

## ***TUCSON CITY COURT ARIZONA'S LARGEST VOLUME COURT MONTHLY UPDATE FOR SEPTEMBER 2016***

The Tucson City Court is Arizona's largest volume Court. It is a Limited Jurisdiction Court (LJC) responsible for adjudicating misdemeanor crimes, violations of criminal traffic, civil traffic, parking and city ordinances within the city limits. Tucson City Court processes an average of 243,000 charges annually; approximately 30% of the charges filed are criminal. The court building averages 336,931 visitors each year. The court collects an average of \$24.7 million per year in gross collections and disburses about \$13.3 million to the City of Tucson with the remainder disbursed to the state and other local governments. The Court's customer call center receives roughly 129,600 calls per year and approximately 60,000 pieces of mail per year. In Fiscal Years (FY) 15 and 16 the Court was authorized 135.8 employees: 12 judicial officers and 123.8 administrative staff. As of FY17 the Court reduced its employees to 112.8; 9 judicial officers and 101 administrative staff which includes 2.8 grant funded employees.

### **SEPTEMBER'S FOCUS: WARRANT REDUCTION PROGRAMS**

Tucson City Court has coordinated with the City Prosecutor and Public Defender on several initiatives to:

- 1) Reduce the number of active warrants.
- 2) Reduce the number of new warrants issued.

Reducing the number of active warrants is done through a series of programs designed to either dispose of the criminal case or work with the defendant and get the case back on track in the criminal division of the court. Since FY11 the Court has made reducing the number of active warrants a priority. Prior to FY11 the court had active warrants exceeding 67,000. At the end of FY15 statistics from the Arizona Supreme Court's Administrative Office of the Court (AOC), show that City Court had a total of 42,465 active warrants. The FY15 AOC statistics are the most recent; FY16 has not yet been published. The second largest volume court, Phoenix Municipal Court had 44,251 active warrants at the end of FY15. City Court offers several programs that work together to decrease and control the number of active warrants and reduce the number of warrants issued. These programs are as follows:

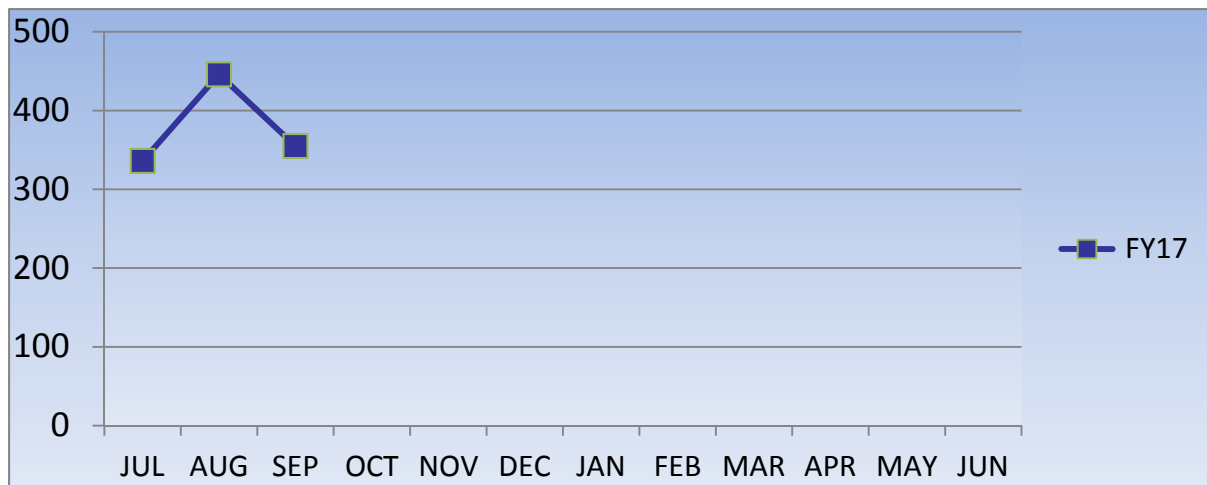
### MASS QUASH PROGRAM

Every month, City Court provides a list of cases to the City Prosecutor which are seven years old with an active warrant. The City Prosecutor reviews the list and files motions to dismiss in appropriate cases. The result of this program is that active warrants seven years or older are reviewed and appropriate action is taken.

