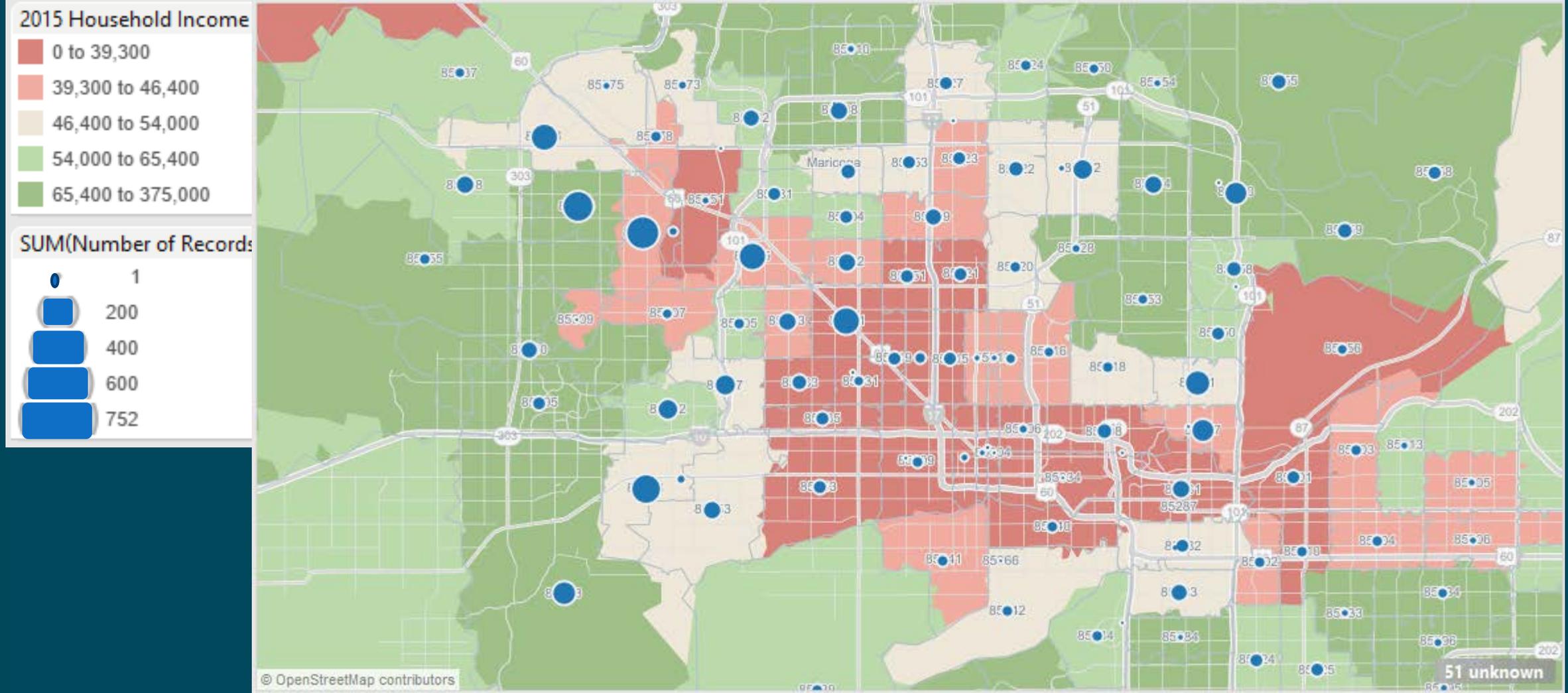
Case Type	Civil Traffic Average Assessment	DLS Average Assessment	Percent Difference
Driver License Violation	\$372	\$493	33%
No Insurance	\$1,040	\$1,247	20%
Other Civil Traffic	\$282	\$389	38%
Red Light Violation	\$368	\$458	24%
Registrations Violation	\$329	\$509	55%
Seat Belt Violation	\$139	\$202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

