

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL

# PRISONERS IN ARIZONA:

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A 2017 Update on Selected Topics

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## **Introduction**

In this edition of ***Prisoners in Arizona*** we provide an update to the findings of the previous report published in June 2014. That report covered a wide range of inmate-related subjects with an emphasis on trends in inmate characteristics. In this report, we take a somewhat more focused view of several main topics, including prison population growth, changes in the inmate population, and recidivism. As these were also among the main topics in the 2014 report, it will be a simple matter to transition from that report to this one.

One of the primary conclusions of the previous study was that the inmate population is again on the upswing following a 35-month hiatus. After growing by an average of 106 per month over 38 years, the population started plummeting in November 2009. The prison population was falling by an average of 27 per month between Nov. 2009 and July 2012. But from August 2012 through June 2016, the inmate population was steadily growing again, averaging 75 per month. However, the number of state prisoners has once again fallen into sharp decline. From July 2016 through June 2017, the population has decreased by an average of 53 per month.

Chapter 1 documents the magnitude of the inmate population trends. Chapters 2 and 3 identify several contributing factors to that change. Chapter 4 departs from the subject of population change to take a close look at one of our favorite research topics – recidivism. Recidivism rates are placed under a microscope and examined for predictive validity. Recidivism is also tracked over time with interesting results. The data reflect the impact on the system of repeat offenders, and the effect of “evidence-based practices” that have been integrated into probation services over the last several years. Chapter 5 looks at the average prison sentences for those who are convicted of various types of drug offenses. The results show that those convicted of trafficking spend much longer times in prison than those who are convicted of possession, and that trafficking or possession of marijuana involves shorter prison terms than for other types of drugs.

Our intent from the beginning of this series of reports is to show who is in prison and why. We hope to dispel the myths often repeated in policy discussions concerning prosecutorial discretion and sentencing practices. But along the way, we have also learned not only which offender categories pose the greatest risk to society, but also which groups should be targeted for enhanced supervision and focused rehabilitative services. These findings may help inform decisions about balancing control with assistance. This is not a new idea, as most agencies strive to accomplish this goal. However, it is well worth repeating, since preventing even one major crime is a worthy endeavor.

## Summary of Findings

### **Major findings:**

- ✓ Arizona's prison population has declined by about 1.1% since its peak in April 2016. The gap is much more dramatic when viewed against the pre-existing upward trend.
- ✓ From July 2012 through April 2016, the number of state prisoners grew by an average of 74 per month.
- ✓ From July 2016 through June 2017, it declined by an average of 53 people per month.
- ✓ The almost four-year growth spurt was due primarily to a jump in admissions. In the second half of 2016, the prison population declined as prison releases exceeded admissions.
- ✓ The number of prisoners released within 6 months has been on a steady decline since late 2005.
- ✓ The jump in admissions has impacted all major crime categories except for sex crimes.
- ✓ The greatest impact has been in drug trafficking commitments, and particularly marijuana.
- ✓ Most of the impact has been on direct court commitments.
- ✓ Direct court commitments have started their downward slide since 2014.

### **Recidivism:**

- ✓ Among 405,149 offenders normally released over the period January 1985 through June 2017:
  - o Within 20 years of release, 50.7% returned to custody,
  - o Within 3 years of release, 36.4% returned to custody.
- ✓ Among inmates released and followed for three years thereafter, the recidivism rate rose steadily as follows over the period from 2010 through 2013:
  - o 2010 – 36.6%
  - o 2011 – 37.9%
  - o 2012 – 38.5%
  - o 2013 – 38.8%

### **The best predictors of recidivism in order of their utility include:**

- ✓ Criminal History and particularly Prior Commitment History
- ✓ Gang Affiliation Status
- ✓ Most Serious Current Offense
- ✓ Type of Release
- ✓ Age at Admission
- ✓ Type of Admission
- ✓ Time Served
- ✓ Citizenship
- ✓ Gender

# **Chapter 1: Prison Population Growth in Arizona**

The 2011 report, ***Prisoners in Arizona: Truth-in-Sentencing, Time Served and Recidivism***, noted that for the first time in recorded history the Arizona prison population had stopped growing. Following 29 years of growth averaging 106 per month, the number of state prisoners fell by an average of 27 per month from the end of October 2009 (41,527) through July 2012 (40,650).

That report traced the drop-in prisoners to a “shortfall” in court commitments beginning in the third quarter of 2009. The “shortfall” is the amount by which commitments have “fallen short” of projected or expected levels. In other words, there was a deficit in actual commitments below the level to be expected based on the previous upward trend. Using statistical techniques, it was possible to project what the number of commitments would have been, had the previous growth level been maintained. We then subtracted actual from projected commitments to find a total commitment shortfall of 8,770 over the two-year period from July 1, 2009 through June 30, 2011. This is the difference between projected commitments of 41,508 and the actual total of 32,738 — a 21.1% difference. The shortfall was greater among non-violent offenders (23.3%) among violent offenders (12.0%).

Nevertheless, the previous report concluded that the inmate population is again on the rise. The prison population rose by 1,729 from the end of July 2012 through March 2014 (42,379). This about-face in population growth continued through June 2016 (44,179), with the number of state prisoners increasing by an average of 75 per month over the intervening 47 months. As of March 31, 2014, the prison population had risen above the previous trend by 2,039. The analyses traced the growth spurt to a jump in admissions of 202 per month. The nature of that upswing is remarkable, in that it shows a steady increase in the concentration of inmates who commit the most serious crimes.

In this first chapter of the current report, we update the research through June 2017.

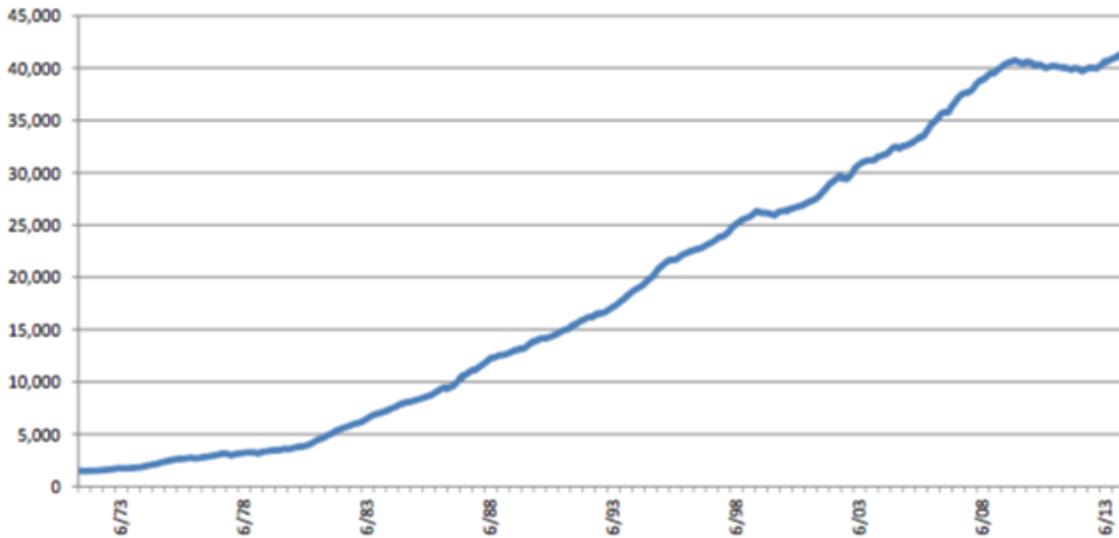
## **Chapter 1 Summary**

- *From October 31, 2009 through July 31, 2012, the prison population dropped by 27 per month*
- *The number of imprisoned felons decreased by 877 or 2.1% over this 33-month period*
- *This was the first observed period of a sustained drop in the prison population.*
- *From July 31, 2012 to June 30, 2016, the prison population rose by 75 per month. The number of imprisoned felons increased by 3,529 or 8.7% over this 47-month period*
- *However, over the last year from June 30, 2016 to June 30, 2017 the prison population again decreased. Over that period, it fell by 53 per month. The number of imprisoned felons declined by 634 or 1.4% over this 12-month period*
- *As of June 30, 2017, the prison population had dropped below the previous trend by 1,953*

Growth Trends

As documented in the previous reports, there was relatively steady upward growth over the 38-year period from October 1971 through October 2009. Then the Arizona prison population suddenly stopped growing (see Figure 1). Following a peak of 41,527 on October 30, 2009, the population fell to 40,650 by the end of July 2012 (Figure 3). This decline was without precedent and also quite unexpected. In the 2011 report, we traced the drop in prisoners to a shortfall in admissions in a variety of offender and offense categories, and predicted an additional drop in prisoners during 2012 and 2013. However, contrary to expectation, the prison population began climbing again in August 2012 and continued to escalate through March 2014, up to 42,379 as of the 31<sup>st</sup> of the month.

