

Arizona Criminal Justice Commission



Tribal Crime Data Arizona Tribes

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

Corrected November 2009

Introduction

In 2008, the Arizona Criminal Justice Commission's Statistical Analysis Center received a grant to collect, analyze, and disseminate crime and delinquency data on Arizona's federally recognized tribes. The goal of the project is to work with the Bureau of Justice Statistics (BJS), the Bureau of Indian Affairs (BIA), and the tribes in Arizona to improve the collection and dissemination of tribal crime data. Improving crime data collection and dissemination can assist Arizona tribal criminal justice professionals and their state and federal partners in identifying tribal criminal justice issues and inform prevention and intervention strategies to improve public safety and related outcomes on tribal lands. Tribal crime data profiles are being produced for all of the federally recognized tribes in Arizona. In addition, this data brief aggregates the data from all of Arizona's tribes into a single report that can form a foundation upon which a deeper understanding of the criminal justice issues facing tribal members in Arizona and their tribal governments can be built.

Arizona Tribes

There are 22 federally recognized tribes in Arizona, 21 of which are land-based. The tribe in Arizona without land is the San Juan Southern Paiute. It is a newly federally recognized tribe with approximately 260 members. Although the San Juan Southern Paiute tribe does not have their own land base, the tribe is in litigation to secure land for their own reservation. Together, the 21 land-based tribes have more than 33,000 square miles of reservation land on which approximately 179,273 residents live. The 33,000 square miles of reservation land is more than one-fourth of the total square miles of Arizona.

Profile Data Sources

The same four sources of data that were used in the series of tribal-specific profiles are used in this profile to provide an overview of crime and delinquency on tribal lands in Arizona: 1) crime data obtained from the Bureau of Indian Affairs (BIA) for 2005 through 2007; 2) crime data obtained from the Arizona Computerized Criminal History (ACCH) record system for years 2000—2007; 3) self-report youth data obtained through the 2008 Arizona Youth Survey (AYS); and 4) gang information collected from the Arizona Criminal Justice Commission's (ACJC) 2008 gang threat assessment. Additionally, the general information about the Arizona's tribes comes from the Inter Tribal Council of Arizona (ITCA), Inc., the Arizona Department of Commerce, and the University of Arizona's Economic Development Research Program. None of the federally recognized tribes in Arizona had data from all four sources of crime data used for the profiles. Additionally, no single source had data for all the tribes (Table 1).

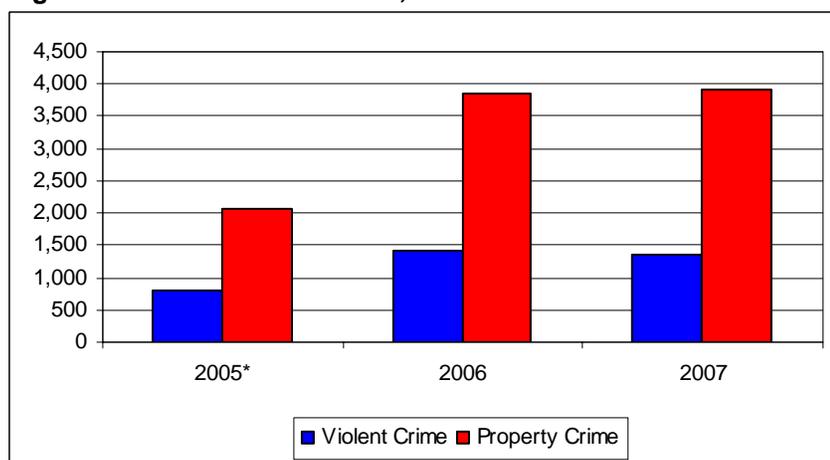
Table 1: Profile Data Sources

Data Source	Number of Tribes
<i>Bureau of Indian Affairs</i>	17
<i>Arizona Computerized Criminal History</i>	18
<i>Arizona Youth Survey</i>	5
<i>Arizona Gang Threat Assessment</i>	13

Bureau of Indian Affairs Crime Data

The Arizona Statistical Analysis Center (AZSAC) was provided reported crime data for the Arizona tribes from BIA through BJS. These data included both Uniform Crime Reporting (UCR) program Part I violent (murder/non-negligent manslaughter, robbery, aggravated assault, and forcible rape), and property (burglary, larceny/theft, motor vehicle theft, and arson) crimes (Figure 1).

