

# Arizona Criminal Justice Commission



## House Bill 2449 Mandatory Fingerprinting Analysis of 2009 Baseline Measures

Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the criminal justice system in Arizona

September 2010

### Background

Previous research conducted by the Arizona Criminal Justice Commission's Statistical Analysis Center (SAC) has shown that citation in lieu of arrest offenses are less likely to be recorded in the criminal history record repository, known as the Arizona Computerized Criminal History (ACCH), when compared to booked arrest offenses. In 2007, the SAC collected data from five arresting agencies and reported that only 40 percent of citation and long form complaint offense counts matched to offense counts found in the ACCH. By contrast, approximately 87 percent of booked arrest counts were linked to ACCH criminal history records. Arizona Revised Statute §41-1750A1 outlines the offenses requiring entry into the ACCH.

### Overview of Arizona House Bill 2449

In an effort to improve the percentage of citation offenses resulting in a fingerprint booking and a subsequent ACCH record, Arizona lawmakers passed House Bill 2449, which went into effect on January 1, 2010. Prior to 2010, judges were given the discretion to assign fingerprinting to a cited defendant during the defendant's first court appearance. The legislative changes mandate law enforcement officers issuing citations in lieu of arrest to present offenders with a fingerprint compliance form. All cited offenders are required to submit to fingerprinting at the arrest booking location specified on the compliance form. Upon arrival of the offender, the officer performing the booking fills out arrest information on the fingerprint compliance form, and the alleged offender must present the form to the judge at the first court appearance. Figure 1 displays a flow chart of the anticipated scenarios resulting from the implementation of House Bill 2449.

### Methodology

The SAC is collecting data from four law enforcement agencies across three different Arizona counties for the analysis of House Bill 2449. Data for the analysis will continue to be collected annually and will include information for all citation offenses related to driving under the influence (DUI) committed by adult offenders and recorded during the month of September. DUI-related offenses have been selected exclusively because these are fingerprintable offenses, and they constitute the vast majority of cite and release offenses. Presently, data has only been collected for baseline measures from September 2009, and all subsequent years will be compared to these baseline measures.

Once September 2009 data were collected from

the law enforcement agencies, multiple data fields were used to match to an ACCH extract provided to the Arizona SAC by the Department of Public Safety on January 1, 2010. The fields required for the match include the offender date of birth, offender gender, date of the citation/offense, arresting agency, and the offense code.

Figure 1. House Bill 2449 Flow Chart

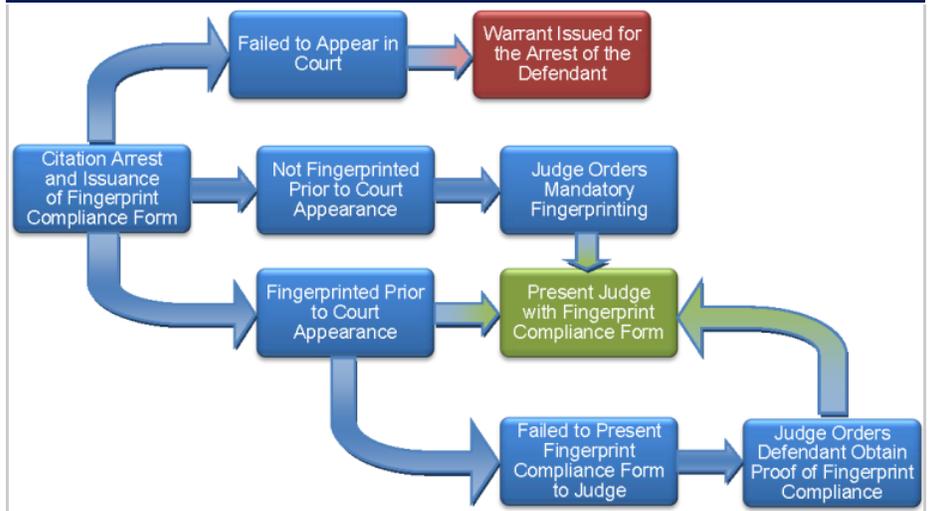
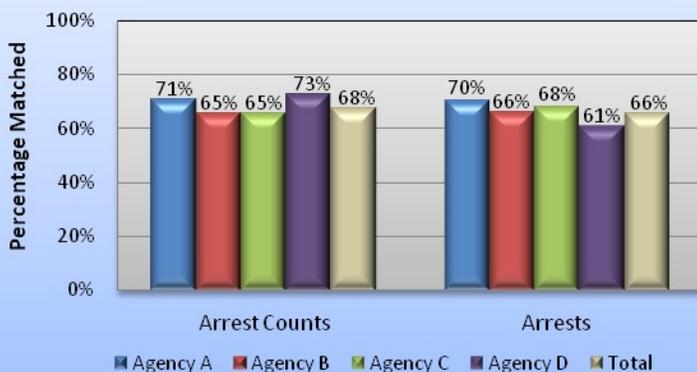


Chart 1. Percentage of Citation Arrests and Counts\* Matched to a Record in the ACCH by Agency, September 2009



\* Birth dates for two citation counts are unavailable, and these counts are omitted from the analysis.

