

# Arizona Criminal Justice Commission

## SEXUAL ASSAULT OFFENSES, ARRESTS AND SUBSEQUENT CASE FINDINGS



# Statutory Reporting Requirements

- A.R.S. §41-2406.B mandates the Arizona Criminal Justice Commission (ACJC) provide an annual sexual assault report to the Governor, the Legislature, and additional stakeholders
- The report shall include the following:
  - Police Reports
  - Charges Filed
  - Convictions, and
  - Sentences Imposed for Convictions

## Data Sources

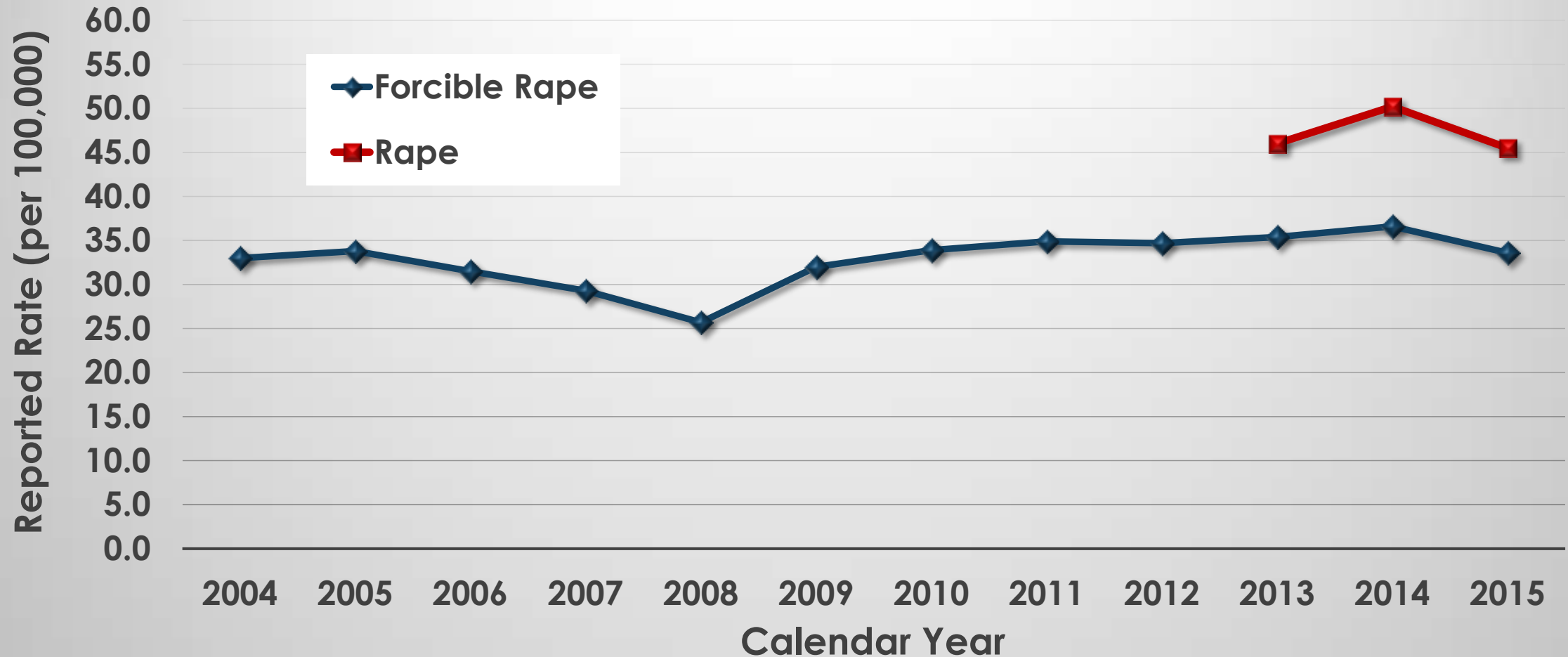
- Federal Bureau of Investigation Uniform Crime Reporting (UCR)
- Arizona Computerized Criminal History (ACCH) Repository
  - 10 years of arrests (Department of Public Safety)
  - Arrests and subsequent case activity
- Administrative Office of the Courts (AOC)
  - Public court case access

## Crimes Reported to Law Enforcement

- Prior UCR definition of “Forcible Rape” differs from A.R.S. §13-1406 Sexual Assault
- Current UCR “Rape” definition more in line with state statute:
  - Additional forms of penetration
  - Victim gender no longer a factor
  - Excludes the “forcible” element

