

Executive Summary

This report from the Arizona Prosecuting Attorneys' Advisory Council provides a detailed statistical profile of the Arizona prison population as it existed on a recent date in history. The goal of the report is to create a body of information that might prove useful to policy-makers, legislators, and other parties interested in the kinds of offenders occupying prison beds in Arizona. Specifically, the report provides an in-depth analysis of the offenses for which inmates are committed, the sentences they are serving, their histories of felony violence, their prior criminal records, and other factors associated with their presence in the prison system. Information is presented for all 40,431 inmates sentenced for crimes committed in Arizona and in the custody of the Arizona Department of Corrections as of September 30, 2009.

Major Findings

The current and prior offense histories and institutional records of inmates in the custody of the Department of Corrections, as recorded by the department's automated records system, were carefully screened for any history of violence, any indicators of repetitive criminal behavior, and any other factors that might be related to their imprisonment or to the prospects for a successful re-entry to the community. Major findings are as follows:

- A. Violent Offenders: Including sex offenses, 21,273 or 52.6% of inmates are currently committed for one or more violent offenses.¹ In addition, 11,608 or 28.7% have prior violent felonies. Taking into account both current and prior offenses, 26,457 or 65.4% of inmates may be classified as "violent offenders."
- B. Repeat Offenders: Overall, 33,896 or 83.8% of inmates were found to have one or more prior adult felony convictions or juvenile felony adjudications. Furthermore, 22,639 or 56.0% have two or more prior felonies on their record.
- C. Violent and Repeat Offenders: The vast majority of inmates, 38,088 or 94.2% of the total population, are either repeat felony offenders or have a history of felony violence.
- D. Non-Violent First Offenders: Factoring out violent and repeat offenders, 2,343 or 5.8% of inmates may be classified as "Non-Violent First Offenders."
- E. Non-Violent First Offenders: A Closer Look: One of the focuses of the present study was to take a close look at this population to determine why they occupy prison beds. We found that most (2,278=97.2%) exhibit clearly identifiable characteristics that explain or otherwise justify the use of scarce prison resources to detain them. Most notably, 1,460=62.3% are drug traffickers, 1,270=54.2% have ICE detainees and are likely undocumented aliens, 419=17.9% carry mandatory prison sentences, and 340=14.5% are technical probation violators.

¹ Violent offenses include, among others, offenses prosecuted as dangerous offenses or as dangerous crimes against children, and offenses ADC records indicate involved injury to a victim or weapon use or had a sexual element.

- F. Drug Possession: 2,563 or 6.3% of inmates are committed for drug possession as their most serious current offense. Across this population, 976 or 38.0% have a history of felony violence and 2,436=95.0% have prior felony records. Just 121 or 4.7% of these inmates are Non-Violent First Offenders, and 78 or 64.4% of the latter are technical probation violators.
- G. DUI Inmates: 2,834 or 7.0% of inmates are committed for DUI as their most serious current offense. 1,128 or 39.8% have a history of felony violence, 2,521 or 89.0% have prior felony records, and 2,131 or 83.1% have prior misdemeanor convictions. 295 or 10.4% are Non-Violent First Offenders.
- H. Inmates with Sentences of 1 Year or Less: 2,105 or 5.2% of inmates are committed with a sentence (total time to be served) of 1 year or less. 758 or 36.0% have a history of felony violence and 1,531 or 72.7% have prior felonies. 470 or 22.3% are Non-Violent First Offenders. 436 or 20.7% of these inmates are committed for DUI.
- I. DUI Inmates with Sentences of 1 Year or Less: 436 or 15.4% of DUI inmates are sentenced to a prison term of 1 year or less, including 334 or 76.6% with a mandatory flat term of 4-8 months. Of the total of 436, 73 or 16.7% have a history of felony violence and 213=48.9% have prior felony records. 218 or 50.0% are Non-Violent First Offenders.
- J. Technical Probation Violators: 3,780 or 9.3% of inmates were committed as technical probation violators. 1,985 or 52.5% have a history of felony violence, 3,137 or 83.0% have prior felony records, and 340 or 9.0% are Non-Violent First Offenders.
- K. Gang Members: 9,260 or 22.9% of inmates are suspected or validated members of prison and street gangs. 7,400 or 79.9% of gang members have a history of felony violence and 4,219 or 45.6% a history of institutional violence. The comparable percentages for non-gang members are 61.1% and 13.7%. 6,922 or 74.8% of gang members are violent repeat offenders, while just 69 or 0.7% are Non-Violent First Offenders. The comparable percentages for non-gang members are 48.9% and 7.3%.

General Conclusions

The Arizona prison population may be split into four separate groups as follows:

- A. 22,265 or 55.1% are Violent Repeat Offenders
- B. 4,192 or 10.4% are Violent First Offenders
- C. 11,631 or 28.8% are Non-Violent Repeat Offenders
- D. 2,343 or 5.8% are Non-Violent First Offenders

The vast majority of current inmates are violent or repeat offenders (94.2%). Of the remaining 2,343 Non-Violent First Offenders, 62.3% are drug traffickers, 54.2% are foreign nationals with active ICE detainers, 17.9% carry mandatory prison sentences, and 14.5% are technical probation violators. Including the above, factors predisposing incarceration or weighing against early release are present for almost all Non-Violent First Offenders (97.2%).