**Figure 1: Arizona Month-Ending Prison Population, October 1971-March 2014**



**FIGURE 2: ARIZONA YEAR-ENDING PRISON POPULATION, 1985-2017**

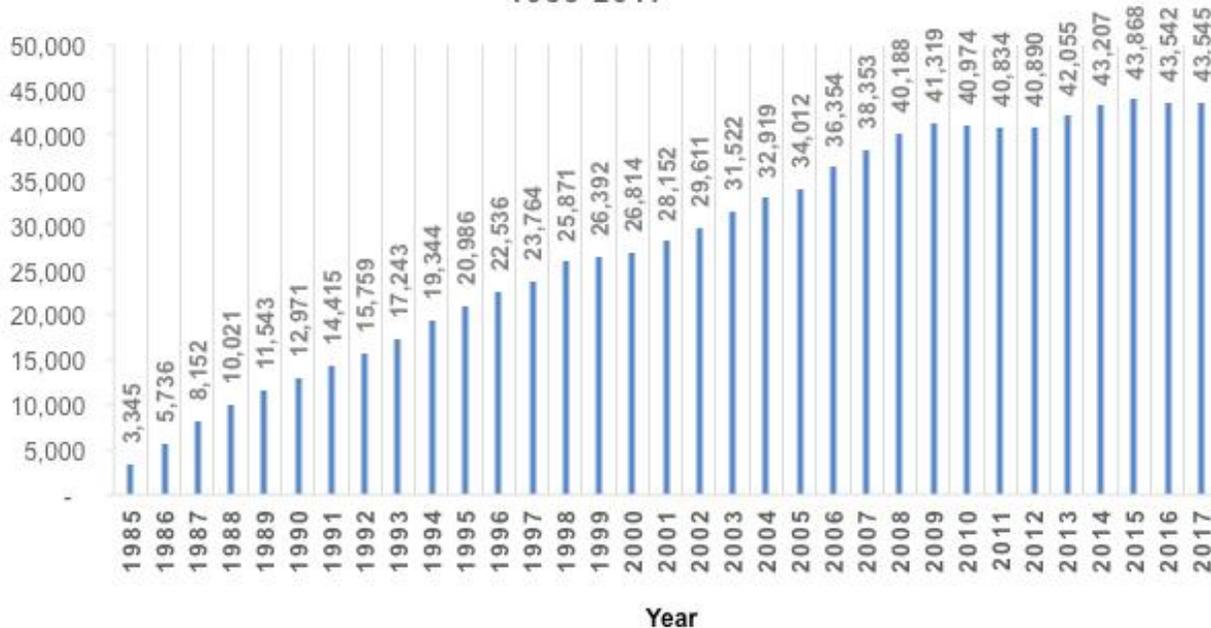
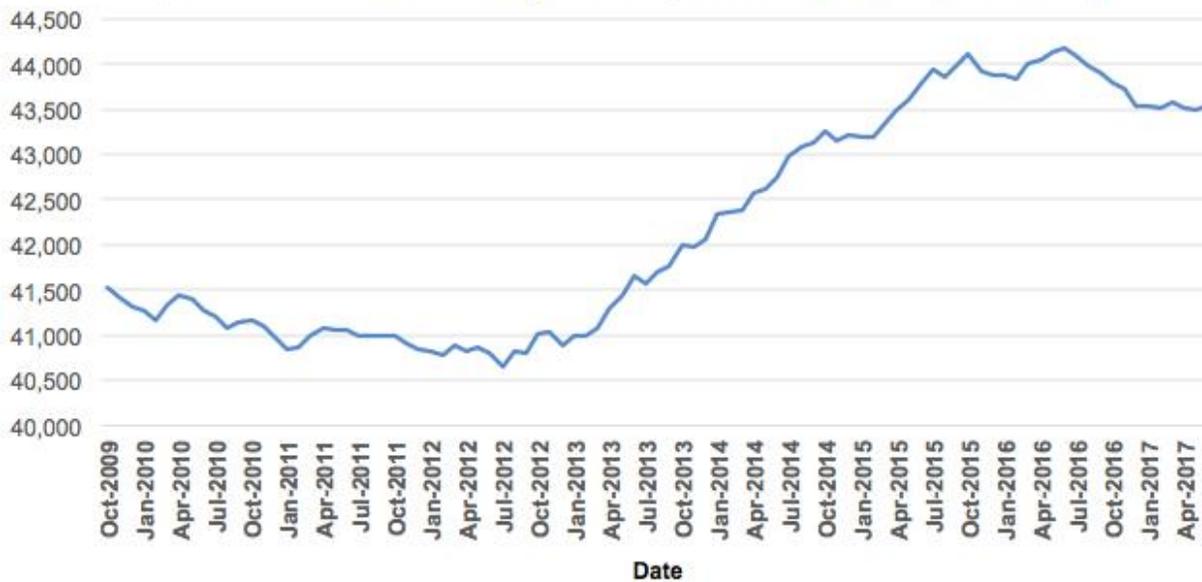
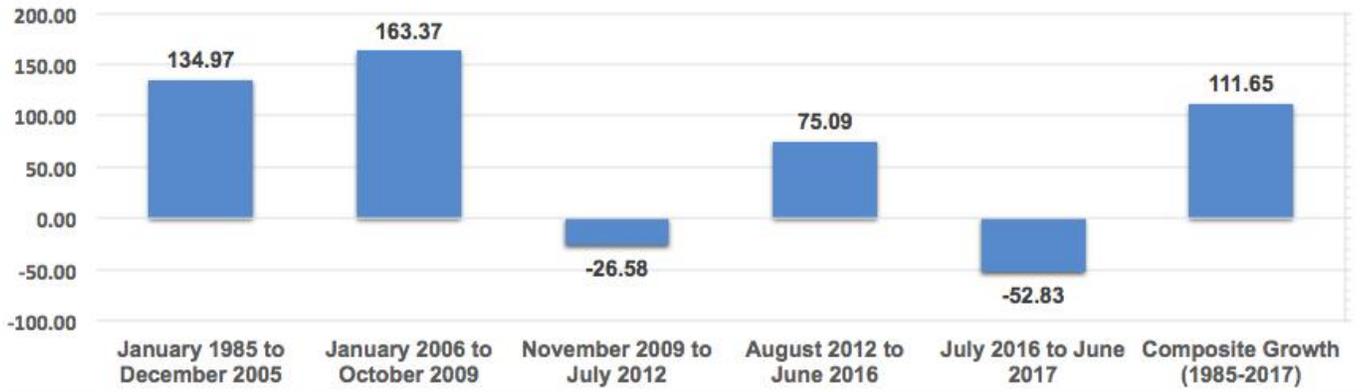


Figure 3: Arizona Month-Ending Prison Population, October 2009-June 2017



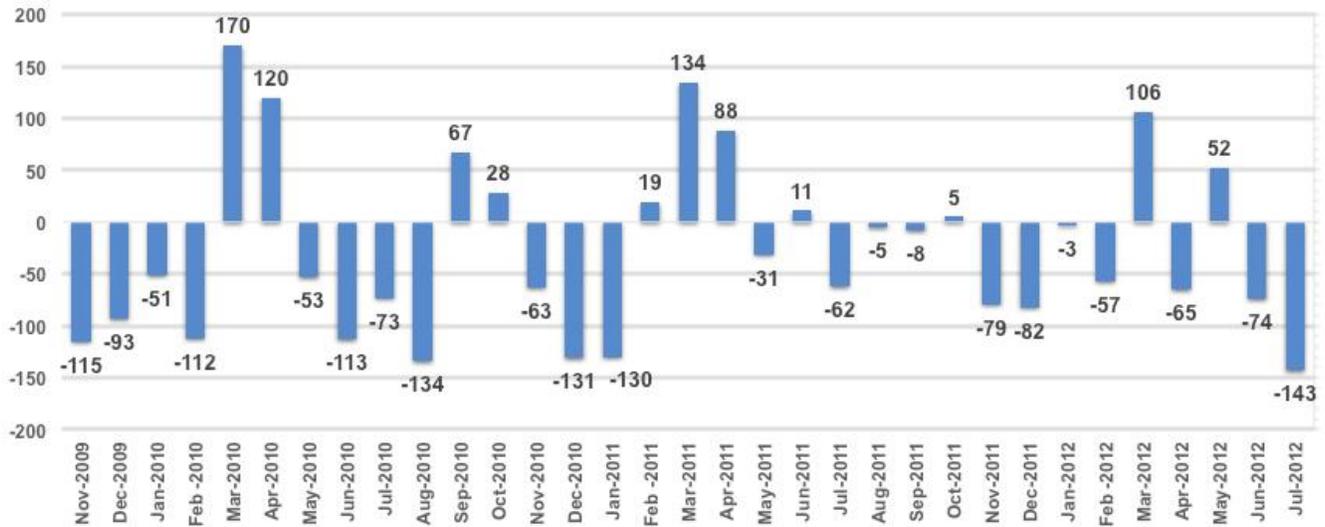
As graphically illustrated by Figure 3, the upward trend did continue until June 2016. But then the population took a nose dive through June 2017. Figure 4 sorts population growth over the last 32.5 years into five categories. Note that monthly growth peaked at 163.37 over the period from January 2006 through October 2009, but then fell to -26.58 from November 2009 through July 2012 — the first period of sustained negative growth in the history of the Department. From August 2012 through June 2016, growth returned to a positive level, averaging 75.09 per month. But it again declined since then, with an average monthly change of -52.83 that extended through June 2017.

**Figure 4: Average Monthly Prison Population Growth, January 1985-June 2017**

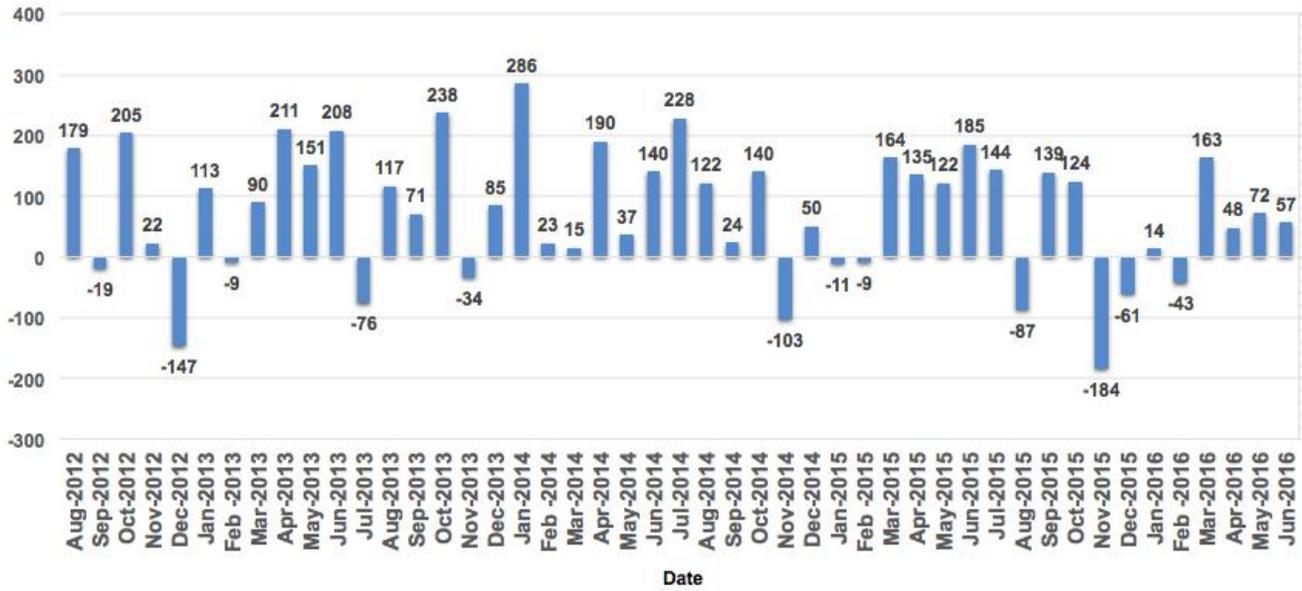


As shown in Figure 5 below, monthly population change has been negative for 22 of the 33 months of the former period (November 2009 through July 2012); while as indicated by Figure 6, the rate of change has been positive in 35 of the 47 months of the latter period (August 2012 through June 2016). However, Figure 7 illustrates that the population change has been on the negative side in 10 of the most recent 12 months (July 2016 through June 2017).