### Citation Arrests and Arrest Counts Data

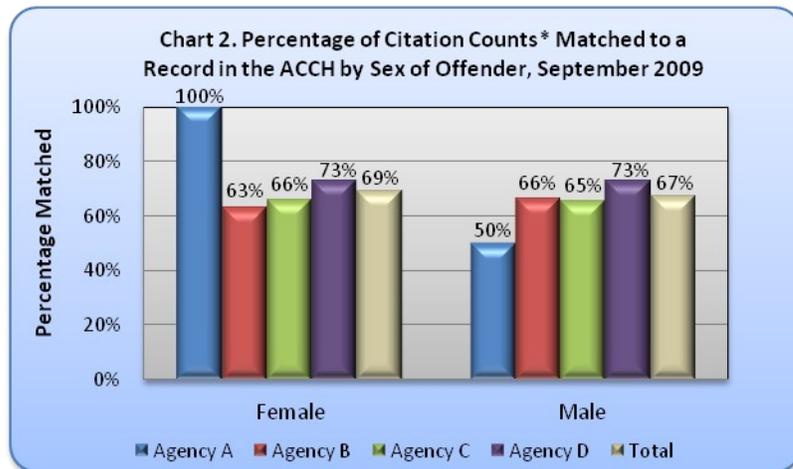
According to the data for all four agencies (identified individually as agencies A, B, C and D), 68 percent of all citation arrest counts and 66 percent of citation arrests issued by the agencies matched to a record in the ACCH by January 1, 2010, using the criteria explained in the prior section (Chart 1). Agency D citation counts matched 73 percent of the time, but only 61 percent of citation arrests matched to a record in the ACCH. Agency A citation arrests matched 70 percent of the time, which is the highest percentage of matching arrests. Agencies B and C were similar with 65 percent of citation counts matching to the ACCH, and they both recorded a higher percentage of citation arrests matching to the ACCH records.

## Variation Across Offenses

During September 2009, the agencies issued a total of 1,148 DUI-related citation offense counts. Of the citations issued for a DUI offense, 68 percent of the citation counts matched to a record in the ACCH (see Table 1). Similarly, 68 percent of extreme DUI citation offenses (per count) were linked to a record in the ACCH. Only two citation offenses were for an aggravated DUI, and neither matched to the ACCH records. Of the three citation offense counts recorded by Agency B for ignition interlock device violations, none of the offense counts matched to an arrest record in the ACCH. More variation can be seen between DUI and extreme DUI offenses. Agencies A, B, and C display a lower percentage of extreme DUI offenses matching to the ACCH, but the opposite is evident for Agency D, which reported a higher percentage of matching extreme DUI offenses.

	Total Citations	Agencies				Total
		A	B	C	D	
DUI	877	72%	77%	66%	70%	68%
Extreme DUI	266	67%	50%	64%	88%	68%
Aggravated DUI	2	N/A	N/A	0%	0%	0%
Ignition Interlock Violation	3	N/A	0%	N/A	N/A	0%

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## Additional Demographic and Timeliness Factors

Females (69 percent) were slightly more likely than males (67 percent) to show up in the ACCH resulting from citation arrest counts (Chart 2). All female citation counts issued by Agency A resulted in an ACCH match while only 50 percent of citation counts issued to male offenders by Agency A were matched. The other three agencies show minimal disparity of three percent or less between female and male citation offenses matched.

The average age of offenders varies when comparing offenders matched to the ACCH on at least one count to those not matched on any citation counts (see Table 2). The average age (per arrest) of cited offenders from all agencies was 33 years old for matched offenders and 34 years old for offenders not matched to a count in the ACCH. Both agencies A and B show greater variation (five to ten years) between the average ages for matched and non-matched offenders than for agencies C and D.

Table 2 also displays the average number of days for each citation count (including only those counts entered into ACCH as of January 1, 2010) to be submitted and entered into the ACCH. The percentage of citation counts that were entered within 40 days from the citation issuance/offense date is also available in Table 2. On average, citation counts in the ACCH originating from the agencies took 16 days to be entered into the ACCH. Agency C displays the highest average at 22 days while Agency B exhibits an average of less than one day. Citation counts in the ACCH originating from the four agencies were entered into the ACCH repository within 40 days 95 percent of the time. Individual agency data ranged from 82 to 100 percent of counts entered within 40 days.

	Jurisdiction	Average Offender Age (ACCH Match)	Average Offender Age (No ACCH Match)	Average Days from Citation to Entry into ACCH (By Count)	Percentage of Counts Entered within 40 Days
Agency A	County	32	22	16 Days	82%
Agency B	Small City	30	35	<1 Day	100%
Agency C	Large City	34	35	22 Days	95%
Agency D	Large City	33	31	9 Days	96%
Total	-	33	34	16 Days	95%

\* Birth dates for two citation counts are unavailable, and these counts are omitted from the analysis.

## Conclusion

The data provided in this report are the baseline measures that will be used for trend comparisons. At the present, the data does not reflect the legislative changes resulting from House Bill 2449. Beginning in 2010, the new legislation is expected to increase the percentage of citation arrest counts that lead to an arrest record in the ACCH repository.

Analysis of the data does shed light on factors that effected the fingerprinting process prior to the implementation of HB 2449. The data shows that the likelihood of citation offenses resulting in an ACCH record varies by offense type. The data also displays some notable variations in offender gender and age within the agencies.

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