

MARICOPA ASSOCIATION OF GOVERNMENTS
SIMPLIFIED | SEGMENTED APPROACH-RULE 37 PROJECT TEAM
FACT SHEET

PROJECT BACKGROUND AND GOVERNANCE

- In 2013, the Arizona Criminal Justice Commission initiated a strategic assessment project to assess the nature and extent of issues affecting disposition reporting and arrest warrant management.
- The initiative involved interagency taskforce that included principles from the Arizona Criminal Justice Commission (ACJC), Arizona Department of Public Safety (AZ-DPS), the Arizona Administrative Office of the Courts (AOC) and the Arizona Strategic Enterprise Technology (ASET).
- Executives from these agencies served on an Executive Team whose work and strategic vision was informed by two discrete working groups. These working groups were focused on disposition reporting and arrest warrant management – two key components of accurate and complete criminal history.
- The AOC’s Rule 37 Project Team agreed to expand their scope to include analysis of issues in Arizona Computerized Criminal History (ACCH) database.

CRIMINAL HISTORY PROBLEM STATEMENT

There are two key issues related to records in the ACCH that the SSA/Rule 37 Project Team identified and focused on; missing criminal history and incomplete criminal history.

IMPACT

- When criminal history databases were originally established, their primary function was for investigative purposes. Through state and federal mandates, as well as local practices, their use has broadened significantly beyond this initial scope:
 - Over 300 civilian jobs now require a background check based on a biometric identifier, in this case, fingerprints, to demonstrate that an individual is not currently charged with or has not been convicted of a crime that precludes eligibility for employment.
 - Incomplete dispositions will delay or prevent the issuance of a fingerprint clearance card.
 - Missing criminal history could result in a convicted offender working in a sensitive area with vulnerable citizens.
 - Prosecutors use criminal history information for determining charge enhancements, plea bargains and other charging decisions.
 - Judicial officers use criminal history information to inform bond and sentencing decisions.
 - Law enforcement uses criminal history as a mechanism for preventing crime as well as solving ongoing cases.

ROOT CAUSE ANALYSIS

MISSING CRIMINAL HISTORY

- The collection of a Type 01 Fingerprint through a LiveScan booking device is the only way to trigger the process of creating a criminal record with associated charges in ACCH.
- The business process for determining when, where, and under what circumstances a subject should receive a Type 01 Fingerprint is complicated and dependent on many factors.

INCOMPLETE CRIMINAL HISTORY

- Throughout the lifespan of a criminal case, charges are added, modified, and sometimes even dropped.
- The business rules that have been in place since the 1950's require that every evolution in a charge must be immediately reported to ACCH.
- Any failure or delay by any justice partner to report these charges to ACCH will likely result in failure when the court attempts to update the charge with a final disposition.

PROPOSED SOLUTIONS

MISSING CRIMINAL HISTORY

- The business process for when and how a defendant is fingerprinted must be simplified.
- Mobile Fingerprint Devices in Courtroom:
 - Mobile fingerprinting devices can be used to quickly verify the identity of an individual and retrieve their corresponding criminal history.
 - These devices can serve as a link between the law enforcement, prosecution and court processes by creating a bridge through which the court can retrieve the arrest record for the presiding case through the use of a biometric identifier.
 - The court can review the defendants arrest record to confirm that the defendant has a corresponding criminal history for the presenting charges. If the current case does not appear on this criminal history report, the judicial officer can order the defendant be escorted to the courthouse LiveScan booking device described in the next section.
- LiveScan Booking Machine in Courthouse:
 - In 2010 the Pinal County Early Disposition Court (EDC is part of the Superior Court) and the Pinal County Sheriff jointly funded a full-time Deputy position to review the criminal records for every new case filed to the EDC.
 - Since inception of this program, over 1,000 criminal histories have been since created that would otherwise be missing from ACCH.

INCOMPLETE CRIMINAL HISTORY

- AZ DPS is actively working to improve the disposition reporting process by updating business rules associated with disposition reporting.

- Once implemented, ADRS will accept charge dispositions from the courts regardless of whether or not they match the original arrest charges recorded in ACCH.
- This “auto-add” approach, which was approved by key stakeholders, allows for additional counts to be automatically added to an arrest segment regardless of whether or not the prosecutor has updated the charges in a timely manner.

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