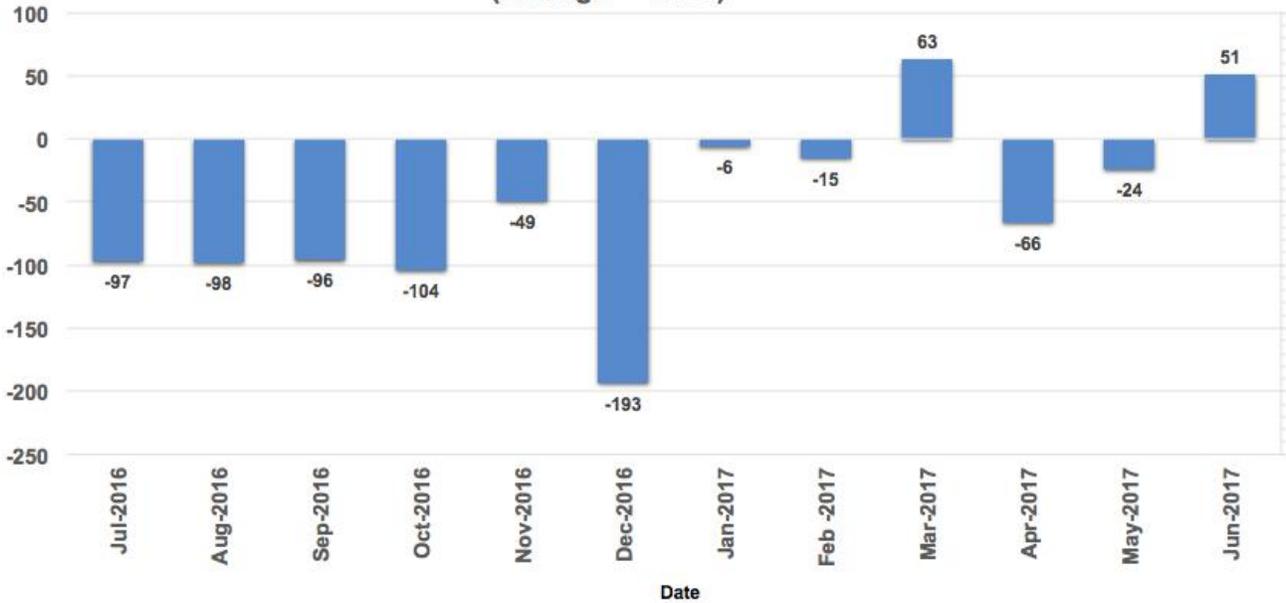
**Figure 5: Monthly Prison Population Growth, November 2009-July 2012 (Average = -26.58)**



**Figure 6: Monthly Prison Population Growth, August 2012-June 2016**  
(Average = 75.09)



**Figure 7: Monthly Prison Population Growth, July 2016-June 2017**  
(Average = -52.83)



Prison population growth is a function of two basic factors: admissions and releases. Net growth during any time interval is the amount by which admissions exceed releases. That the prison population rose in the 47 months after August 2012 means that admissions exceeded releases. The first issue to be addressed is whether admissions are up or whether releases are down, or both. Figure 8 below displays the quarterly trend in admissions as far back as we can track it, to January 1985.

FIGURE 8: ARIZONA QUARTERLY PRISON ADMISSIONS, 1985-2017 (464,641)