### WALK-IN WARRANT COURT

Tucson City Court has operated a Walk-in Warrant Court for roughly 10 years in various forms. The current version of Walk-in Warrant Court operates four days per week, Monday through Thursday during the afternoon session. Defendants with warrants are able to walk in and see a judge and have their warrant reviewed and in most cases the warrant is quashed with a new court date provided. **In FY16 a total of 5,247 defendants signed up for Walk-in Warrant Court with 5,100 defendants actually being seen (147 left without being seen).** Based on FY16's booking fee of \$279.51 and assuming all 5,100 defendants were booked, the potential cost avoidance is \$1,425,501. Actual cost avoidance is unknown as it is impossible to determine how many of those defendants would have been arrested and booked. However, if only 10% of the defendants seen were not booked it would equate to \$142,550 in cost avoidance.

### Defendants Seen at Walk-in Warrant Court



**Saturday Walk-in Warrant Court**

This program is planned to be conducted twice a year in the June/July and January/February time frames. It is modeled on the Walk-in Warrant Court but is held on Saturday twice a year as a convenience to the public. City Court has held three Saturday Walk-in Warrant Courts with good participation. The Saturday Walk-in Warrant Court costs approximately \$5,000 for the Court to operate and these costs were not included in the FY17 budget. The next Saturday Walk-in Warrant Court is scheduled for February 2017

Saturday Warrant Days:

Date	Total Seen	Warrants Quashed	Other Issues	Total Collected
August 2015	395	210	185	\$13,325
December 2015	460	77	383	\$7,108
June 2016	223	111	112	
Total	1,078	398	680	\$20,433

**Alternative to Jail Program (ATJ)**

Tucson City Court operates the ATJ program during specific hours to provide an initial appearance for criminal defendants, to include those arrested on Tucson City Court warrants. Defendants with Tucson City Court warrants with or without new charges, can be seen at ATJ and have their warrant reviewed. In most cases defendants have their warrant quashed and are given a new court date. The goal of the ATJ program is to provide an alternative to booking City Court defendants into jail on City Court warrants or charges thus avoiding any booking or jail day fees.

**Failure to Appear (FTA) on Driving on Suspended License (DSL) Charges**

The City Prosecutor after careful consideration and in consideration of fiscal contracts made the decision to not prosecute violations of A.R.S. § 28-3473. This action was taken prior to the publication of the Arizona Supreme Court’s Justice for All report and places the City of Tucson ahead of other jurisdictions in dealing with DSL charges. Several of the 65 recommendations in the Justice for All report

address issues with DSL charges. These recommendations include converting first offense DSL from criminal to a civil charge and suspending a driver license as a last resort instead of a first resort. Where DSL charges impact warrants is when the defendant fails to appear at their arraignment a warrant is issued. Failure to Appear (FTA) charges associated with Domestic Violence and DSL charges are the basis on which the majority of Tucson City Court warrants are issued. With the prosecutor dismissing the DSL charges the court no longer issues a FTA warrant.

Since the prosecutor implemented the dismissal of DSL charges on October 18, 2015 a total of 8,165 DSL charges have been dismissed. At the current FTA rate of 29% that would equate to the court not having to issue 2,368 warrants during this time.

Another program the court will be initiating in December will be the Compliance Assistance Program or CAP for short. This program is designed to assist defendants who have not followed through on their commitments to the court in civil cases, in particular civil traffic cases. Driver licenses are often suspended for fail to address or comply with a civil traffic charge. The CAP is designed to obtain a good faith down payment (Pay Today amount) and then allow the defendant to make reasonable, affordable monthly payments until the balance due is paid off. Once defendants are enrolled in the CAP the Court will notify the Motor Vehicle Division that they have met requirements at our court which was suspending their license. It is hoped that this program will help reduce the number of people driving on a suspended license and avoid having their cars impounded.