Figure 1: Part 1 Index Offenses, 2005—2007



* The 2005 annual crime data was extrapolated from three months of data provided to the AZSAC by BJS.

For the 17 tribes that reported to BIA Part I violent and property crime data, from 2005 to 2006 the number of violent and property crimes reported to BIA nearly doubled. From 2006 to 2007, there was a 6.1 percent decrease in the number of violent crimes reported to BIA and a 1.9 percent increase in property crimes. It is important to note that the 2005 BIA data included only three months of data, which was then extrapolated to estimate the number of violent and property crimes reported for all of 2005.

In addition to the Part I index offense data, the AZSAC was also provided a count of crimes other than the Part I violent and property crimes (Figure 2). These “other” crimes are typically less serious, but far more prevalent, than the Part I index offenses.

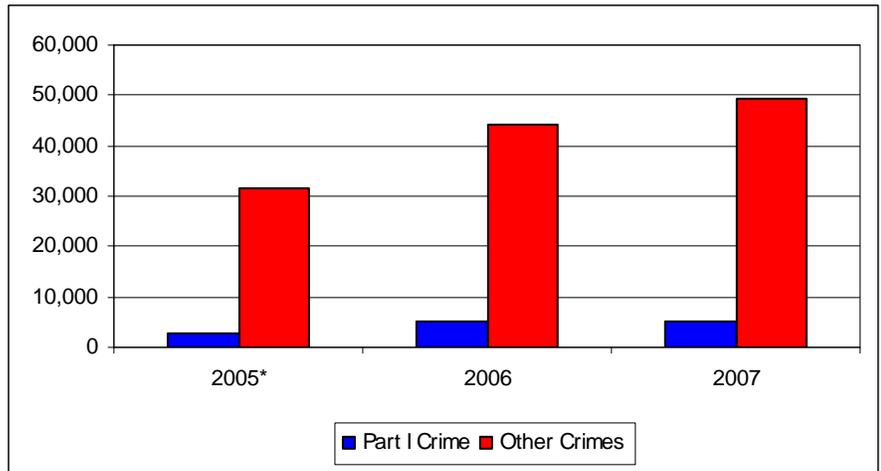
During the three year period from 2005 to 2007, the number of “other” crimes reported by the tribes to BIA steadily increased. Although there have been significant increases in the number of crimes reported to BIA, it is unknown whether the increase is due to an increase in crime on tribal lands or an increase in the reporting of crime to BIA.

Arizona Computerized Criminal History Data

Fundamental to an effective criminal justice system is the maintenance of complete, timely, and accurate criminal history records. Quality criminal history record information is necessary for individual case processing, background checks, and checking eligibility for purchasing firearms. Criminal history records are initiated by local agencies but are collected and maintained in a central state repository. In Arizona, pursuant to Arizona Revised Statute (ARS) §41-2205, the coordination and maintenance of criminal history records in a central repository are the responsibility of the Arizona Department of Public Safety (DPS). The circumstances for initiating or appending to a criminal history is described in ARS §41-1750.

The repository and the information it contains assists law enforcement agencies and other criminal justice personnel in the processing of alleged and convicted offenders, but it is also a good source of information on the nature and extent of any agency’s or jurisdiction’s submissions to the repository. In this section of the profile, the number and type of criminal history record submissions from tribal law enforcement agencies from 2000 to 2007 are briefly summarized. It is worth noting an arrest can include multiple crimes for which the alleged offender was

Figure 2: Part I and Other Crimes, 2005—2007



* The 2005 annual crime data was extrapolated from three months of data provided to the AZSAC by BJS.