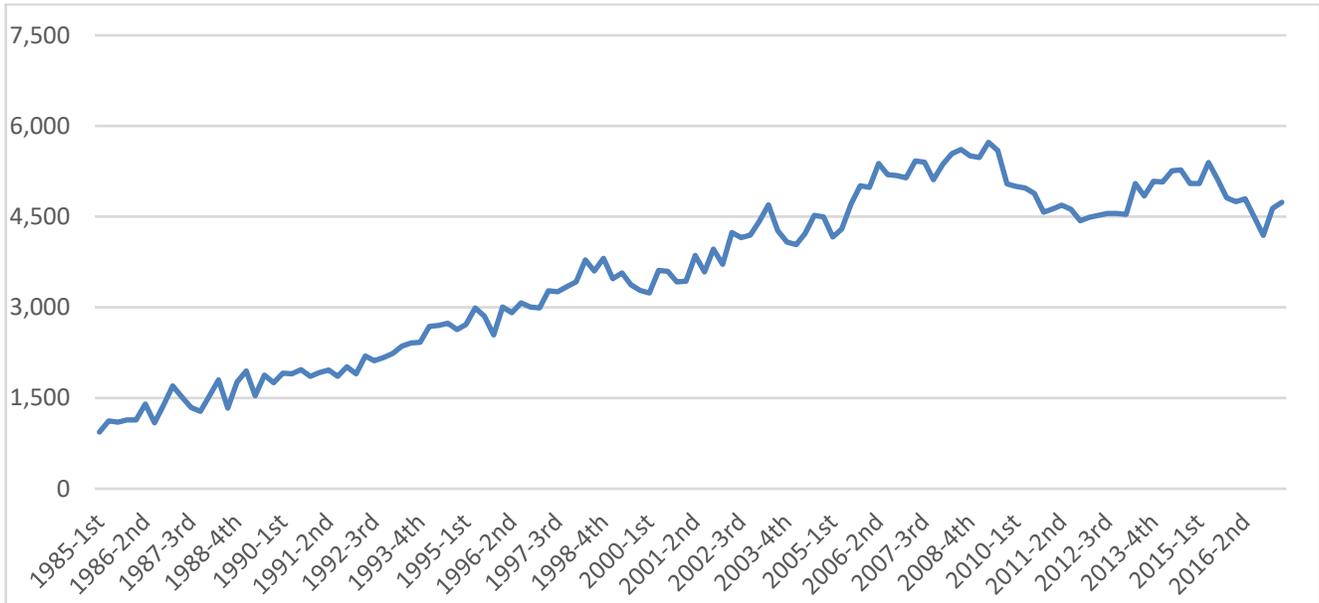


FIGURE 9: ARIZONA YEARLY PRISON ADMISSIONS, 1985-2017

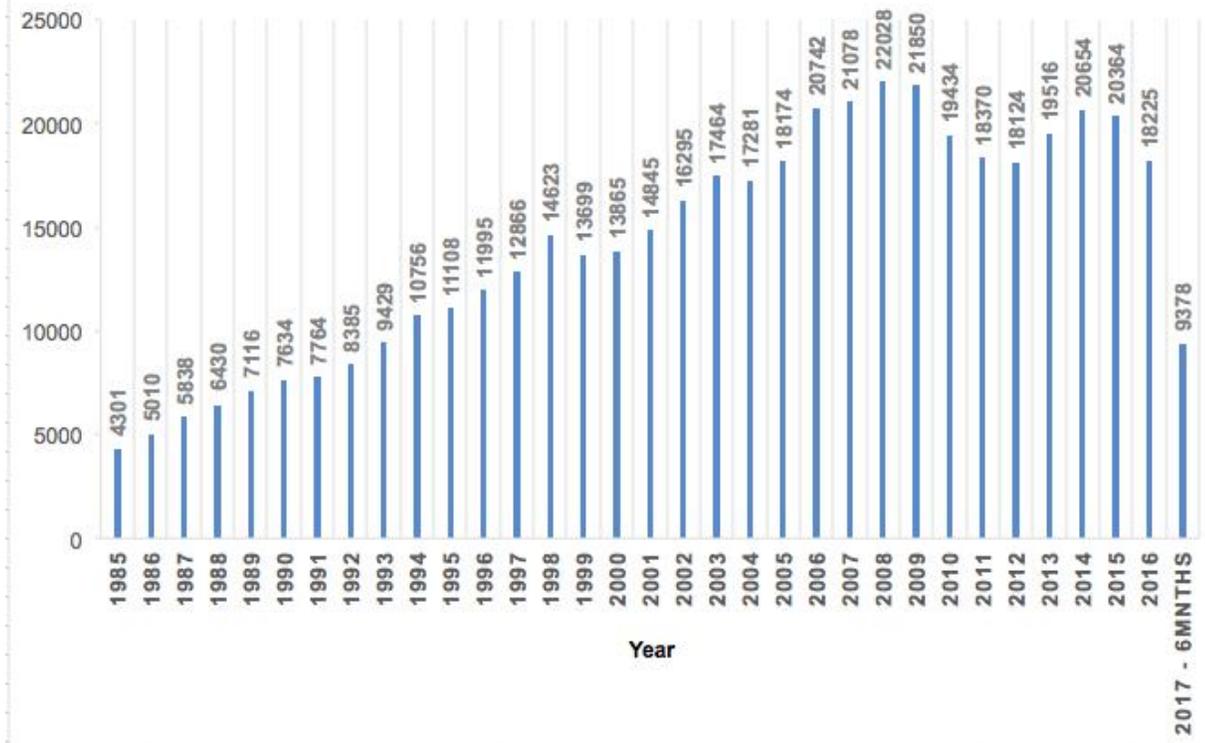
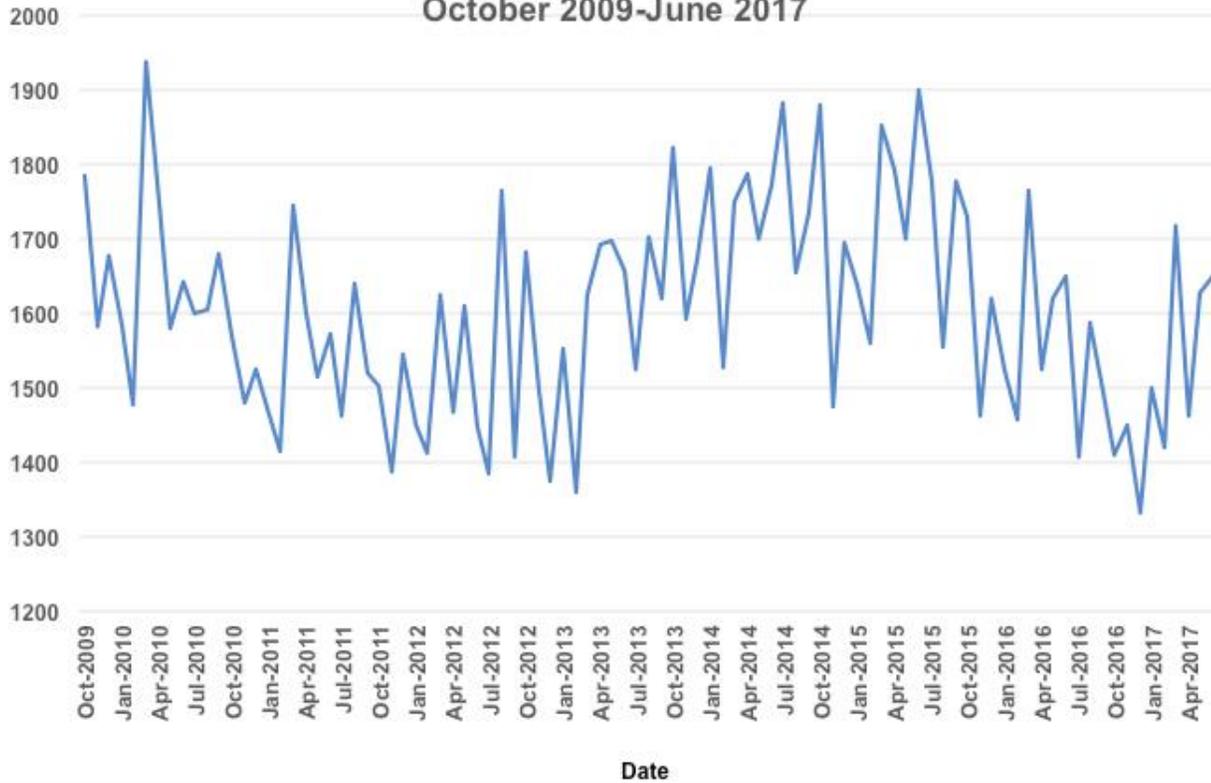
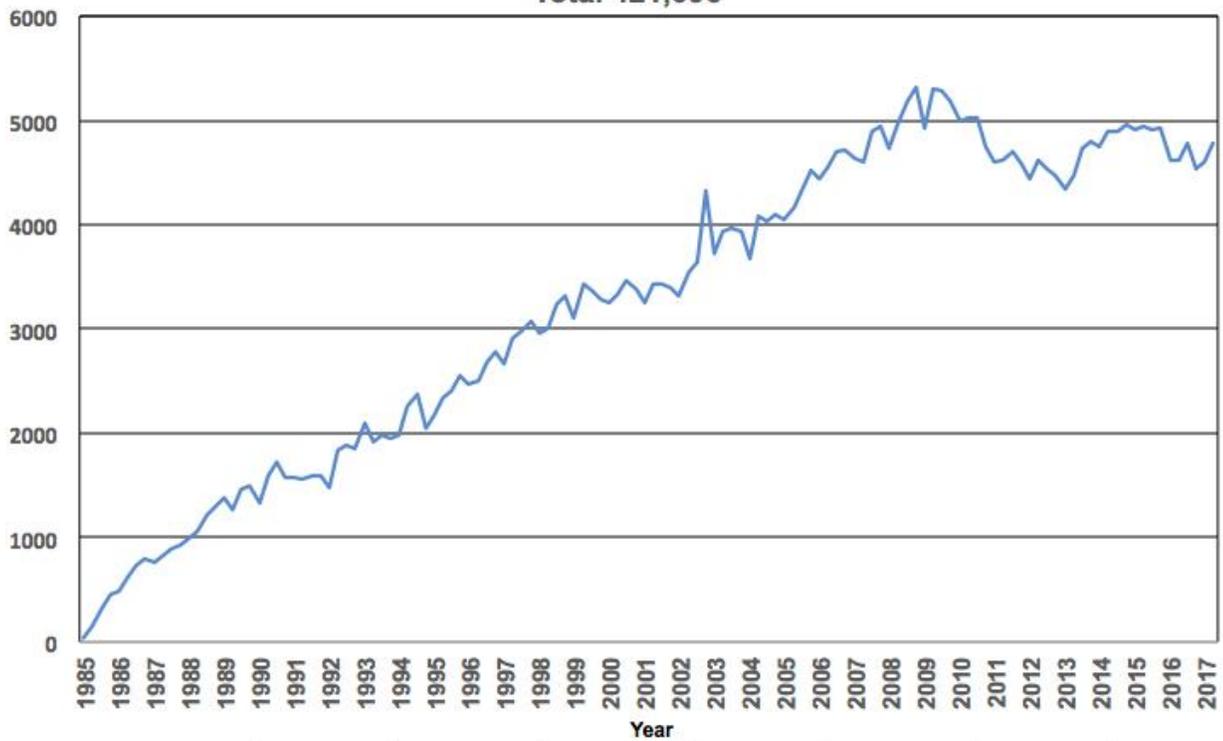


Figure 9 above records the same information concerning admissions, but on a yearly basis. Note that admissions peaked in 2008 and henceforth dropped for four consecutive years, rising in 2013 for two years and again falling in 2015. Figure 10 suggests that admissions have risen and fallen while staying within the same general range, but that they tend toward the high end of the range from the beginning of 2013 until early-2016. The anomalous surge in admission led to the prison population growth spurt.

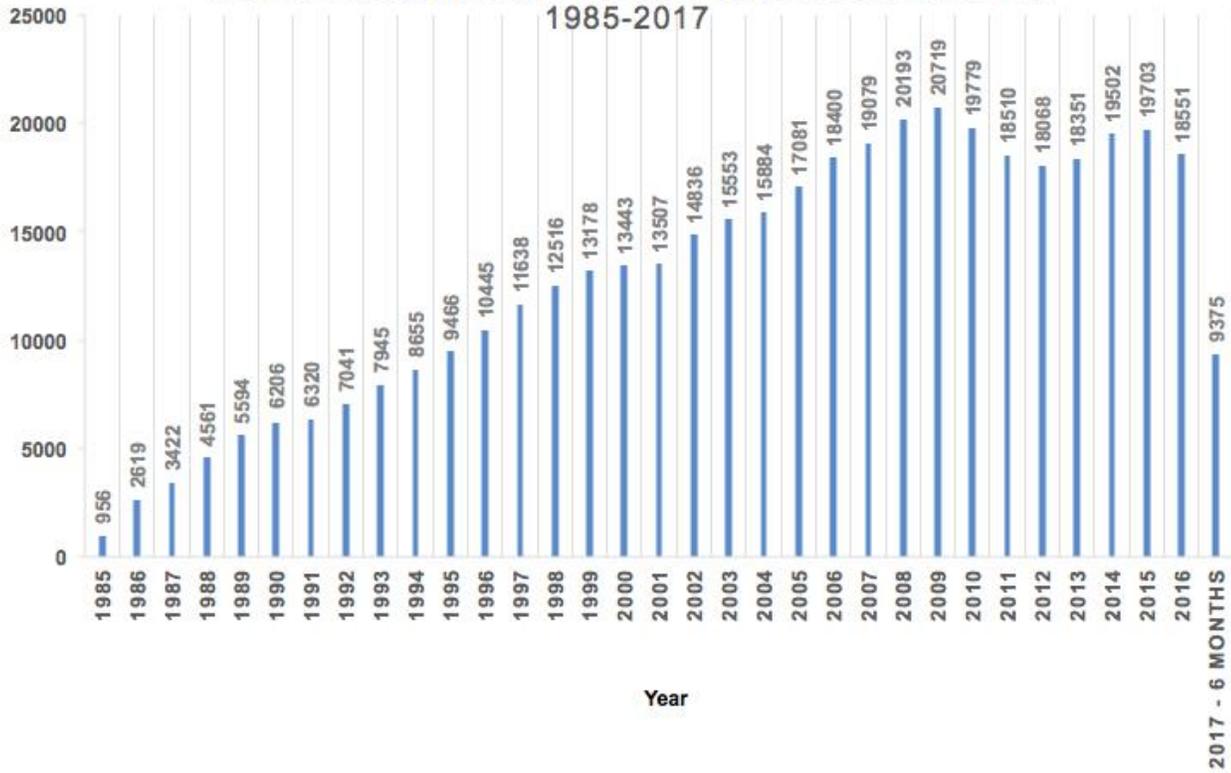
**Figure 10: Arizona Monthly Prison Admissions, October 2009-June 2017**



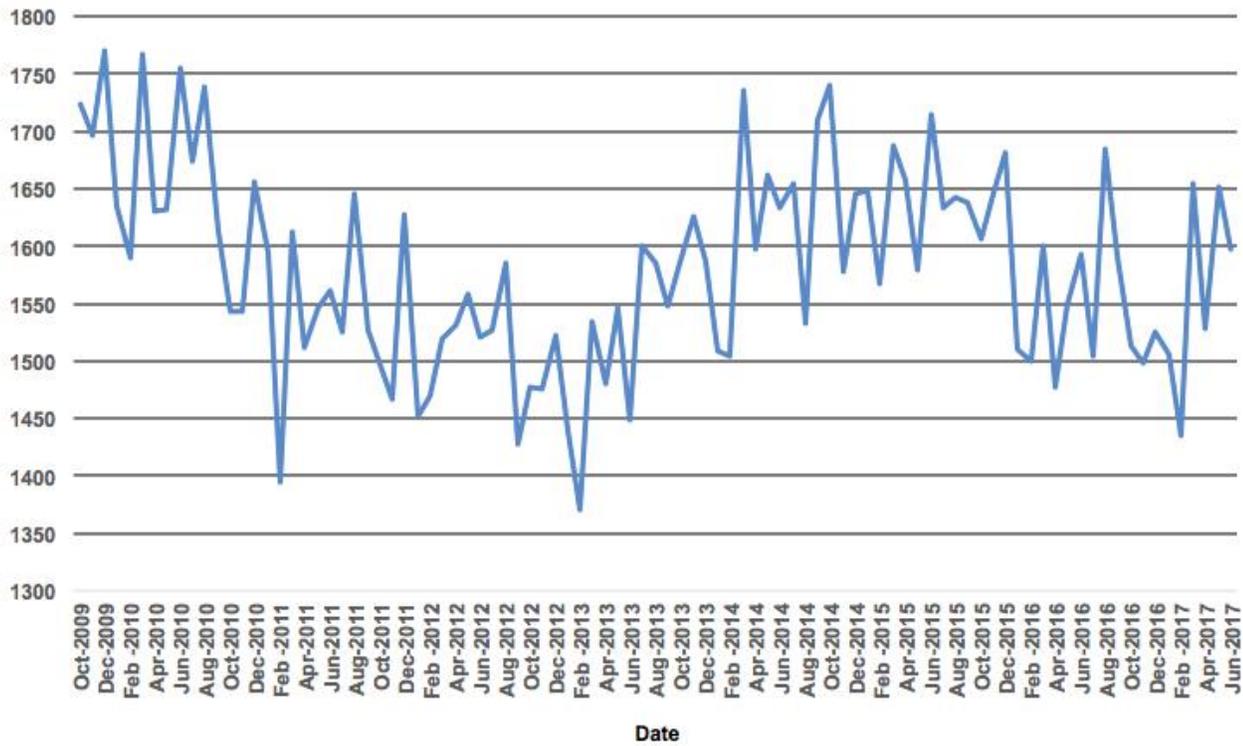
**Figure 11: Arizona Quarterly Prison Releases, 1985-2017  
Total 421,096**