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## Chart 1. Arizona Offense Rates in the UCR: Forcible Rape vs. Rape CY 2004-2015




## Criminal History Record Data

- Only certain offenses are statutorily required to be entered into the ACCH repository
  - All Felony
  - Misdemeanor Sexual
  - Misdemeanor Domestic Violence-Related
  - Misdemeanor Driving Under the Influence
- All arrest and subsequent case disposition information shall be submitted to the ACCH across Arizona

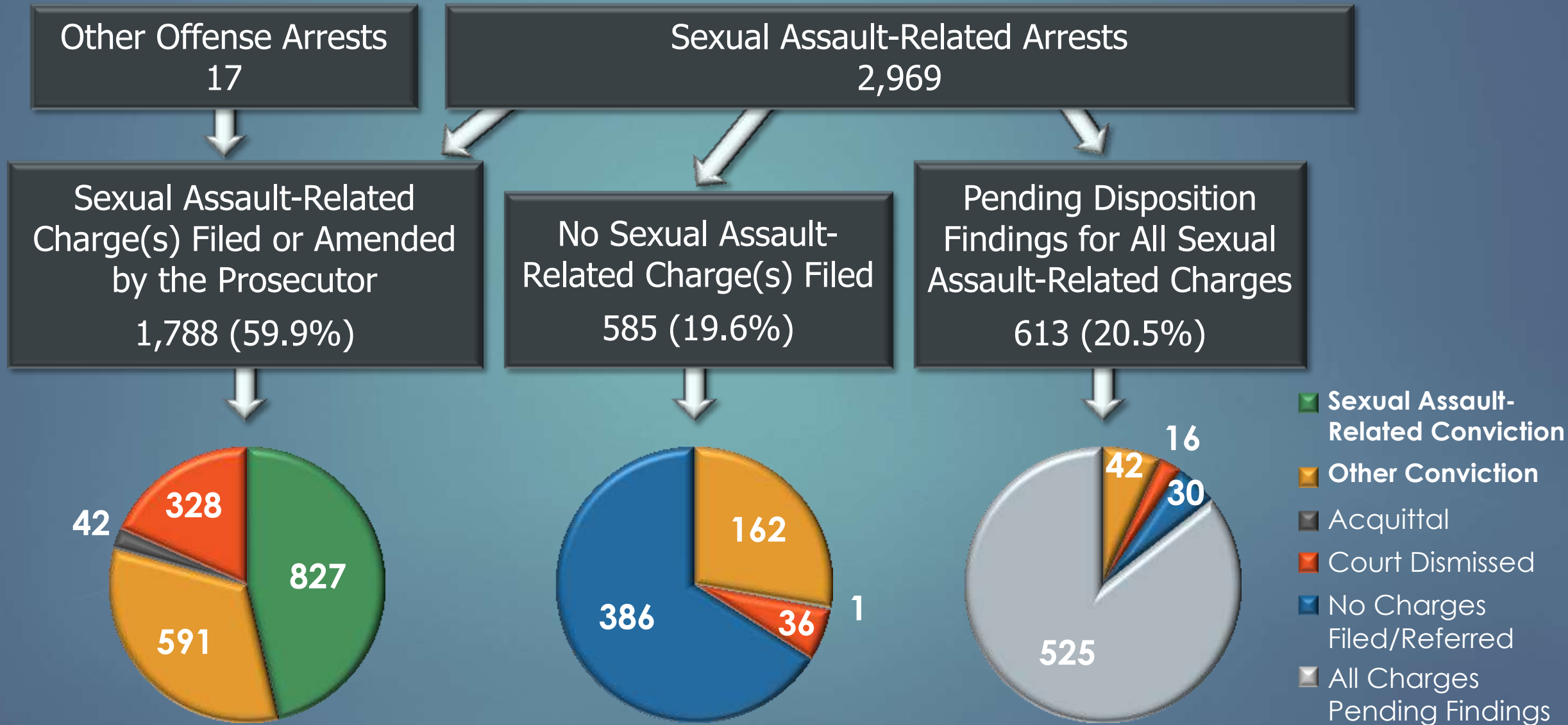


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<b>1</b> SIC NUMBER  AZ		 <b>ARIZONA DEPARTMENT OF PUBLIC SAFETY</b> <b>DISPOSITION REPORT</b>										<i>Mail to:</i> Criminal History Records AZ Department of Public Safety P O Box 18450 Phoenix AZ 85005-8450														
<b>2</b> NAME (Last, First, Middle)										<b>3</b> DATE OF BIRTH (MM) (DD) (CCYY)			<b>4</b> DATE OF ARREST (MM) (DD) (CCYY)			<b>5</b> PCN										
<b>6</b> ARRESTING AGENCY ORI					<b>7</b> ARRESTING AGENCY CASE NO.					<b>8</b> BOOKING AGENCY ORI			<b>9</b> BOOKING NUMBER													
<b>10</b> CHARGES / AMENDED CHARGES <i>CHARGES:</i> Please write literal. If more than three (3) charges list on second (2nd) form. <i>LAW ENFORCEMENT AGENCY:</i> Fill in original charge(s) on line(s) 1a, 2a, etc. <i>PROSECUTOR / COURT:</i> Fill in amended charge(s) on line(s) 1b, 2b, etc.											<b>11</b> ARIZONA REVISED STATUTE OR ORDINANCE	<b>12</b> DATE OF OFFENSE / VIOLATION	<b>13</b> OFFENSE TYPE	<b>14</b> PREPARATORY OFFENSE	<b>15</b> DOMESTIC VIOLENCE & VICTIM INFO	<b>16</b> DESIGNATED COURT NAME / IDENTIFIER	<b>17</b> AMENDED TO (X)	<b>18</b> DISPOSITION CODE	<b>19</b> PRISON OR JAIL	<b>20</b> LENGTH OF CONFINEMENT (da, mo, yr)	<b>21</b> SENTENCE CODE	<b>22</b> PROBATION LENGTH (da, mo, yr)	<b>23</b> FINE YES OR NO	<b>24</b> COURT CASE / COMPLAINT NUMBER	<b>25</b> DISPOSITION DATE	<b>26</b> AGENCY ORI MAKING DISPOSITION DECISION