Figure 3: Number of Submissions to ACCH, 2000—2007

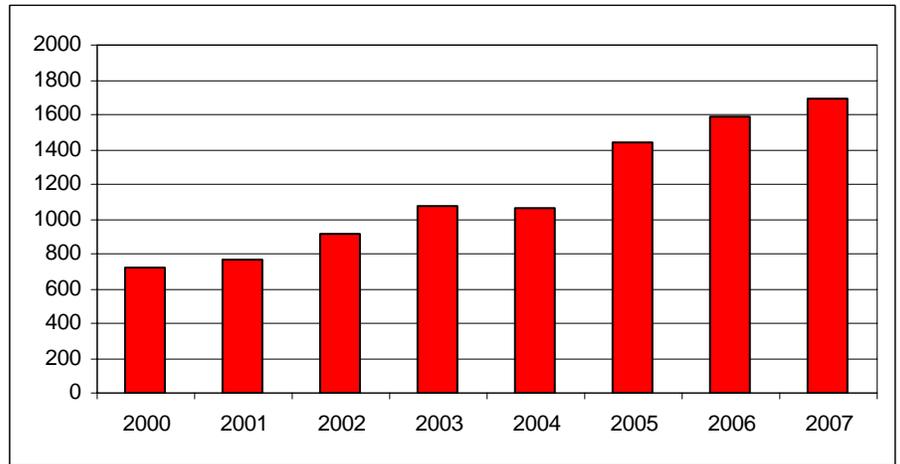


Table 2: Tribal Agency Submissions to ACCH by Gender and Race: 2000—2007

	2000	2001	2002	2003	2004	2005	2006	2007	Total
<i>Male</i>	86.4%	83.7%	81.5%	82.5%	82.4%	80.8%	78.7%	78.5%	81.1%
<i>Female</i>	13.6%	16.3%	18.5%	17.5%	17.6%	19.2%	21.3%	21.5%	18.9%
<i>Native American</i>	8.5%	10.0%	9.5%	10.5%	8.9%	6.3%	8.6%	7.4%	8.5%
<i>African American</i>	4.2%	3.0%	4.8%	3.0%	5.4%	4.9%	4.2%	4.4%	4.3%
<i>Caucasian</i>	86.3%	86.2%	85.1%	86.1%	84.3%	87.5%	85.7%	87.3%	86.2%
<i>Asian</i>	0.8%	0.3%	0.2%	0.3%	0.8%	0.7%	0.7%	0.4%	0.5%
<i>Unknown</i>	0.1%	0.5%	0.3%	0.2%	0.6%	0.6%	0.7%	0.5%	0.5%

charged. Additionally, the number of submissions reported include 738 alleged offenders who were arrested more than once. From 2000 to 2007, a record of 9,250 arrests were submitted to the ACCH by tribal law enforcement agencies. During this time, the number of submissions to ACCH by tribal agencies ranged from 715 in 2000 to 1,697 in 2007 (Figure 3). Each year, the majority of individuals arrested and for whom records of their arrest were submitted to ACCH were male (Table 2). Over the entire time period, approximately four-fifths were male, although the percentage of all arrestees who were male ranged from 78.5 percent in 2007 to 86.4 percent in 2000. Additionally, approximately 86 percent of the alleged offenders whose arrest information were submitted to ACCH by tribal agencies from 2000 to 2007 were Caucasian.

An analysis of ACCH information also allows for a description of the types of offenses which alleged offenders were charged and whose records were submitted to ACCH. The offense types described in Table 3 are consistent with the title and chapters as they appear in the Arizona criminal statutes. The offense types listed are a compilation of only the first charge listed per incident as described by the ACCH record system, although in almost half of the incidents (46.4 percent) the alleged offender was charged with only one offense.

Nearly one-fifth of the arrests made by tribal law enforcement agencies for which information was submitted to ACCH were drug offenses. Escape and related offenses (e.g., escape, failure to appear, resisting arrest, etc.) comprise nearly 16 percent of arrests, and driving under the influence, theft, and assault and related offenses comprise more than one-fourth of all arrests.