**FIGURE 12: ARIZONA YEARLY PRISON RELEASES, 1985-2017**

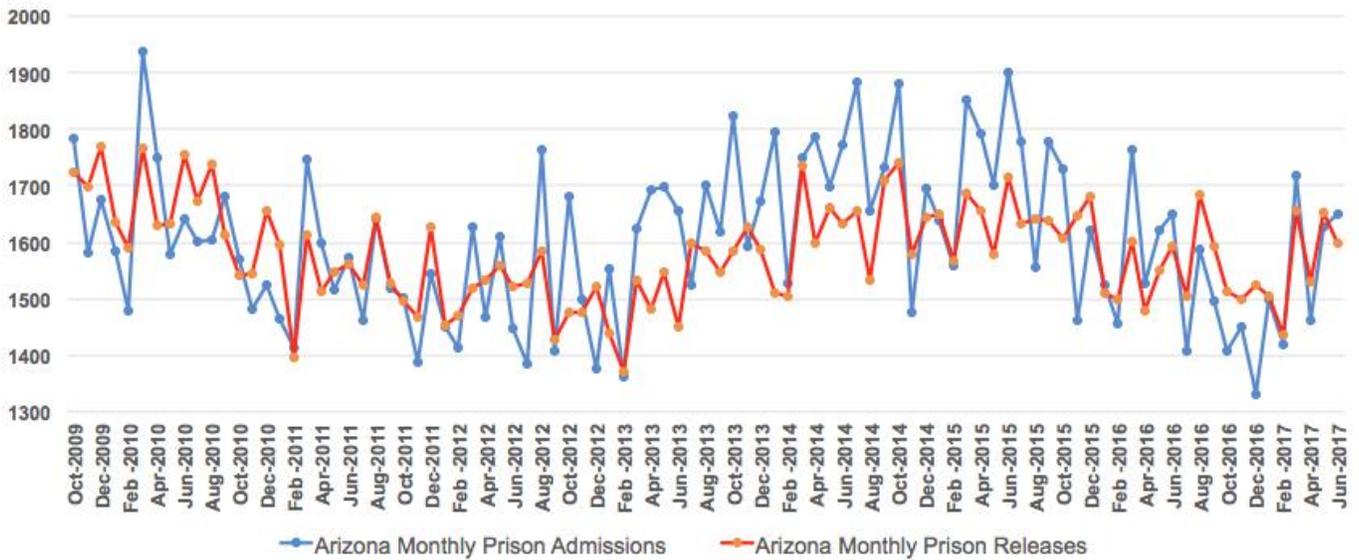


**Figure 13: Arizona Monthly Prison Releases, October 2009-June 2017**

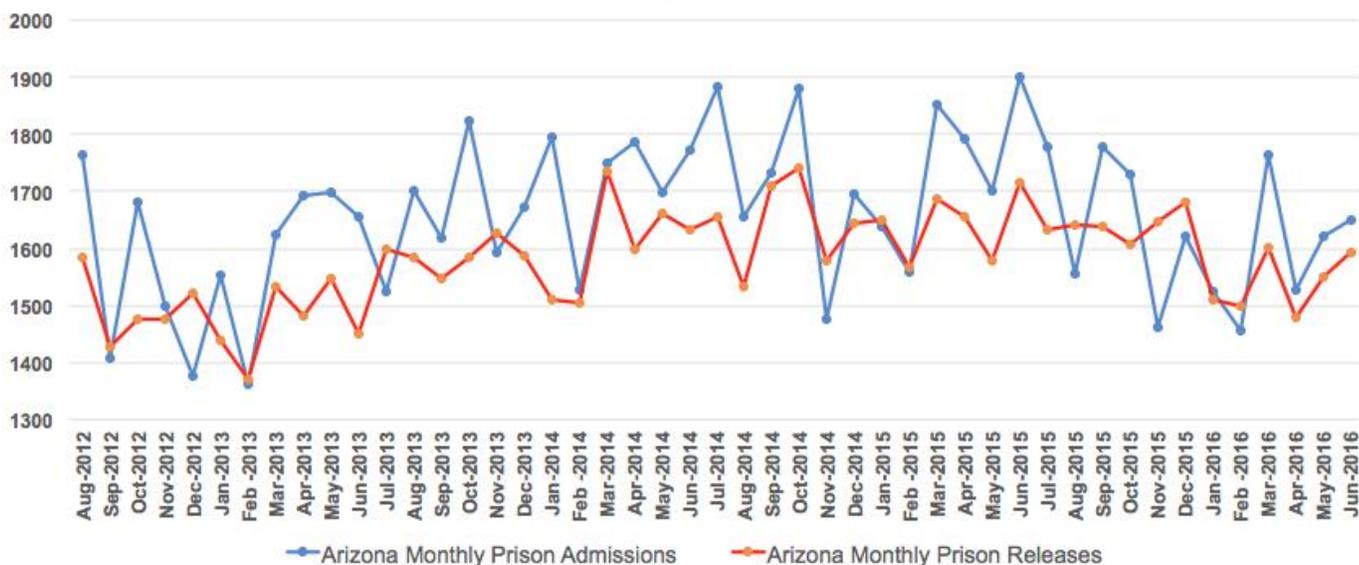


As shown in Figure 12, yearly releases follow the same basic “up-down-up-down” pattern as admissions (Figure 9), but to a somewhat lesser extent. Probably, this is due to the “ripple effect” whereby any change in admissions shows up later after accounting for the average prison sentence as an equivalent change in releases. Because Figures 10 and 13 have similar up-and-down patterns, it will prove helpful to place the two trend lines on the same graph, splitting the data between the three-time periods of interest (Figures 14, 15 and 16). Figure 14 shows that, although the trend lines are very close, often the red line (releases) is above the blue line (admissions). Hence the prison population fell from October 2009-July 2012.

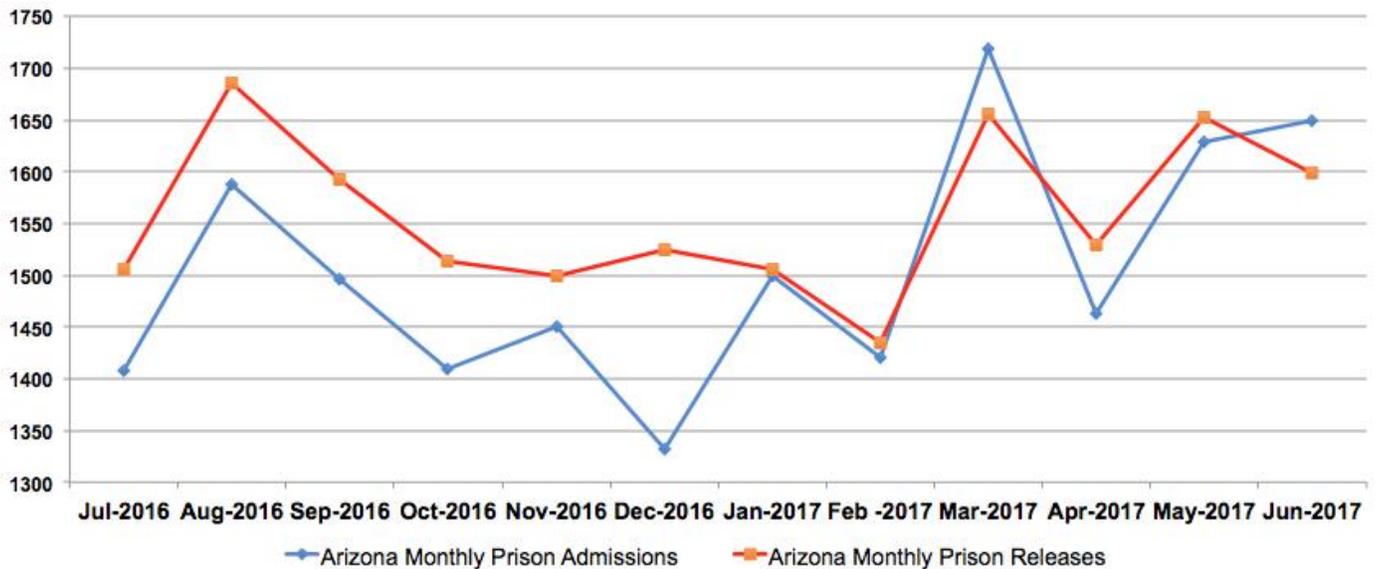
**Figure 14: Arizona Monthly Prison Admissions & Releases, October 2009-June 2017**