Drive with License Suspended/Revoked/Cancelled	
ARS § 28-3473A	
Month	Charges Filed
April 2016	347
May 2016	445
June 2016	375
July 2016	342
August 2016	367
Septebmer 2016	365
<b>TOTAL</b>	<b>2,241</b>

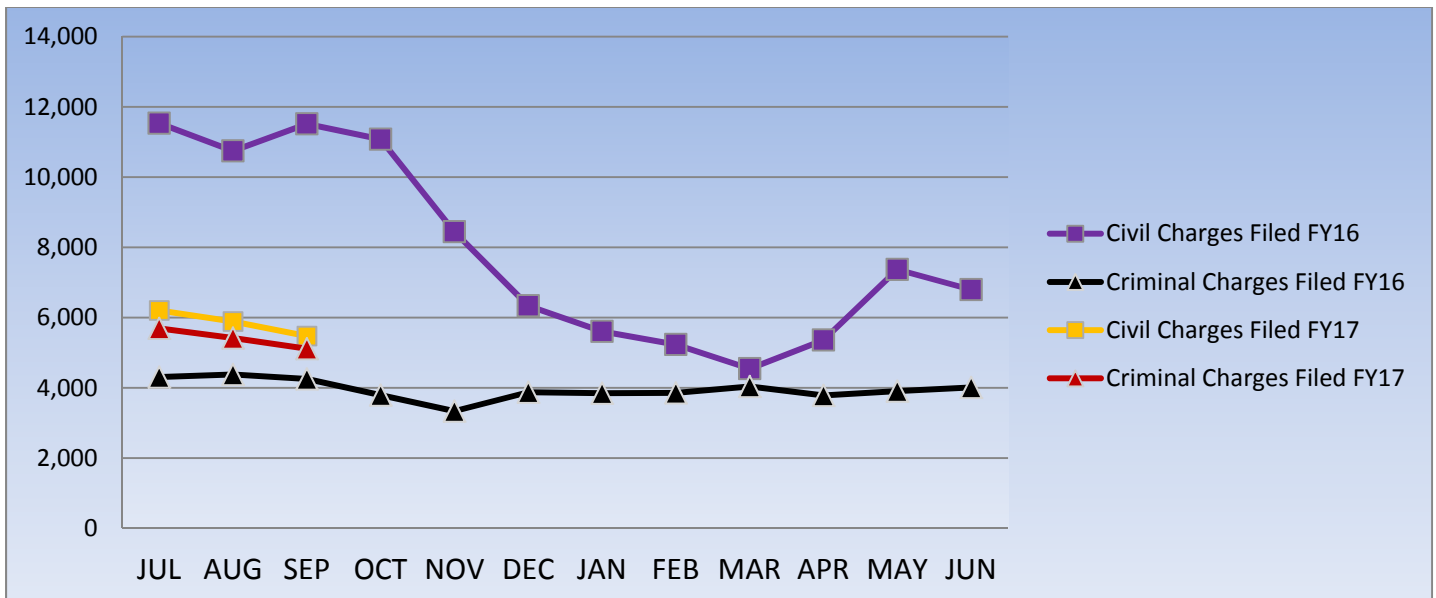
**Failure to Pay Warrants (FTP)**

Tucson City Court ended the practice of issuing FTP warrants in 2007 and now allows delinquent fines/fees/restitution to be reported to the FARE program and take advantage to the collection incentives/initiatives unique to the FARE program.