Table 3: Tribal Submissions to ACCH by ARS Offense Type: 2000—2007

ARS Offense Type	Percentage of ACCH Submissions
<i>Drug Offenses</i>	18.0
<i>Escape and Related Offenses (e.g. escape, failure to appear, resisting arrest, etc.)</i>	15.8
<i>Driving Under the Influence</i>	8.8
<i>Theft</i>	8.8
<i>Assault and Related Offenses</i>	8.7
<i>Offenses Against Public Order</i>	7.6
<i>Interference with Judicial and Other Proceedings</i>	6.2
<i>Miscellaneous (e.g. violation of promise to appear, violation of conditions of release, violations of sex offender registration, etc.)</i>	6.1
<i>Motor Vehicle License Violations</i>	4.6
<i>Criminal Trespass and Burglary</i>	4.1

Arizona Youth Survey Data

Every two years, the Arizona Criminal Justice Commission administers the Arizona Youth Survey (AYS), a statewide school-based survey of 8th, 10th, and 12th grade students. In the most recent administration of the AYS, which was in 2008, 54,734 youth from 319 schools statewide participated. Of those, 653 8th, 10th, and 12th grade students attended schools that receive Arizona Department of Education funds and are on tribal lands. In this section of the profile, data on self-reported substance use, delinquency, and selected anti-social behaviors from the youth who attended schools on tribal lands are summarized.

Of the youth that participated in the 2008 AYS that attended schools on tribal lands, approximately 47 percent were male and 53 percent female (Figure 4). When looking at participation by grade, approximately 35 percent were in 8th grade, 37 percent in 10th grade, and 27 percent in 12th grade.

The race/ethnicity of youth who participated in the survey and attended schools on tribal lands fall into three primary categories, Native American (67.5 percent), Hispanic (23.9 percent), and Caucasian (18.8 percent). It is important to note that the 2008 AYS contained two separate questions: one asking respondents about their ethnicity (Hispanic/Non-Hispanic) and the other asking about their race, which is why these percentages do not sum to 100 percent. Much smaller percentages of youth reported being Asian, Hawaiian/Pacific Islander, Alaskan Native, or African-American (Figure 5).

Figure 4: Gender and Grade, 2008 AYS

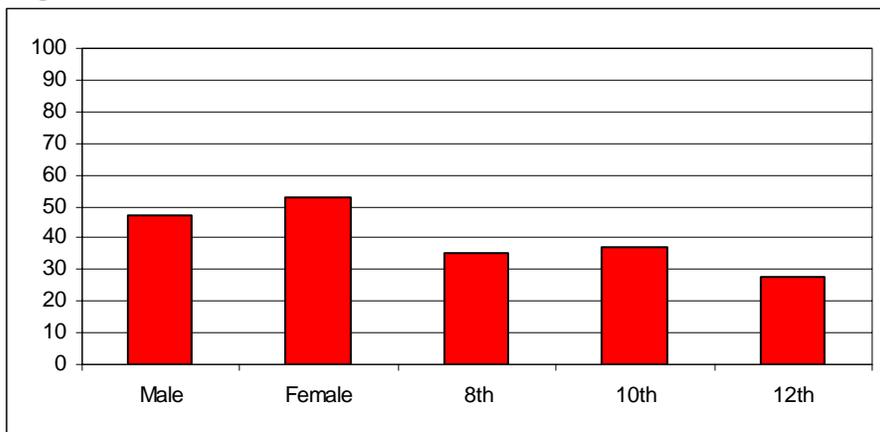
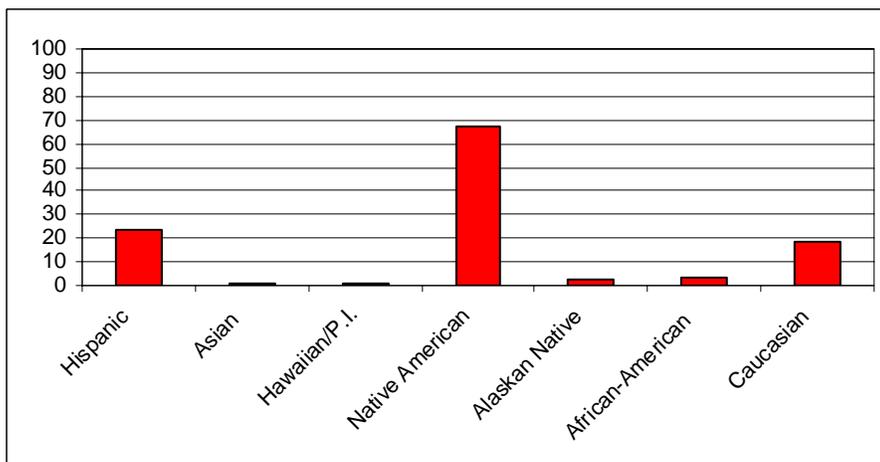