**Figure 15: Arizona Monthly Prison Admissions & Releases, August 2012-June 2016**



**Figure 16: Arizona Monthly Prison Admissions & Releases, July 2016-June 2017**

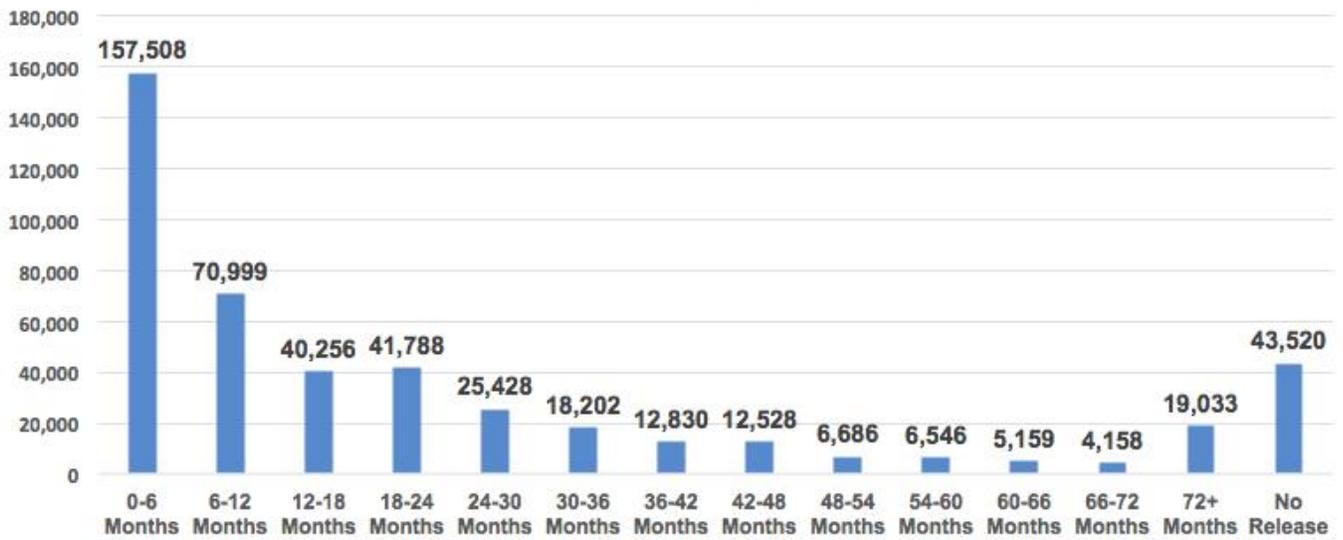


Beginning in August 2012 and continuing through June 2016 (Figure 15), admissions most often exceeded releases, and usually by a substantial margin. The previous report concluded that although releases have recovered from their previous slump, admissions have done the same with much more vigor (revisit Figures 8 and 11). The result is a jump in the prison population growth rate. Conversely, the second half of 2016 witnessed the number of releases surpass that of admissions for the whole period, leading to a sharp drop in the prison population from July 2016 through June 2017 (Figure 16).

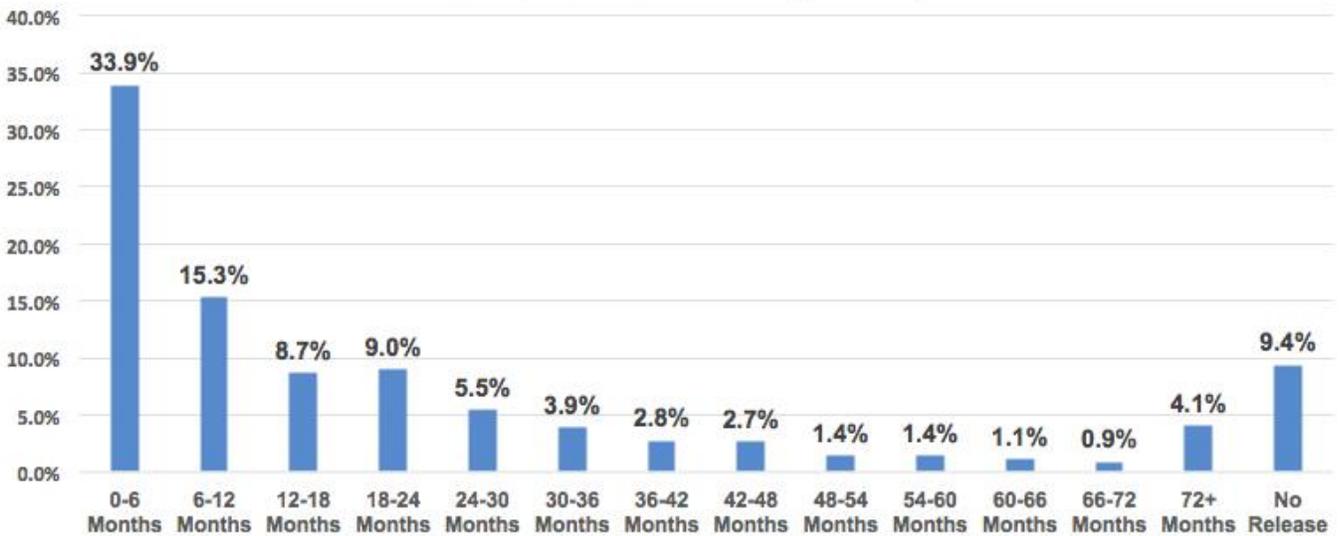
### Time Served: The Bridge from Admission to Release

At this point, we pause to examine basic patterns in the length of time served by inmates. We use this to test our hypothesis of a ripple effect between admissions and releases. To be precise, time served is the amount of time between a prisoner's date of admission and date of release. Figures 17 and 18 display the distribution of time served in months from 1985-2017. Figure 18 shows that 33.9% of admitted offenders served 6 months or less, 49.2% 12 months or less, 57.9% 18 months or less, and 66.9% 24 months or less. This supports the possibility of a ripple effect but does not prove it.

**Figure 17: Time Served Distribution (by number), Admissions, January 1985-June 2017 (Total 464,641)**

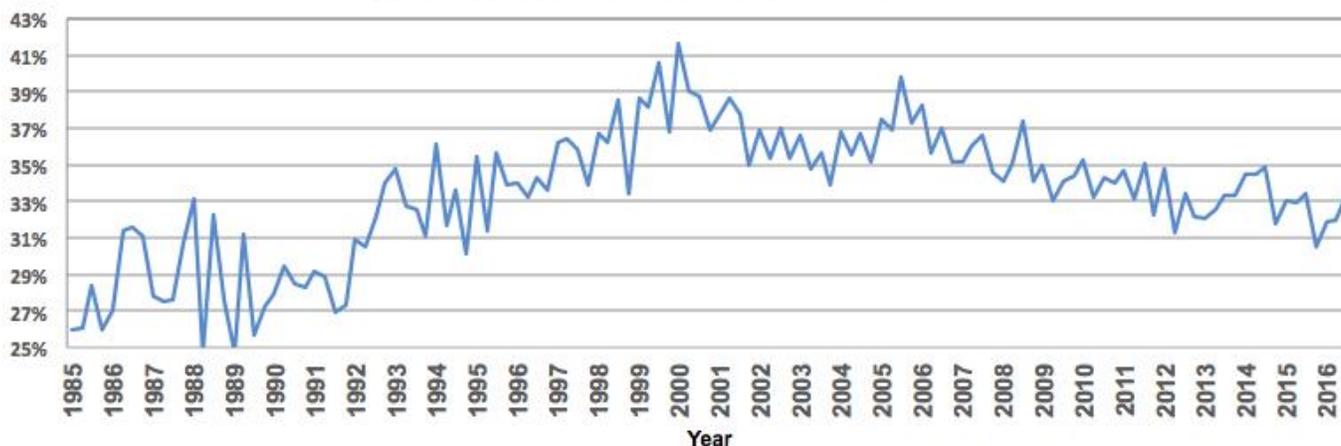


**Figure 18: Time Served Distribution (by percent), Admissions, January 1985-June 2017 (464,641)**

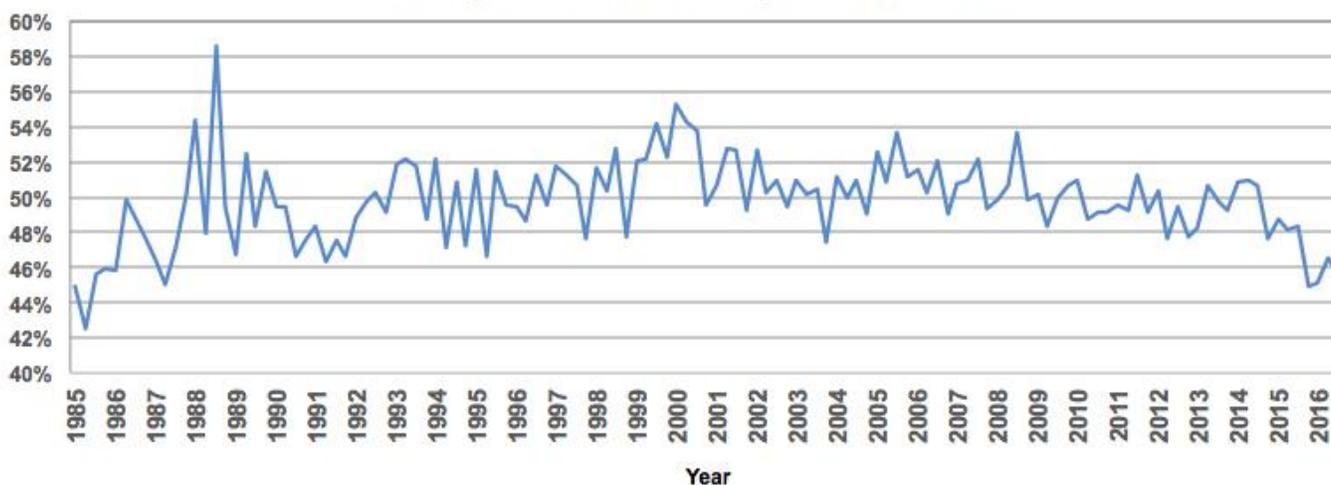


To prove the ripple effect in the context we are examining in this chapter, we must look at recent cohorts of admissions and how those admissions result in releases over time. Figures 19 and 20 were prepared for this purpose. They demonstrate that: 1) the percentage of admissions resulting in release within six months is slowly falling, but that 2) the percentage resulting in release within twelve months is quite stable. Unfortunately, due to the nature of the database, we cannot compute the percentage released in 12 months or more, but we can infer from Figures 19 and 20 that it is growing.