# Driver License Suspension (DLS) Assessments

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



# 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.

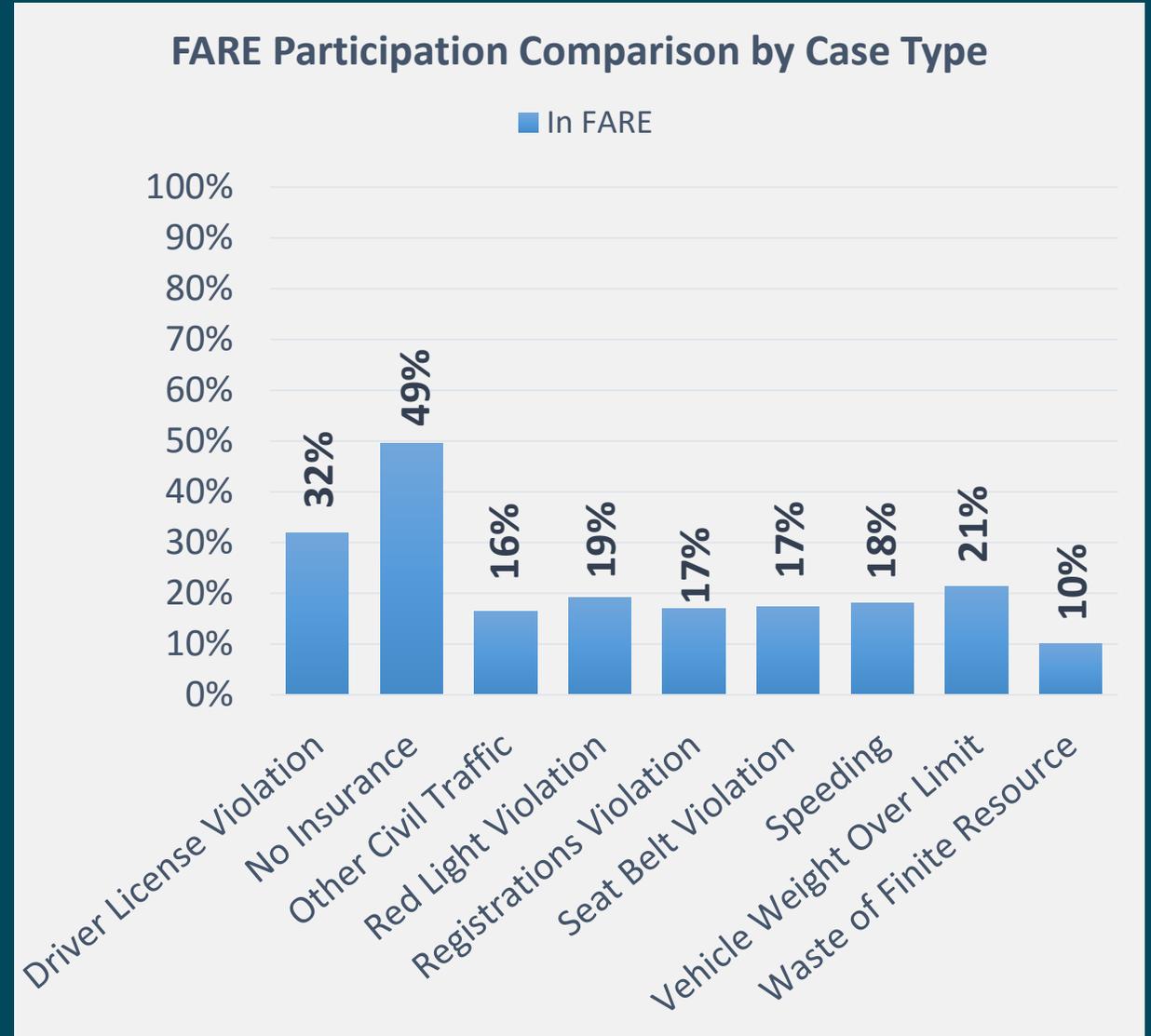
Speeding  
31%

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.



# 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%
<b>GROUP TOTAL</b>	<b>29%</b>

# 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%
<b>GROUP TOTAL</b>	<b>89%</b>

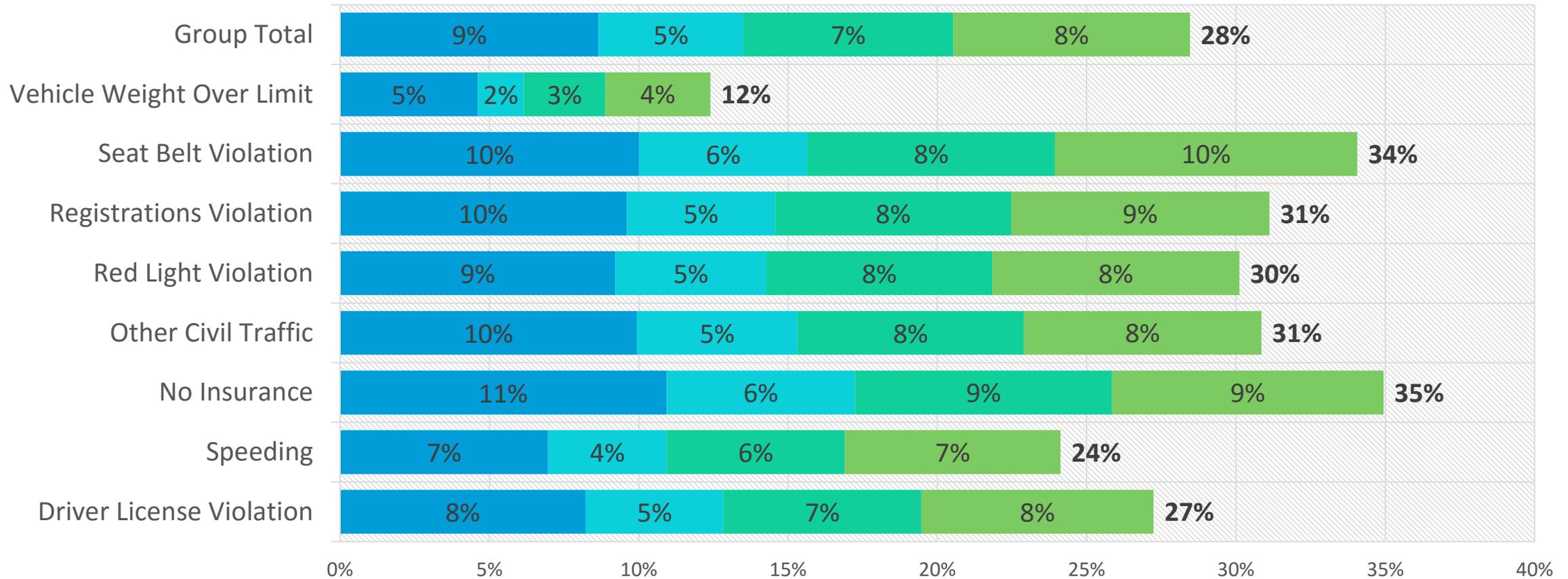
# Civil Traffic Defendants with Subsequent Violations – Number of Violations

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%	<b>27%</b>
Speeding (43%)	76%	16%	5%	3%	0%	0%	<b>24%</b>
No Insurance (16%)	65%	21%	8%	6%	1%	0%	<b>35%</b>
Other Civil Traffic (21%)	69%	18%	7%	5%	1%	0%	<b>31%</b>
Red Light Violation (8%)	70%	19%	6%	4%	0%	0%	<b>30%</b>
Registrations Violation (5%)	69%	20%	7%	4%	0%	0%	<b>31%</b>
Seat Belt Violation (3%)	66%	19%	8%	6%	1%	0%	<b>34%</b>
Vehicle Weight Over Limit (1%)	88%	10%	2%	0%	0%	0%	<b>12%</b>
<b>Group Total</b>	72%	18%	6%	4%	1%	0%	<b>28%</b>