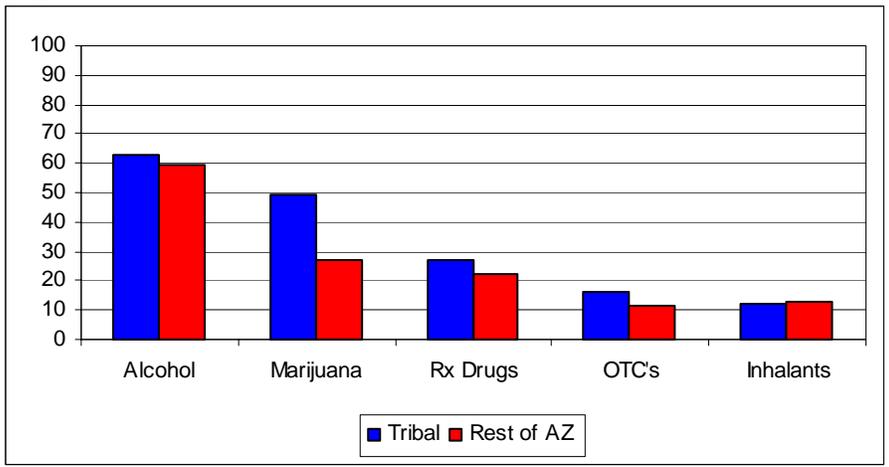
Figure 5: Race/Ethnicity, 2008 AYS



The AYS collects information from youth about their use of a variety of substances, from alcohol to methamphetamine, in their lifetime and during the 30 days prior to completing the survey. Rather than including the percentages of self-reported use for all substances in this profile, the five substances used by the highest percentage of youth in their lifetime who attend school on tribal lands are reported (Figure 6).

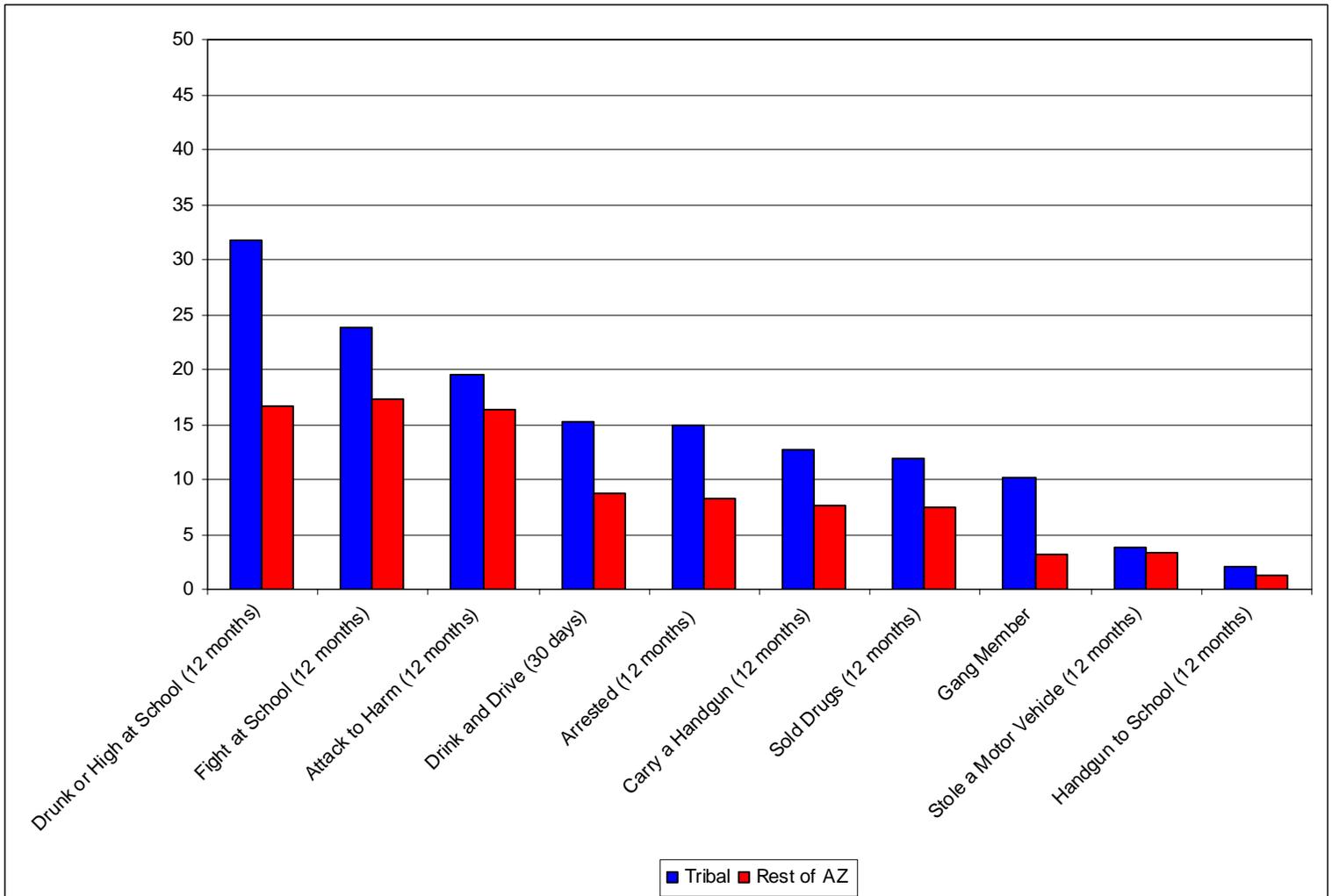
The five substances that were reported to have been used by the highest percentage of respondents in their lifetime who attend schools on tribal lands are alcohol (63.1 percent), marijuana (49.3 percent), prescription drugs (26.9 percent), over-the-counter medications (16.3 percent), and inhalants (12.1 percent). The percentage of youth using these substances who attend school on tribal lands is higher than the lifetime usage rates for youth statewide for the same substances, with the exception of inhalants. Of particular note is the significantly higher rate of marijuana use on tribal lands compared to the rate statewide.