**Figure 19: Percent of Admitted Inmates Released within 6 Months, Quarterly data from January 1985-June 2016**



**Figure 20: Percent of Admitted Inmates Released within 12 Months, Quarterly data from January 1985-June 2016**

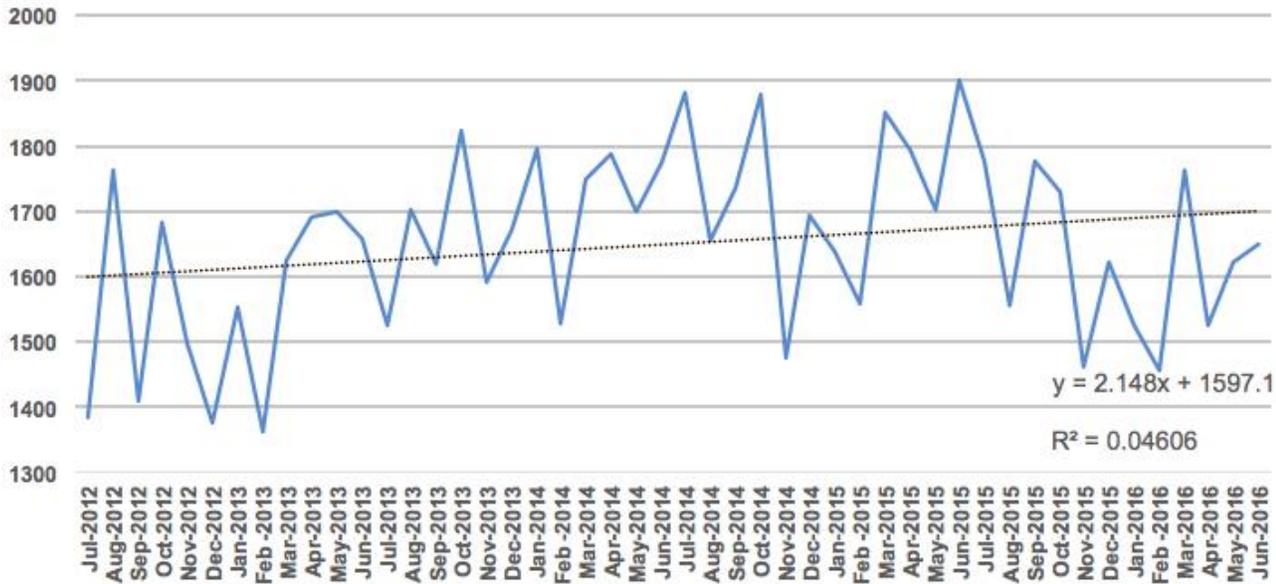


We may also infer from the preceding analysis that inmates are serving slightly more time than in the past, and that this has contributed to recent population growth. Releases are also down slightly, and this, in turn, has contributed to an increase in state prisoners.

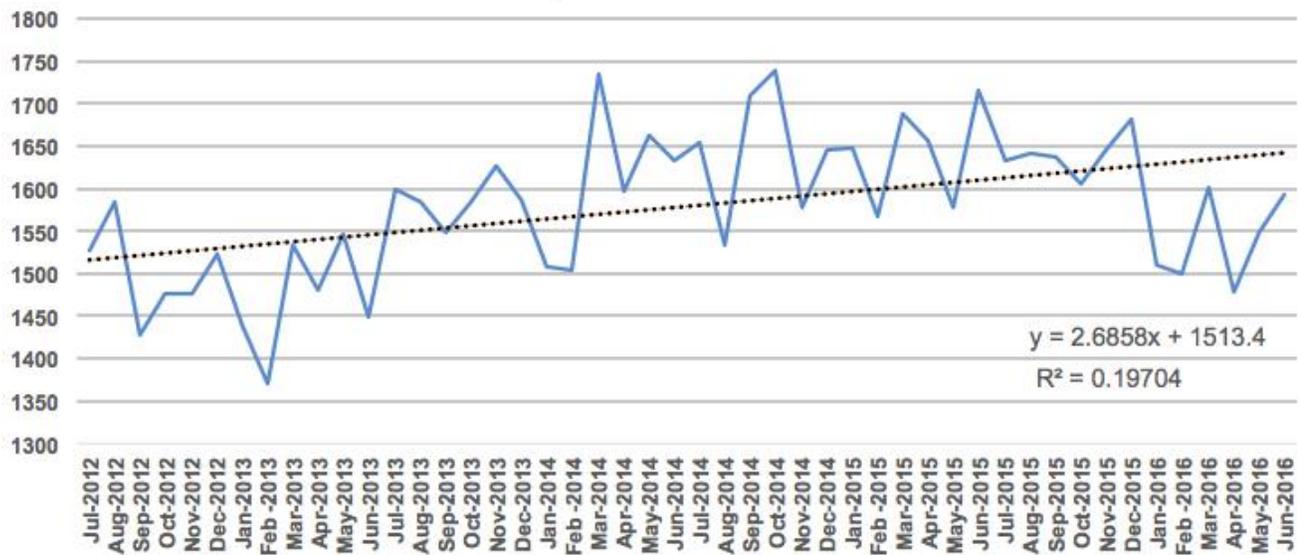
Quantification of Trends in Admissions and Releases

To gauge the extent of the population impact from changes in the level of admissions and releases, it is important to isolate and identify the previous trends in both movement categories.

**Figure 21: Arizona Monthly Prison Admissions, July 2012-June 2016**



**Figure 22: Arizona Monthly Prison Releases, July 2012-June 2016**



“Lines of best fit” were used to project monthly increases of 2.15 in admissions and 2.69 in releases (Figures 21& 22). Since releases are rising slightly faster than admissions, the net effect is a reduction in the growth rate.

**Figure 23: Actual & Projected Monthly Prison Admissions,  
July 2012-June 2017**

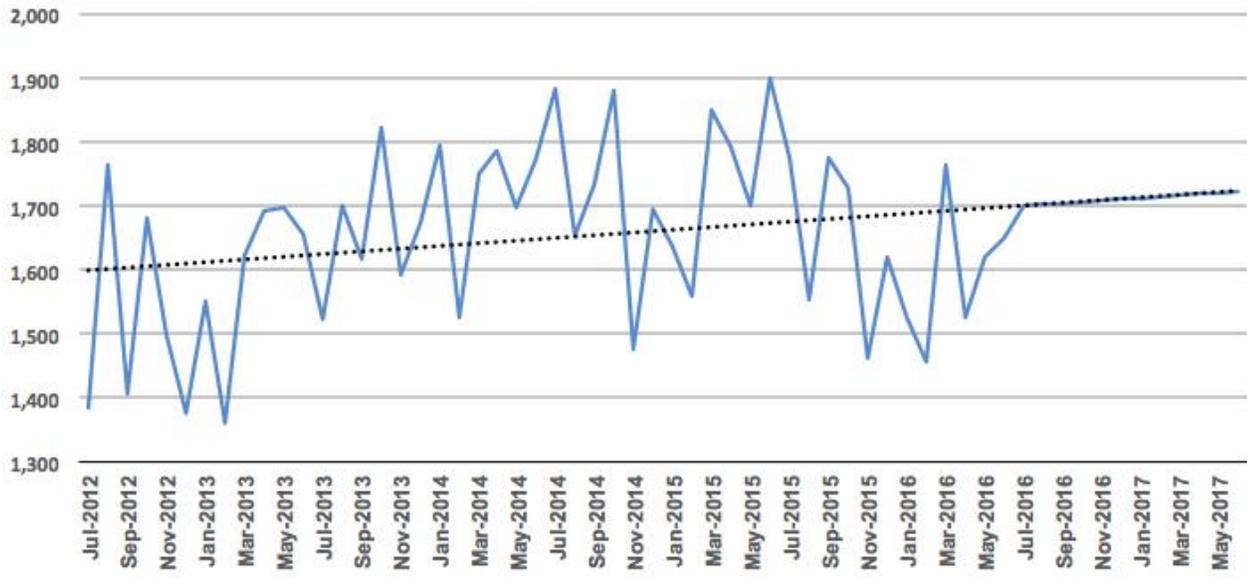


Table 1 below indicates, for each quarter from 2016-3rd to 2017-2nd: 1) the sum of projected values off the trend line, 2) the sum of actual values, 3) the difference in admissions, and 4) the percentage difference between projected and actual values. Over the 4-quarter period, admissions were below projected levels by 2,484 or 12.1%. The average quarterly difference came to -621.

**Table 1: Quarterly Excess in Admissions, July 2016-June 2017**

<b>Quarter</b>	<b>Projected Admissions</b>	<b>Actual Admissions</b>	<b>Difference</b>	<b>% Difference</b>
2016-3rd	5,107	4,491	-616	-12.1%
2016-4th	5,126	4,191	-935	-18.2%
2017-1st	5,146	4,638	-508	-9.9%
2017-2nd	5,165	4,740	-425	-8.2%
<b>Total</b>	<b>20,544</b>	<b>18,060</b>	<b>-2,484</b>	<b>-12.1%</b>
<b>Per Quarter</b>	<b>5136</b>	<b>4515</b>	<b>-621</b>	<b>---</b>

**Figure 24: Arizona Monthly Prison Releases,  
July 2012-June 2016, with predicted values from July 2016 to June  
2017**

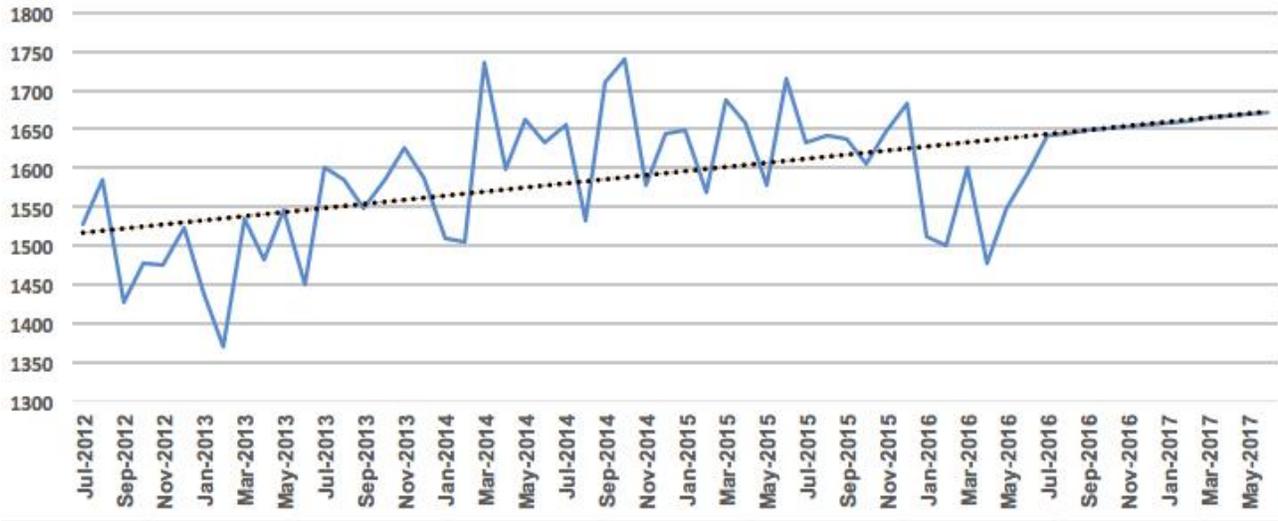


Figure 24 and Table 2 provide the same kind of information as Figure 23 and Table 1, only for releases instead of admissions. In part due to the ripple effect, actual releases exceeded projected releases by 1,738 or 5.7% over the 4-quarter period. In this case, the average quarterly excess came to 298.