1a			M F						P J				Y N													
1b			M F						P J				Y N													
2a			M F						P J				Y N													
2b			M F						P J				Y N													
3a			M F						P J				Y N													
3b			M F						P J				Y N													
<b>27</b> FURTHER EXPLANATIONS OR MODIFICATIONS															<b>28</b> RIGHT INDEX FINGERPRINT											
<b>DISPOSITION REPORT</b> A Disposition Report is required from the disposition agency (arrest, prosecutor or court) pursuant to the AZ Rules of Criminal Procedure (Rule 37) for each person fingerprinted for a reportable crime pursuant to ARS §41-1750.  Please call DPS Criminal History Records (602) 223-2222 for assistance with this form.											<b>14</b> PREPARATORY OFFENSE CODES A - Attempted C - Conspiracy to commit F - Facilitate S - Solicit		<b>15</b> DOMESTIC VIOLENCE OR VICTIM INFORMATION CODES D - Crime involves domestic violence M - Victim is a minor A - Victim is a vulnerable Adult L - Victim is a law enforcement officer C - Dangerous crimes against children		<b>18</b> DISPOSITION CODES AC - Acquitted / Not guilty CD - Court Dismissed DP - Deferred Prosecution DS - Deferred Sentencing GG - Guilty GI - Guilty but Insane NF - No complaint filed NP - Nolo Contendre plea NR - Not referred for prosecution PD - Pardoned PM - Pending due to mental incompetency PO - Plea to other charges RI - Not responsible by reason of insanity			<b>APPELLATE CODES</b> AF - Affirmed AR - Affirmed, Remanded for Re-sentencing RR - Reversed and Remanded RV - Reversed and Conviction Overturned SM - Sentence Modified		<b>21</b> SENTENCE CODES CC - Concurrent CS - Consecutive PS - Public or Community Service SS - Court Suspended Sentence						
DPS 802-03757-F Rev. 02/2002																										