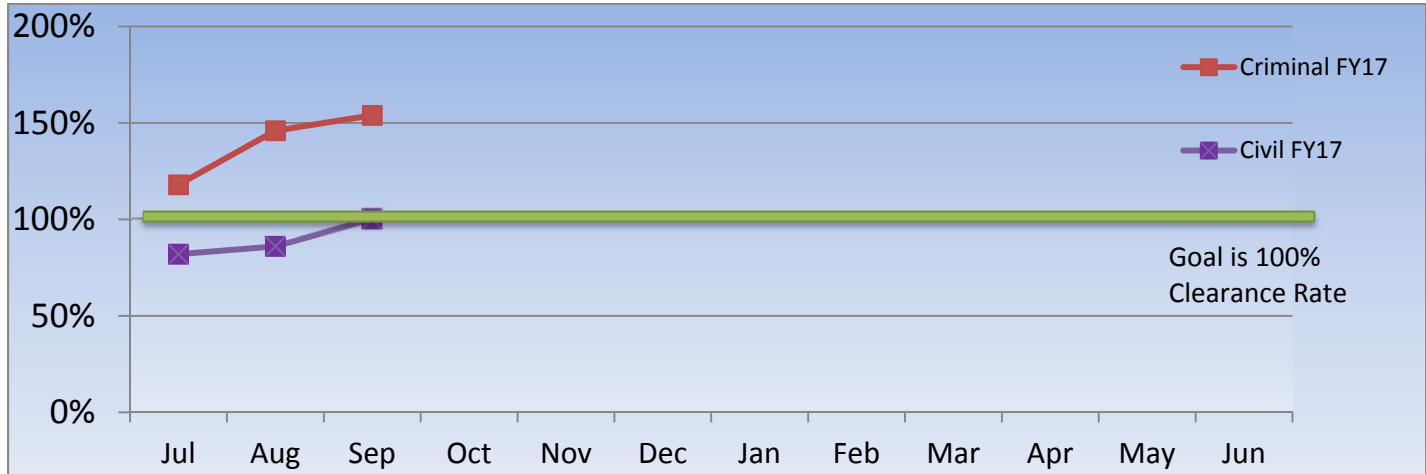
## TUCSON CITY COURT CHARGES FILED

September-16	MONTHLY				FISCAL YEAR TO DATE			
	Sept. Filed/ Issued	August Filed/ Issued	Change	Variance	2017 YTD Filed/ Issued	2016 YTD Filed/ Issued	Change	Variance
<b>Type Of Charge</b>								
Civil Traffic	4,371	4,930	(559)	-11.34%	13,504	26,270	(12,766)	-48.60%
Parking	890	812	78	9.61%	3,410	6,857	(3,447)	-50.27%
Civil Ordinance Violations (non parking)	214	145	69	47.59%	490	669	(179)	-26.76%
DUI	273	330	(57)	-17.27%	987	961	26	2.71%
Misdemeanors	4,399	4,645	(246)	-5.30%	13,933	10,047	3,886	38.68%
Criminal Traffic Serious	25	18	7	38.89%	64	44	20	45.45%
Criminal Traffic (all others)	418	426	(8)	-1.88%	1,243	1,696	(453)	-26.71%
Others	0	0	0	0	0	682	(682)	-100.00%
<b>TOTAL Charges</b>	<b>10,590</b>	<b>11,306</b>	<b>(716)</b>	<b>-6.33%</b>	<b>33,631</b>	<b>47,226</b>	<b>(13,595)</b>	<b>-28.79%</b>
<b>Petitions</b>								
Orders Of Protection	106	145	(39)	-26.90%	380	318	62	19.50%
Injunctions Against Harassment	65	82	(17)	-20.73%	197	208	(11)	-5.29%
<b>TOTAL Petitions</b>	<b>171</b>	<b>227</b>	<b>(56)</b>	<b>-24.67%</b>	<b>577</b>	<b>526</b>	<b>51</b>	<b>9.70%</b>