Figure 6: Lifetime Substance Use, 2008 AYS



The AYS also collects information from youth about their involvement in a variety of delinquent and anti-social behaviors. Figure 7 depicts levels of recent delinquency and anti-social behavior by youth who attend schools on tribal lands and compares those levels to youth statewide. Of the delinquent and anti-social behaviors displayed in Figure 7, youth attending school on tribal lands had higher rates of these behaviors than youth statewide. Of particular note are the relatively large differences between youth attending schools on tribal land and youth statewide in the percentage attending school while drunk or high, drove drunk, arrested, and gang-involved.

Figure 7: Delinquency and Anti-Social Behavior, 2008 AYS



The Arizona Gang Threat Assessment

Beginning in the summer of 2006, ACJC surveyed law enforcement officers in Arizona regarding their agencies' experiences and perceptions of gangs, gang members, and gang activity in their jurisdictions using a survey that is modeled after the [National Gang Threat Assessment](#). The national assessment is conducted annually by the National Alliance of Gang Investigators Associations in partnership with the Federal Bureau of Investigation, the National Drug Intelligence Center, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives. The ACJC survey fulfills the requirements set out in ARS §41-2416, which requires ACJC to conduct an annual survey that measures the prevalence of gang activity in Arizona when funds are specifically appropriated for that purpose. Although no funds were appropriated for this assessment, gangs remain a significant threat to public safety in Arizona and ACJC continues to collect this information.

In 2008, the most recent year for which Arizona gang threat assessment data is available, 99 law enforcement agencies statewide returned completed surveys; of those, 13 were tribal law enforcement agencies. Of the 13 agencies whose staff responded to the survey, three reported no gangs or gang activity in their jurisdictions. Of the ten agencies that reported gang and gang activity, nine reported that gang activity in their jurisdictions has increased in the past five years. When asked how gang activity had changed in the past six months, five of the nine reported that gang activity has increased.