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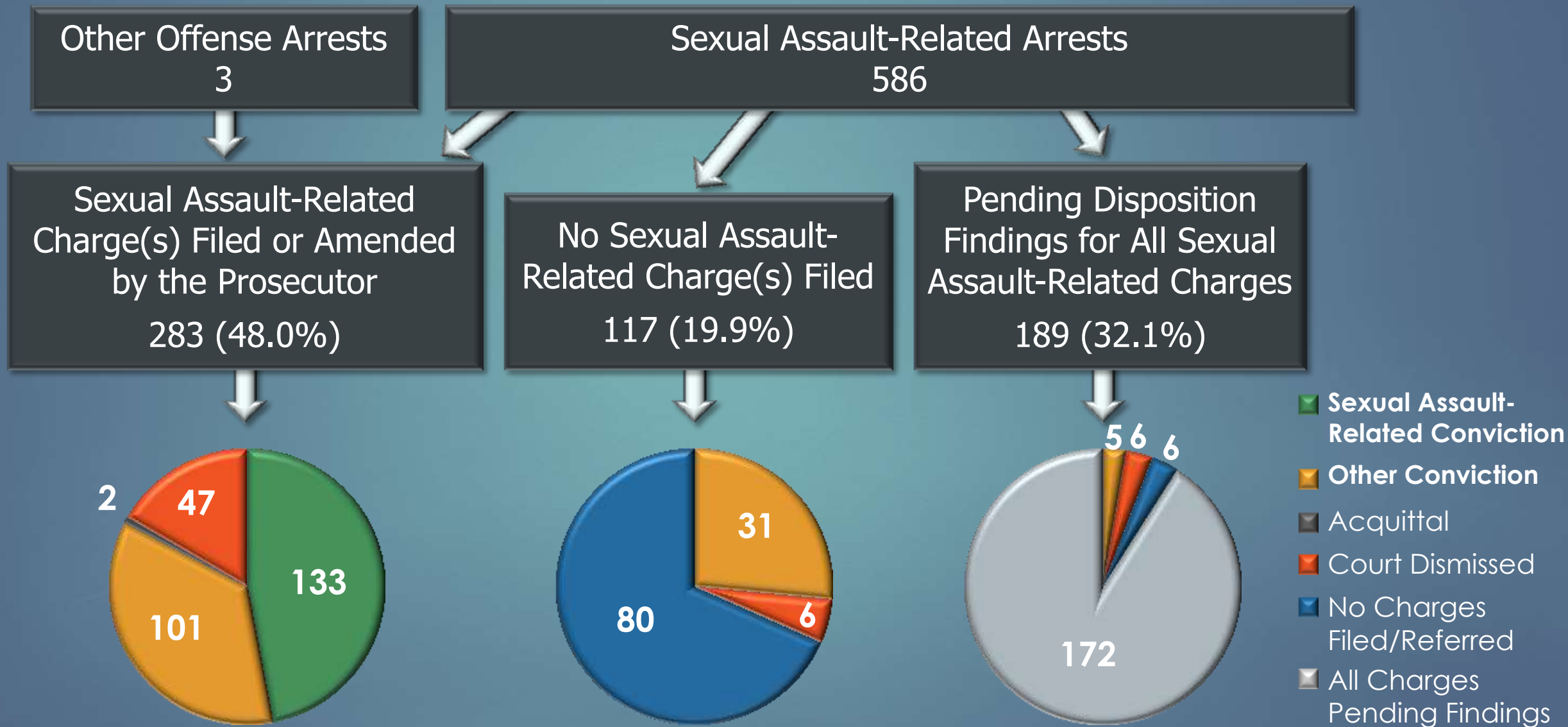
## Figure 1. Sexual Assault-Related Charges in the ACCH, CY 2004-2013