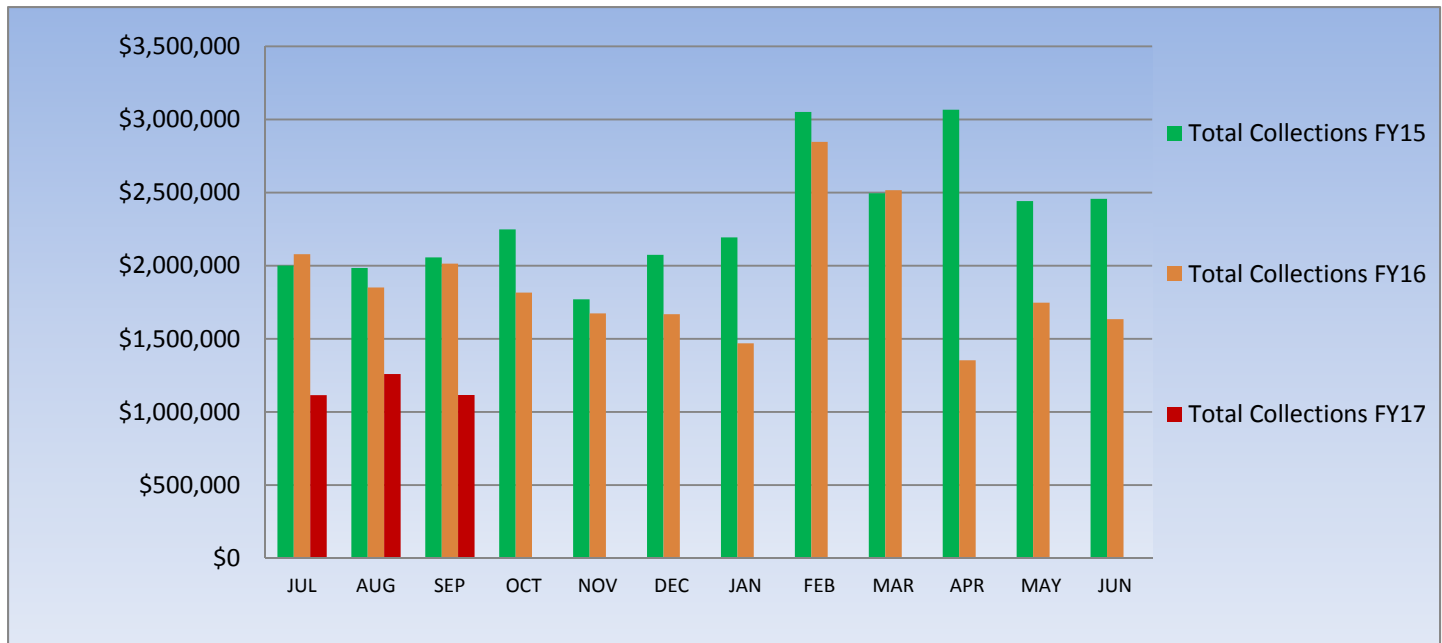
### CHARGES FILED



**CLEARANCE RATES FY17, GOAL IS 100%**

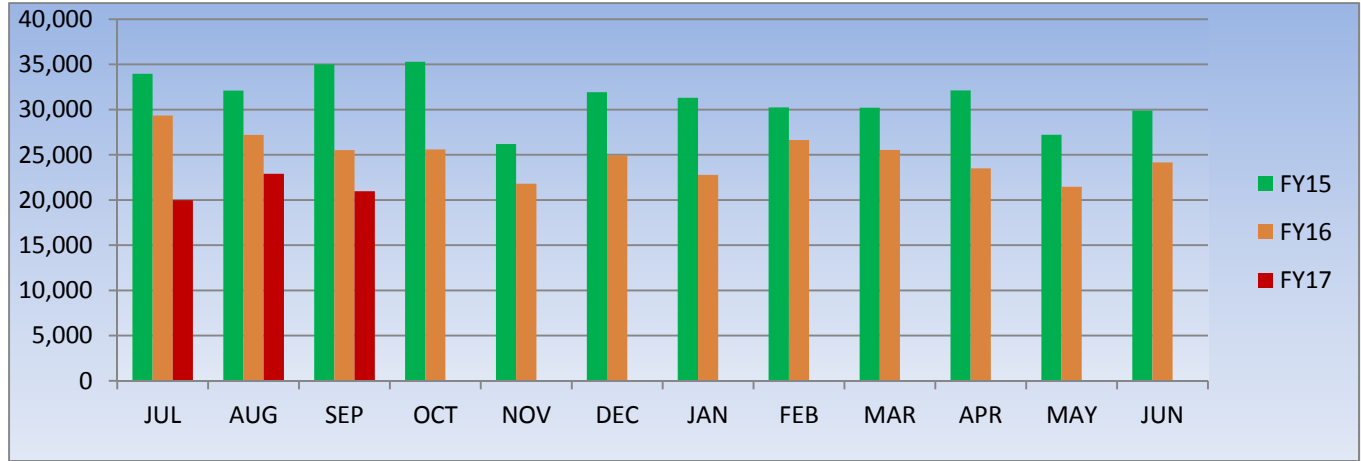


**COLLECTIONS (ENFORCEMENT OF COURT ORDERED SANCTIONS)**





## VISITORS TO COURT BUILDING

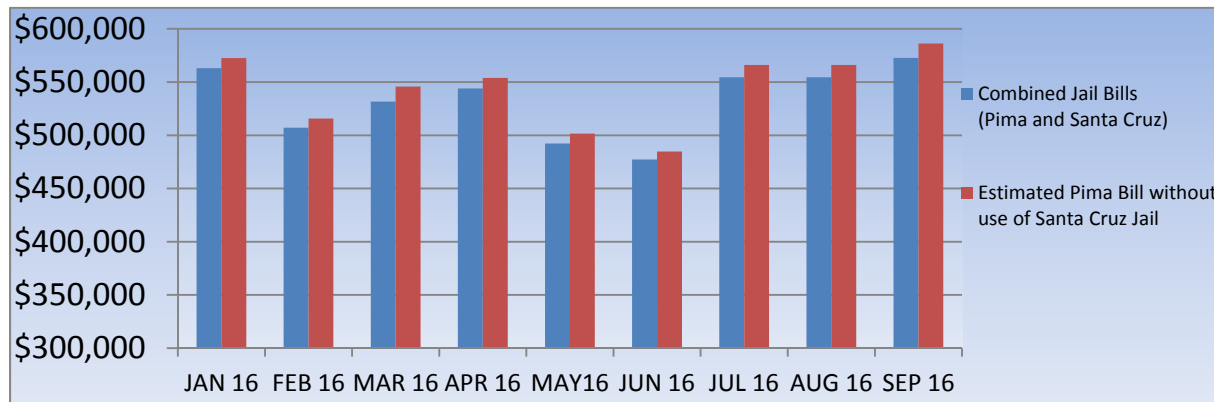


## JAIL COST REDUCTION

There are several ongoing collaborative efforts between the City Prosecutor, City Public Defender, Tucson Police Department (TPD) and the Court to control jail costs. These include plea offers made at initial appearances at the jail, video reviews for defendants being held, cite and release on appropriate crimes by TPD, Alternative to Jail Program (ATJ), use of Santa Cruz County Jail for confinement sentences longer than 10 days, walk-in warrant court held every afternoon Monday through Thursday and Saturday Warrant Days conducted twice a year in January/February and again in June/July time frame.