# Civil Traffic Defendants with Subsequent Violations

## Defendants by Return Month

0-3 Months    4-6 Months    7-12 Months    13+ Months



# Misdemeanor and Criminal Traffic Violation Review

# Initial Primary Offense Category to Final Primary Offense Category

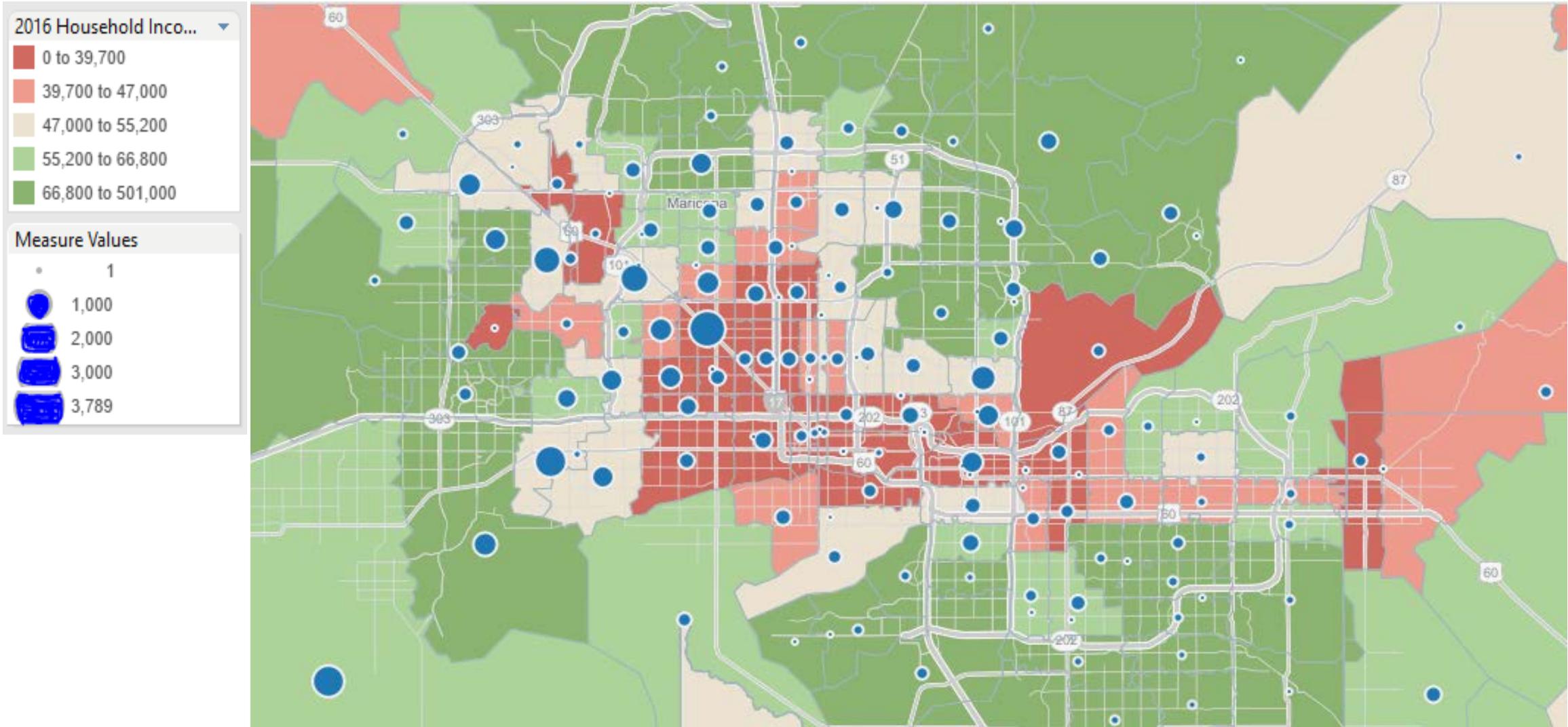
## Initial Primary Offense Category

- 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

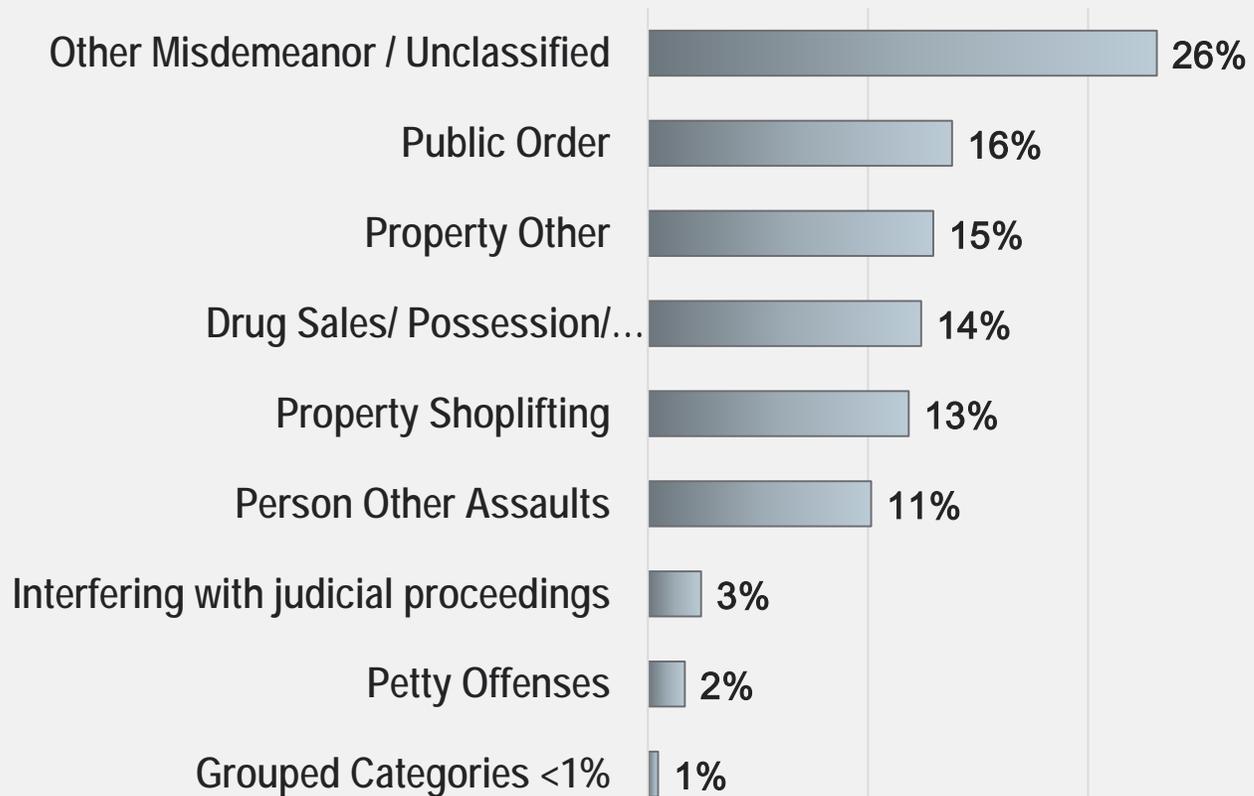
# Criminal Defendants by Zip Code and Median Household Income