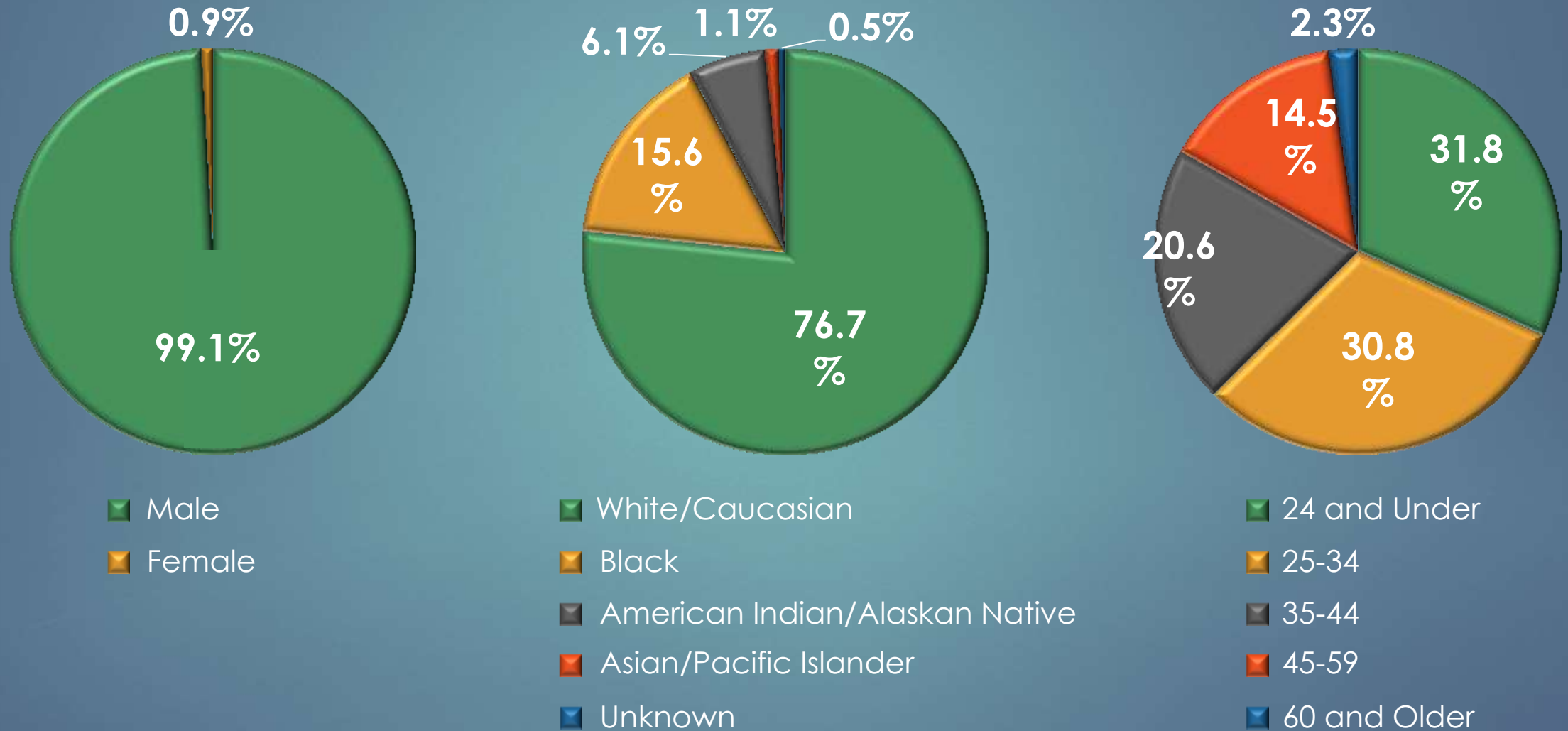
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## Figure 2. Sexual Assault-Related Charges in the ACCH, CY 2012-2013



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## Figure 3. Demographics for Sexual Assault-Related Arrestees, CY 2004-2013



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**Table 1. Highest Level of Sentencing in the ACCH for Convictions Resulting from Arrests Identified in Figures 1 and 2, CY 2004-2013**

	At Least One Sexual Assault-Related Conviction		Other Offense Conviction(s) Only	
	2004-2013	2012-2013	2004-2013	2012-2013
Prison Sentence	668 (81.1%)	103 (77.4%)	405 (50.9%)	65 (47.5%)
Jail Sentence	94 (11.4%)	14 (10.5%)	205 (25.8%)	38 (27.7%)
Other Sentencing Indicated	62 (7.5%)	16 (12.0%)	185 (23.3%)	34 (24.8%)
<b>Total Arrests Leading to Conviction</b>	<b>824*</b>	<b>133</b>	<b>795</b>	<b>137</b>

\* Three conviction cases reversed and remanded for re-sentencing were excluded in the calculations. Original sentencing may have been overwritten in the ACCH repository.

## Additional Data Findings

- Sexual assault-related arrests flagged for domestic violence
  - 80 total arrests from CY 2012-2013
  - 24 arrests missing disposition information
  - 35 arrests leading to conviction (17 sexual assault-related)
  - 17 prison sentences (11 from sexual assault-related convictions)
- One arrest charge for false reporting of sexual assault involving a spouse was recorded in CY 2010

## Complications with ACCH Records

- 17.6% of sexual assault-related records were missing disposition information from CY 2004-2013
- Disposition submission is still partially paper-based
- “Bookend” entry into the ACCH
  - Only arrest and final disposition information
  - Appellate court findings overwrite original findings

# Sexual Assault Report Improvements

- Use personally-identifiable information to link ACCH to court records
  - “Fill in the blanks”
  - Update court dismissals
- Work with crime laboratories to isolate cases involving untested sexual assault kits



## FOR MORE INFORMATION

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