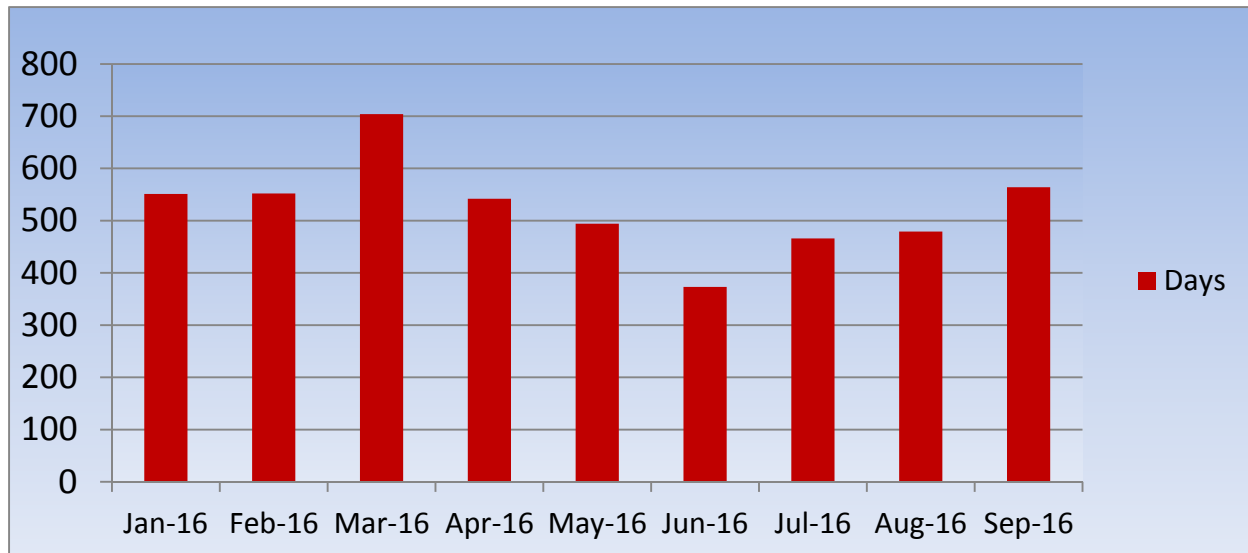
## USE OF SANTA CRUZ COUNTY JAIL

### SANTA CRUZ COUNTY JAIL SAVINGS



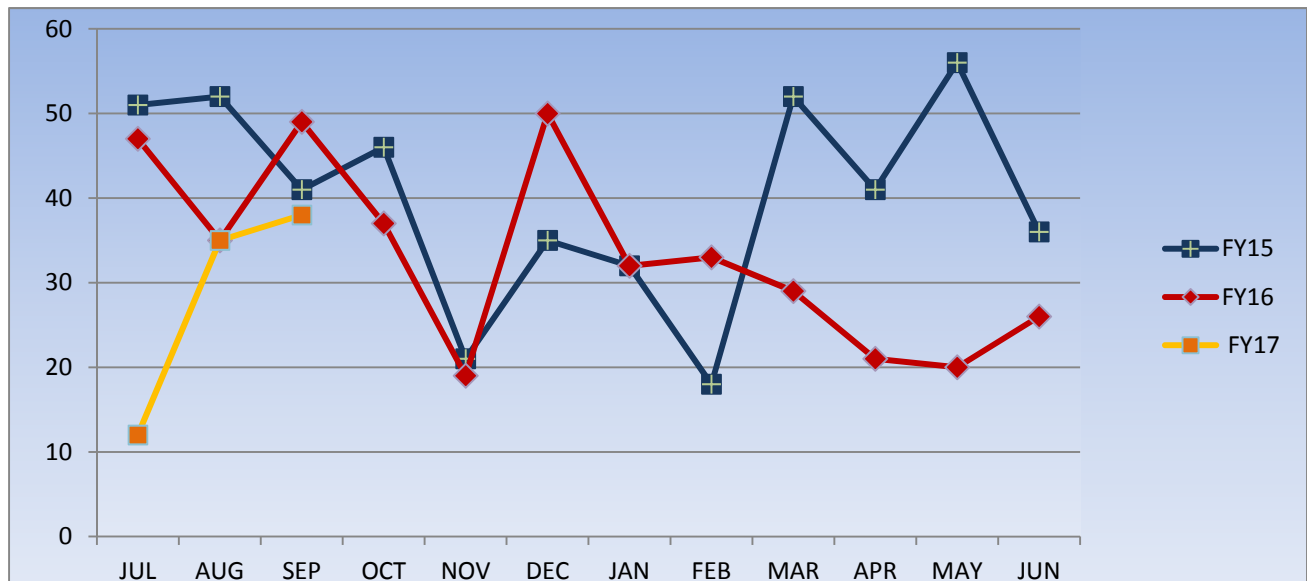


## DAYS USED SANTA CRUZ COUNTY JAIL



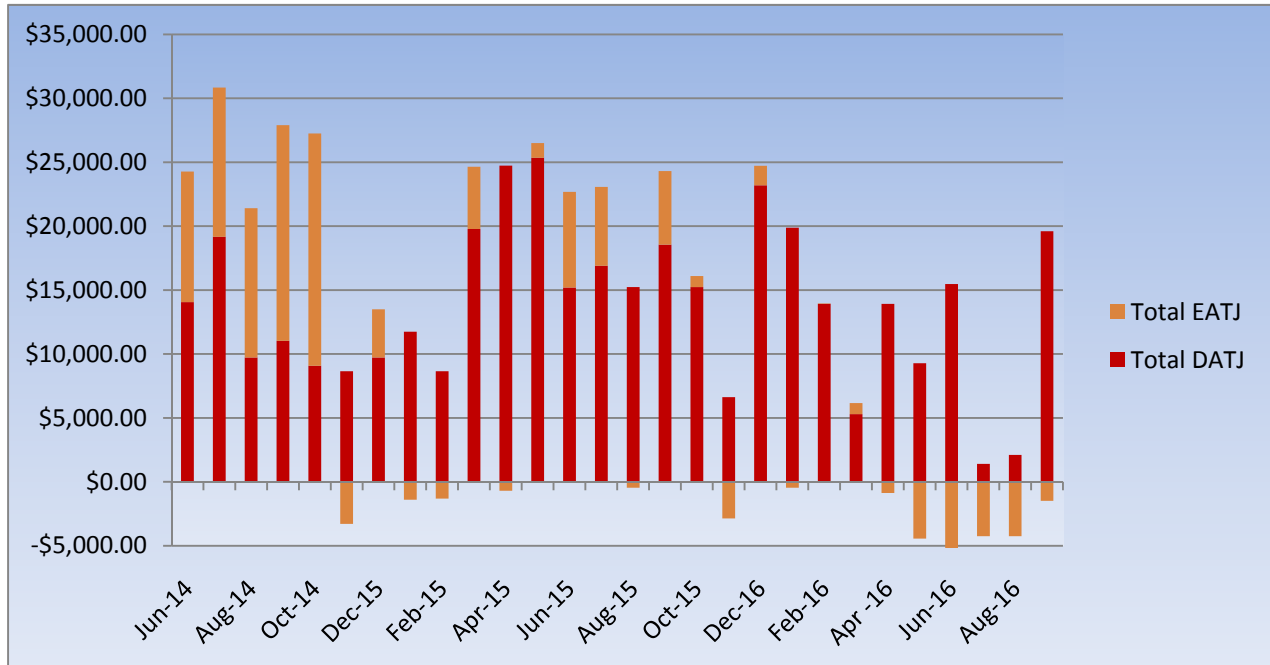
## ATJ Program

### ATJ Defendants seen





**ATJ Program Cost Savings**



**PROJECTS**

Tucson City Court has several projects underway which will enhance service provided to the public. The top three priority projects are:

**INTERACTIVE VOICE RESPONSE (IVR) SYSTEM**

The Statement of Work (SOW) with AVAYA has been signed by City Procurement and we are now working towards beginning the process of implementing the IVR system. The timeline is aggressive as this project supports several internal and external initiatives for reducing jail costs, warrant issuing, and enhanced enforcement of court ordered sanctions and case time processing standards.

A major expectation is that out bound reminder calls will reduce Failures to Appear (FTA) at arraignments and scheduled court hearings which will reduce the number of FTA warrants issued. The arraignment FTA rate for FY16 was 29%.

### **IMPLEMENTING “JUSTICE FOR ALL” REPORT RECOMMENDATIONS**

Recommendation #22, *Increasing Access to Court by Offering Extended or Off Hours Services*. We have been discussing and exploring a pilot project to expand lobby and warrant court hours to 7 or 8 PM twice a week on Tuesday and Thursdays. The project is scheduled to run three months and usage will be