# Defendants by Primary Case Type

## Misdemeanor Non-Traffic

Misdemeanor Defendants by Primary Case Type



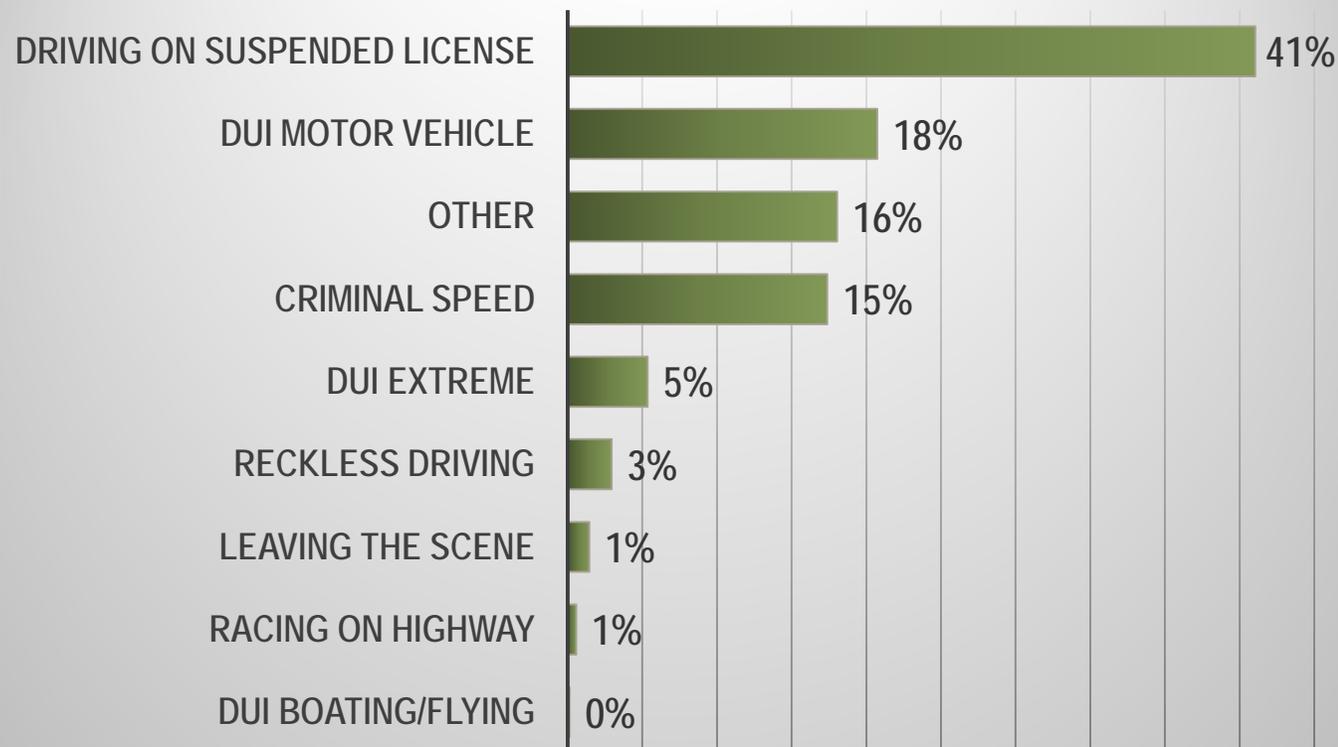
- ❖ “Other misdemeanor” category includes Title 4 liquor violations and failure to comply with court order violations.
- ❖ “Property Other” includes trespassing violations.
- ❖ 28% of the violations were property crimes.
- ❖ 12% were violent crimes against a person.
- ❖ 14% were drug related.