When asked which are the most significant gangs in their jurisdiction, most respondents reported that local sets of the Bloods were active in their jurisdiction. Although other familiar gangs were reported to be active in the agencies' jurisdictions (e.g., Crips, Sureños, etc.), there were a number of gangs with less widely known and more localized names that were active on tribal lands. The types of crimes for which gangs on tribal lands were reported to be primarily responsible for were assault, vandalism/graffiti, drug offenses (e.g., street sales, possession, etc.), and alcohol offenses (e.g., under age drinking, driving under the influence, public intoxication, etc.). Other crimes mentioned by agencies include, burglary, robbery, and theft.

Conclusion

As described earlier, the over-arching goal of the tribal crime data profiles is to improve the collection and dissemination of tribal crime data. Improving crime data collection and dissemination will assist Arizona tribal criminal justice professionals and state and federal partners in identifying tribal criminal justice issues and inform prevention and intervention strategies to improve public safety and related outcomes on tribal lands and for tribal members. In this profile, data from several sources have been compiled to inform efforts toward achieving this goal and deepening the understanding of crime and criminal justice system activity on tribal lands.

The BIA data obtained by BJS on behalf of the AZSAC included partial 2005 data and full year data for 2006 and 2007. It is unknown whether these were the only years for which data were submitted to BIA by tribal law enforcement agencies in Arizona. Although year-to-year changes in the data obtained from BIA were analyzed earlier in this profile, three-year trend analysis is of limited utility. A more significant concern regarding these data is the note that was attached to the data stating, "This data is based solely on summary data submitted from the field locations. Standard UCR scoring and the full range of UCR forms is (sic) not used in collecting BIA Indian country data at this time." The aggregation of UCR data makes an analysis of the contribution of each offense toward a uniform crime index impossible. Perhaps more importantly, the aggregation of an agency's UCR data disallows its submission to the Federal Bureau of Investigation's (FBI) UCR program. It is the FBI's UCR data that is used by several federal grant making agencies when determining the amount of formula funding state and local jurisdictions receive.

The aggregation of UCR data and differences in terminology and definitions between the UCR crime categories and ARS criminal statutes, which are used for ACCH submissions, makes the comparison of these two data sources difficult. But, the ACCH data alone yields useful information on the types of offenders for which criminal records are created and their associated crimes. Of particular note is the data that shows from 2000 to 2007 nearly one-fifth (18.8 percent) of offenses with which alleged offenders were charged and their records submitted to the state's criminal history record repository were drug offenses and nearly 16 percent were for escape and related offenses (e.g. escape, failure to appear, resisting arrest, etc.). Additionally, the majority of individuals arrested by tribal law enforcement agencies and whose records were submitted to ACCH during this time were male (81.1 percent) and Caucasian (86.2 percent).

In addition to the official data obtained from BIA and the ACCH, self-report data obtained through a biennial statewide youth survey suggests that youth who attend school on tribal lands are engaging in the same types of drug taking behavior as youth statewide, but at higher levels. Of particular note is the percentage of tribal youth (49.3 percent) using marijuana compared to youth statewide (27.1 percent). A similar pattern was found for measures of other delinquent and anti-social behavior; a higher percentage of tribal youth engaging in these behaviors than youth statewide. For these measures it is worth noting the relatively large differences between youth attending schools on tribal land and youth statewide in the percentage attending school while drunk or high, drove drunk, arrested, and gang-involved.

A final source of crime and criminal justice data included in the series of tribal crime data profiles is the 2008 ACJC gang threat assessment. Three of the 13 tribal agencies that participated in the gang threat assessment reported that there were no gangs or gang activity in their jurisdiction. Of the agencies that reported gangs and gang activity in their jurisdiction, five reported gang activity had increased in the previous six months and nine reported that gang activity had increased in the past five years.

Although a few widely recognizable gangs were active in many tribal jurisdictions (e.g., Bloods, Crips, Sureños, etc.), most of the gangs listed by tribal agencies had more localized and less familiar names. Finally, the types of crimes gangs were primarily responsible for on tribal lands include assault, vandalism/graffiti, drug offenses, and alcohol offenses.

Because this profile is intended to inform initial discussions of how best to enhance crime and criminal justice system data on tribal lands, this analysis is primarily descriptive in nature. It is up to the various individuals representing the diverse number and type of agencies that have criminal justice responsibilities for tribal lands to build upon these data by conducting deeper analyses of what these data can, and cannot, tell them.

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