analyzed to see if making this a permanent program is cost effective. This project is **planned as priority number 2**. Our current planning and analysis is focused on the best method to extend operating hours without affecting normal business hours operations. We are planning to have this pilot project go live in early 2017.

Recommendation #6, *Implement the Phoenix Municipal Court’s Compliance Assistance Program statewide*. This program is a version of a Tucson City Court program we’ve had in place for several years. We will however revise the program so that a judicial decision is not required to recall cases from the FARE program. **This program is priority number 1** and should be in place prior to 2017.

### **BUILDING IMPROVEMENT PROJECT**

The project is currently running about a week behind schedule. Skylight roof section installation has been completed as has the renovation of the Orders of Protection area. We are still within budget although the contingency fund is getting low. During September the new court building entrance was opened, interior painting of the public spaces was started and the new Orders of Protection and Injunction against Harassment area was completed and will be opened in the first week of November 2016.

**SHOULD YOU HAVE ADDITIONAL QUESTIONS, CONCERNS OR SUGGESTIONS FOR ITEMS TO BE INCLUDED IN THIS REPORT PLEASE CONTACT COURT ADMINISTRATION AT 520-791-4189 OR SEND AN EMAIL TO [courtweb@tucsonaz.gov](mailto:courtweb@tucsonaz.gov).**