# Defendants by Case Type

## Criminal & Civil Traffic

### Criminal Traffic Defendants

Criminal Traffic Defendants by Primary Charge

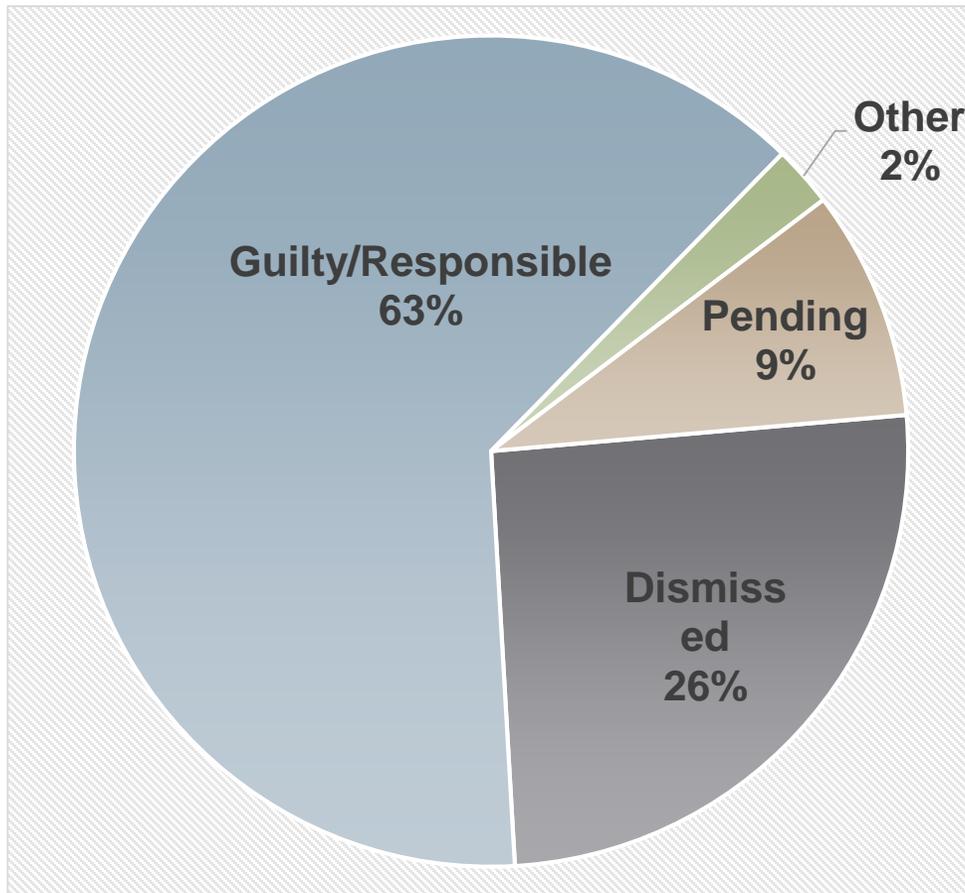


### Civil Traffic Defendants

- 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

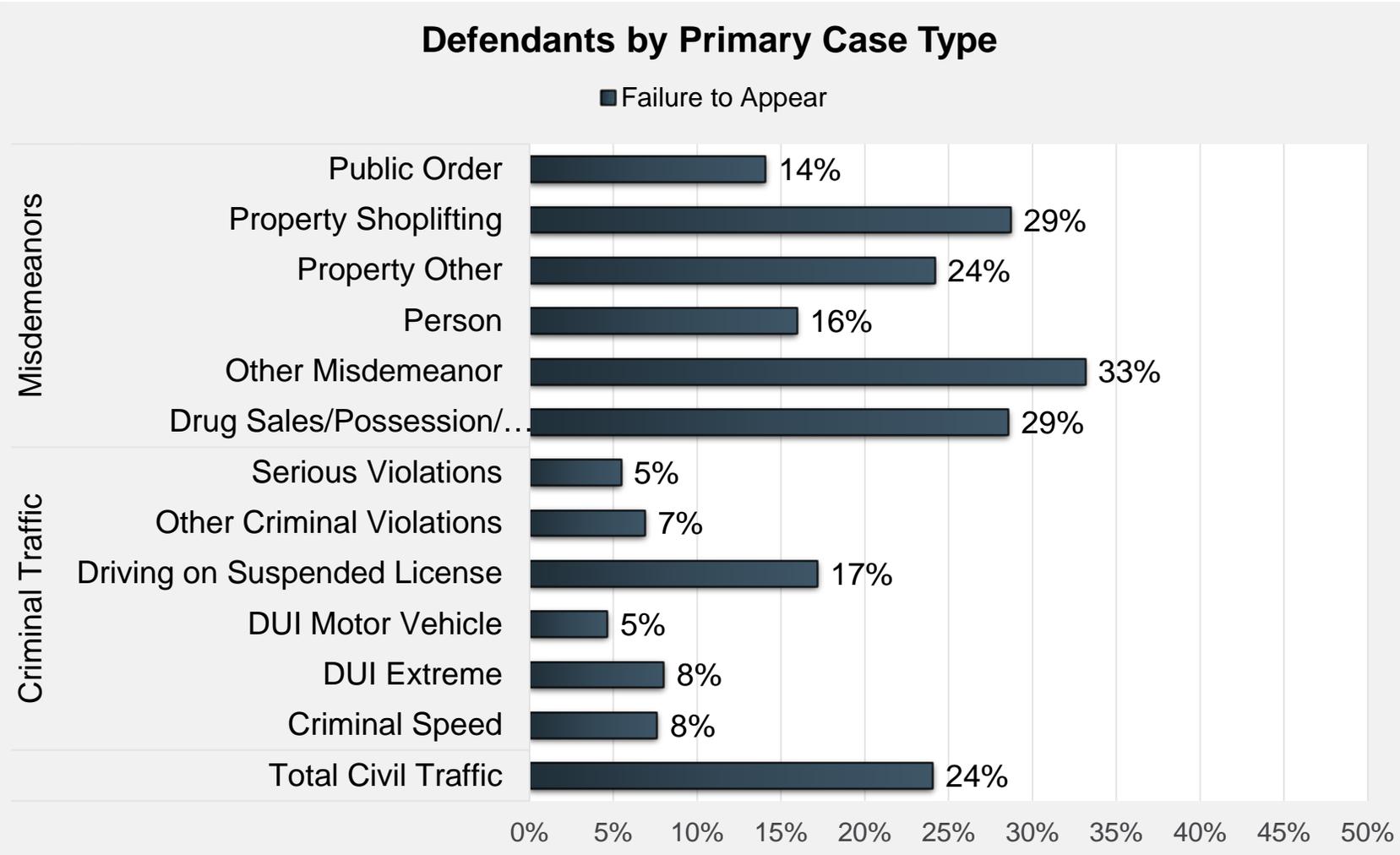
- Sentencing of Defendants
  - 43% Monetary, Public Service, or Diversion
  - 28% County Jail/County Jail & Probation
  - 15% None
  - 12% Probation/Probation & Monetary and/or Public Service
  - 1% Suspended Sentence
- The majority of defendants sentenced to jail were for public order and property related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



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

# ARS §13-2506 and §13-3904

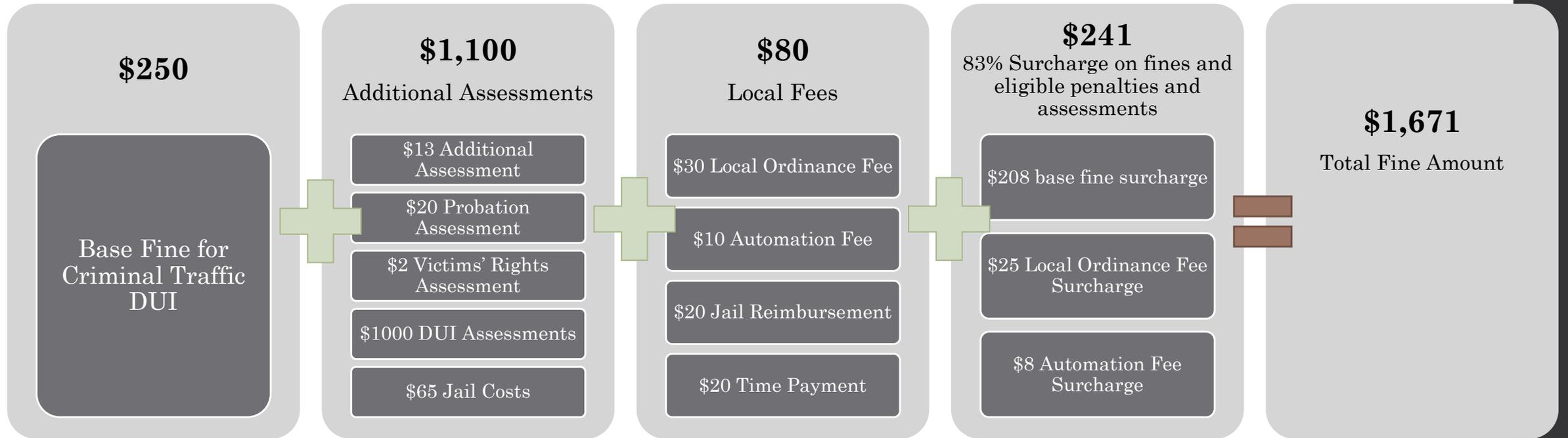
## Violations of Failure to Appear and Promise to Appear (FTA)



❖ 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

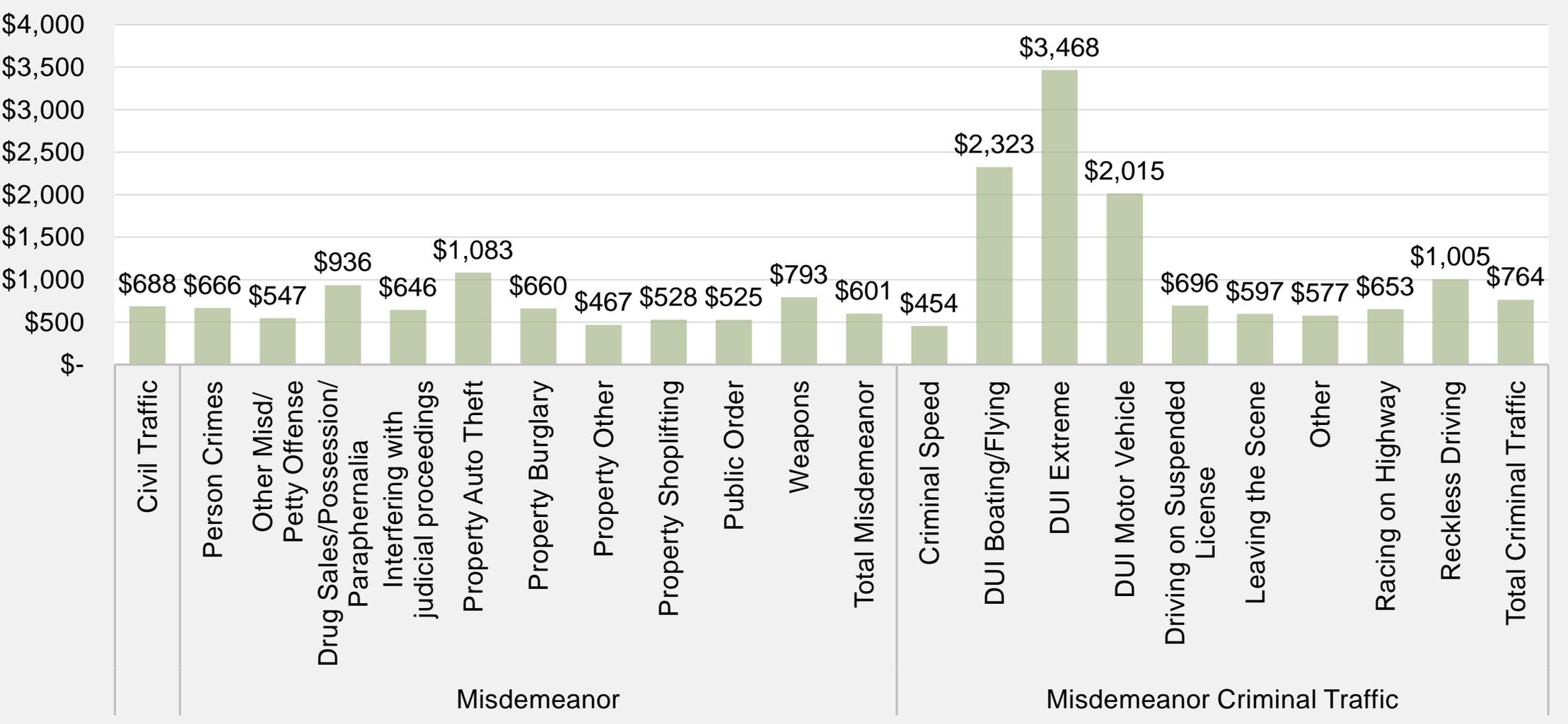


Additional offense specific assessments may apply. For example, DUI convictions carry additional assessments of \$250-\$1,500.

# 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
<b>Civil Traffic</b>	<b>65%</b>
<b>Criminal Traffic</b>	62%
Criminal Speed	42%
DUI Related	<b>72%</b>
Suspended License	<b>69%</b>
Other Serious Traffic	57%
All Other Criminal Traffic	49%
<b>Misdemeanor</b>	54%
Drug Related	<b>65%</b>
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

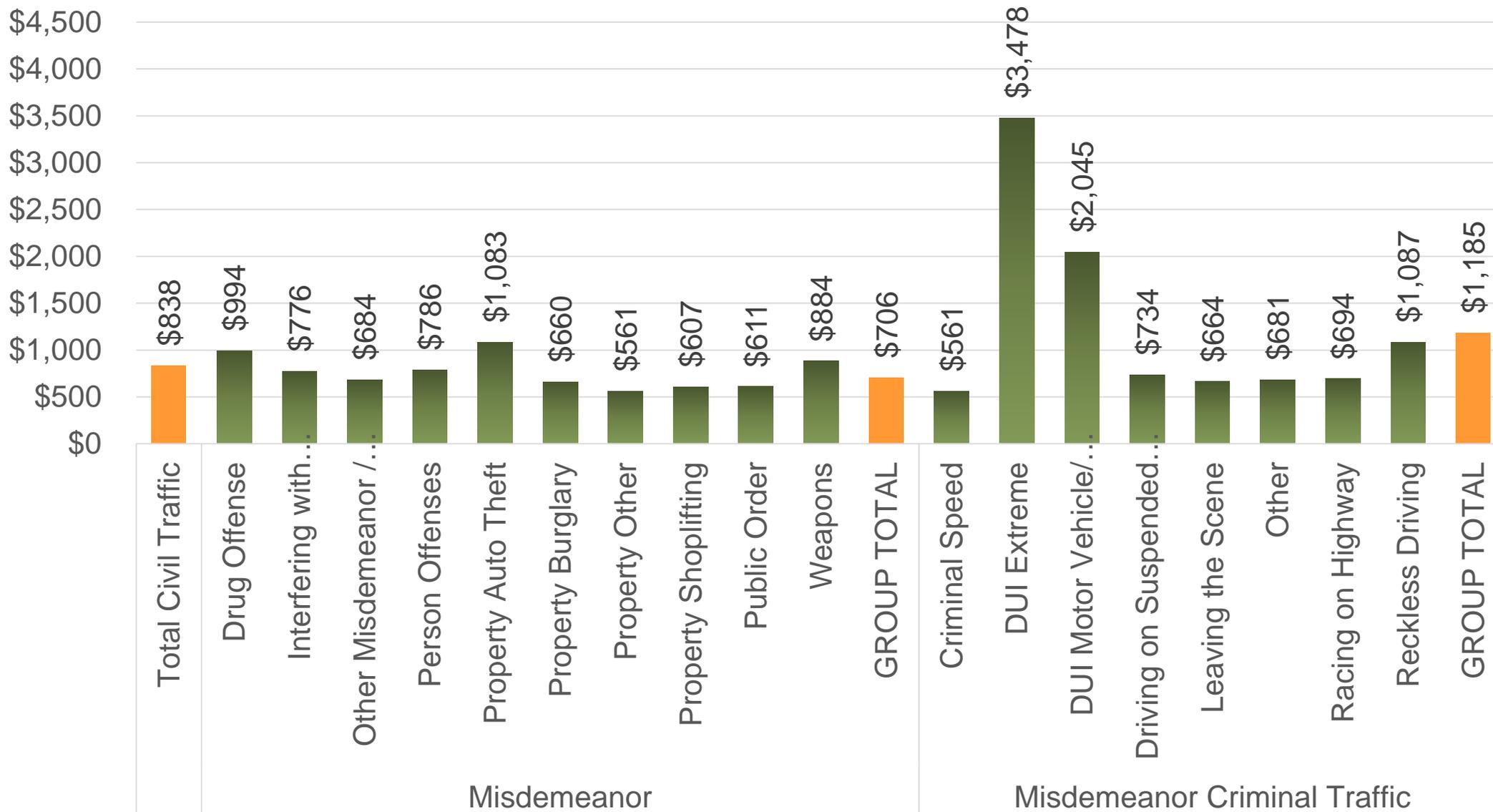
## Average Assessments

- ❖ 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

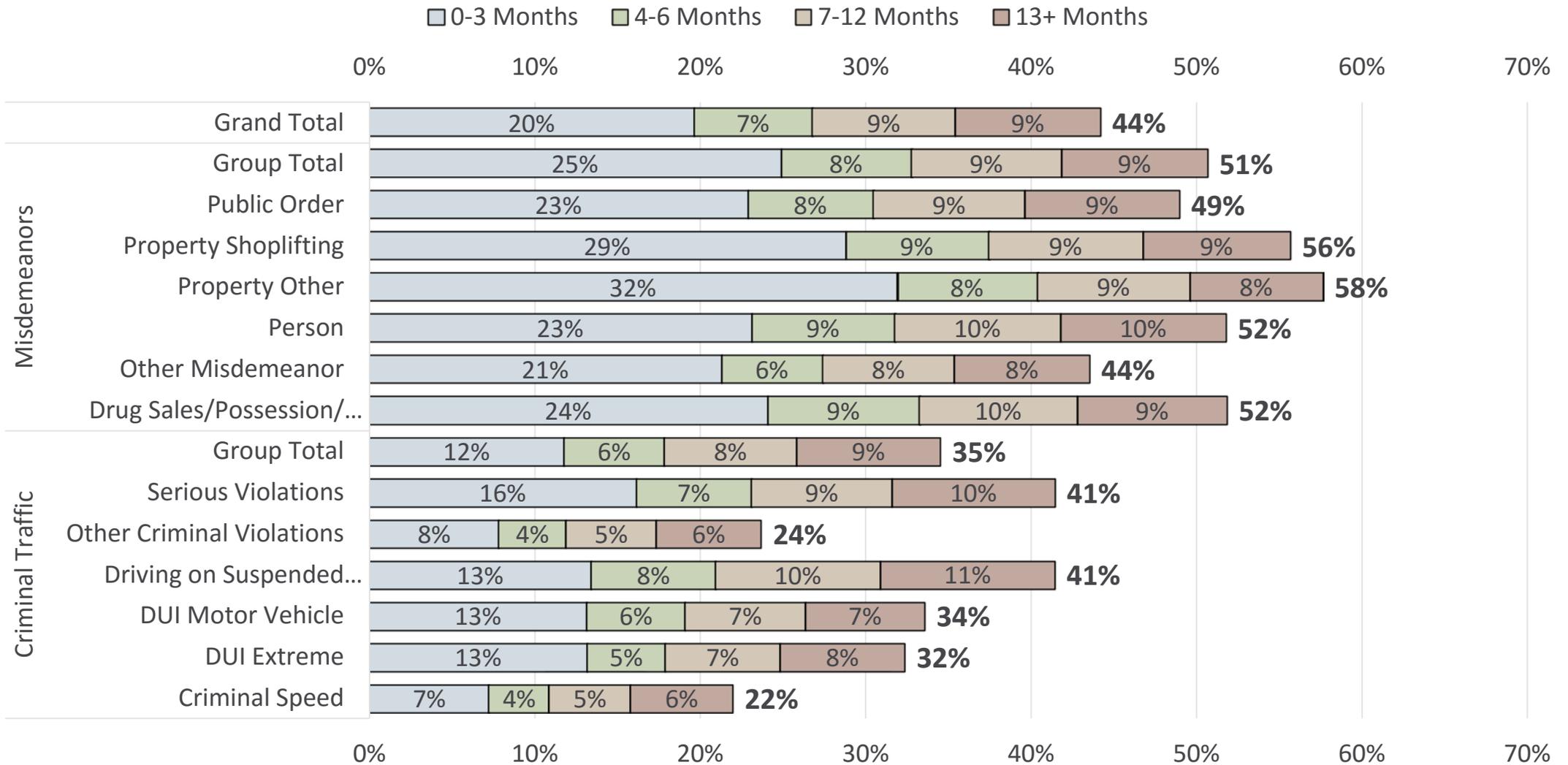
## Defendants with Time Payment Fee



# Criminal Defendants Subsequent Violations

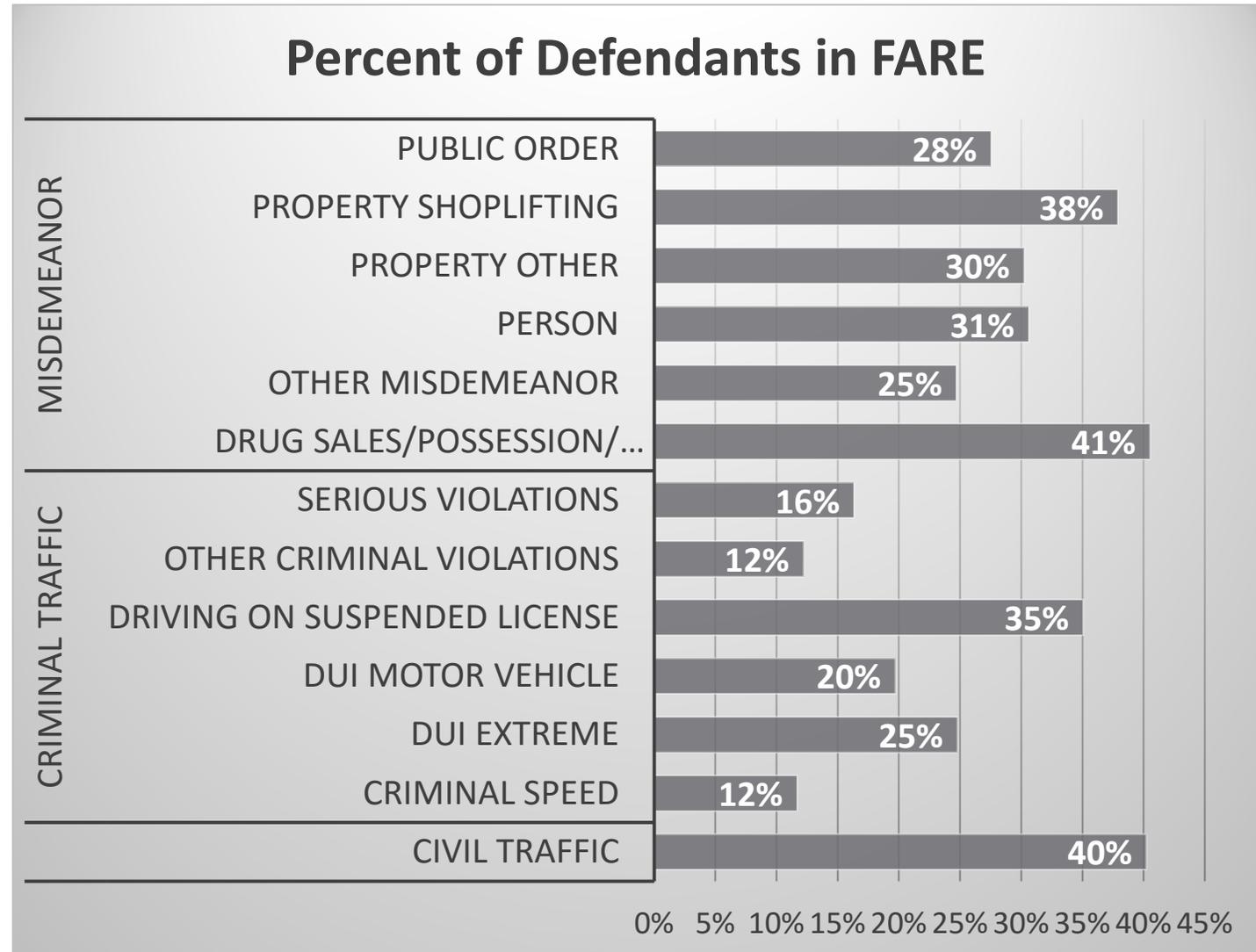
	No Subsequent	One Subsequent	Two Subsequent	3-5 Subsequent	6-10 Subsequent	Plus 10 Subsequent	Cumulative with Subsequent
<b>GRAND TOTAL ALL CRIMINAL (100%)</b>	<b>56%</b>	<b>20%</b>	<b>10%</b>	<b>10%</b>	<b>3%</b>	<b>2%</b>	<b>44%</b>
<b>Criminal Group Total (60%)</b>	<b>49%</b>	<b>20%</b>	<b>11%</b>	<b>12%</b>	<b>5%</b>	<b>3%</b>	<b>51%</b>
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%
<b>Criminal Traffic Group Total (40%)</b>	<b>65%</b>	<b>20%</b>	<b>8%</b>	<b>6%</b>	<b>1%</b>	<b>0%</b>	<b>35%</b>
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