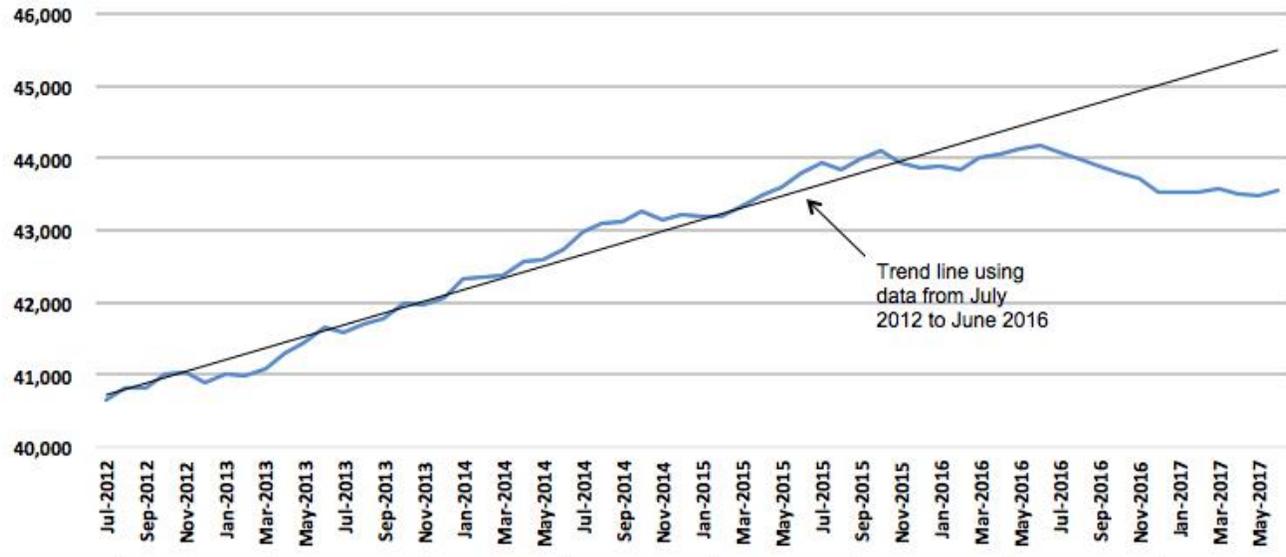
**Table 2: Quarterly Excess in Releases, July 2016-June 2017**

Quarter	Projected Releases	Actual Releases	Difference	% Difference
2016-3rd	4,935	4,782	-153	-3.1%
2016-4th	4,959	4,537	-422	-8.5%
2017-1st	4,983	4,596	-387	-7.8%
2017-2nd	5,008	4,779	-229	-4.6%
<b>Total</b>	<b>19,885</b>	<b>18,694</b>	<b>-1,191</b>	<b>-6.0%</b>
<b>Per Quarter</b>	<b>4,971</b>	<b>4,674</b>	<b>-298</b>	<b>---</b>

Impact on Prison Population

Figure 25 shows how big the structural break in the growth in prison population has been over the last year. The regression trend line fits the growth in prison population over the 36 months from July 2012 to June 2016, but there is an obvious huge gap after that point, with trend prison population averaging about 1,300 more prisoners per month than the actual prison population. The gap increases to an average of 1,700 prisoners per month during the first half of 2017, or about 4% below trend. The numbers that correspond to this are shown in Table 3. This gap also serves as a warning to just assume that prison population increases will continue along some predetermined trend line.

**Figure 25: Arizona Month-Ending Prison Population, July 2012-June 2017**



**Table 3: Actual & Projected Prison Population, July 2016-June 2017**

Month	Projected Population	Actual Population	Difference
Jul-16	44,530	44,082	-448
Aug-16	44,611	43,984	-627
Sep-16	44,693	43,888	-805
Oct-16	44,774	43,784	-990
Nov-16	44,855	43,735	-1,120
Dec-16	44,936	43,542	-1,394
Jan-17	45,017	43,536	-1,481
Feb-17	45,098	43,521	-1,577
Mar-17	45,179	43,584	-1,595
Apr-17	45,260	43,518	-1,742
May-17	45,341	43,494	-1,847
Jun-17	45,422	43,545	-1,877

While violent crime has increased in Arizona since 2013, there has been an even larger drop in property crimes. Total index crime has fallen from 250,870 in 2013 to 239,015 in 2016. Obviously other factors such as arrest and conviction rates and changes in prison sentences all enter this discussion, and those factors are somewhat complicated as longer prison sentences will work to increase the prison population by keeping prisoners in there longer at the same time it discourages other criminals to commit crime.

**Table 4: Explaining changes in Arizona’s prison admissions (1985 to 2016) Ordinary least squares where the number of new prison admissions is regressed on the number of these different crime categories (robust standard errors)**

<b>Variables</b>	<b>Coefficients</b>	<b>Absolute t-statistic</b>
Murder	7.45	0.91
Rape	9.15	8.76
Robbery	2.008	4.77
Aggravated Assault	-.752	2.95
Burglary	-.270	4.91
Larceny	.0934	4.35
Vehicle theft	.014	0.49
Intercept	-7116.4	1.48

F (7, 24) = 147.14  
Number of observations = 32  
R-squared = 0.9636

## Chapter 2: Who is in Prison?

In Chapter 1, the discussions indicated that a decline in admissions lead to the recent decrease in Arizona’s prison population, dragging down the number of state prisoners by approximately 1,300 inmates as of June 30, 2017. The question we are trying to answer now is “why?” In this Chapter, we start the ball rolling by identifying changes in the prison population itself. This will hopefully tell us what categories to examine to isolate the true source(s) of the change. We will focus on three points in time corresponding to the three APAAC studies: March 31, 2011, August 31, 2013, and June 30, 2017.

We begin by comparing broad characteristics of the prison population and then work to a more detailed examination. Using the data for the confined populations, Table 5 continues the comparison of the categories from the previous two studies.

We computed the values appearing in Table 5 using the three datasets consisting of all offenders admitted to ADC custody from 1985 through March 2011, August 2013, and June 2017, respectively; specifically, those offenders admitted prior to each of the three dates and either not released at all or released after the date in question. Since these populations obviously did not include the 200 or so inmates admitted prior to 1985, it was necessary to extrapolate the results to agree with the total population counts appearing at the bottom of the table. The result, although not completely accurate, provides a more realistic comparison of the three populations than would the alternative.

[NOTE: The three dates reflected in Table 5 are not equally spaced in time; the first and second are separated by 29 months, while the second and third lie 46 months apart.]

**Table 5: Prison Population Comparison: March 31, 2011, August 31, 2013 & June 30, 2017**

<b>Inmate Category</b>	<b>March 31, 2011 Population</b>	<b>August 31, 2013 Population</b>	<b>June 30, 2017 Population</b>
Violent Offender	26,771 (66.9%)	27,979 (68.9%)	28,558 (68.1%)
Non-Violent Offender	13,228 (33.1%)	12,623 (31.1%)	13,377 (31.9%)
Repeat Offender	32,878 (82.2%)	33,766 (83.2%)	35,325 (84.2%)
First Offender	7,121 (17.8%)	6,836 (16.8%)	6,610 (15.8%)
Repeat Violent Offender	7,805 (19.5%)	8,966 (22.1%)	10,290 (24.5%)
Violent Repeat Offender	14,113 (35.3%)	14,330 (35.3%)	13,755 (32.8%)
Violent First Offender	4,853 (12.1%)	4,683 (11.5%)	4,513 (10.8%)
Non-Violent Repeat Offender	10,960 (27.4%)	10,470 (25.8%)	11,280 (26.9%)
Non-Violent First Offender	2,268 (5.7%)	2,153 (5.3%)	2,097 (5.0%)
Violent and/or Repeat Offender	37,731 (94.3%)	38,449 (94.7%)	39,838 (95.0%)
<b>Total</b>	<b>39,999 (100.0%)</b>	<b>40,602 (100.0%)</b>	<b>41,935 (100.0%)</b>

The exact definitions of the categories used in the above comparison are noted in the Appendix. The category “violent offender” includes sex offenders *seems self-evident*. In other analyses, we will put sex offenders in their own category, but for now we identify them with all other violent offenders. “Repeat offenders” includes all offenders with prior adult felony convictions and/or juvenile felony adjudications, all those ever sentenced as a repetitive offender, as well as those with multiple adult felony sentencing dates in Arizona.

From Table 5, we observe that between 2011 and 2017 there was a significant increase in repeat violent offenders in terms of raw number as well as percentage of the total inmate population. Non-violent repeat offenders have only increased slightly in absolute numbers. Unfortunately, not all inmates with prior criminal records are notated as repeat offenders, either in the ADC data system or in state criminal history records maintained by the Department of Public Safety (AZDPS). This can happen when a person is arrested or indicted without being fingerprinted. This occurred sometimes until late November 2005, when the Department of Corrections and Department of Public Safety instituted a cooperative arrangement referred to as the GAP program, which attempted to quite literally “fill the gap” left by the lack of a criminal history record. In March 2007, largely due to the success of the program, GAP was implemented as a permanent ongoing measure to ensure that as many offenders as possible have their criminal histories recorded in the AZDPS and ADC data systems.

The following additional conclusions may be drawn from Table 5. Please see Figures 26-35 for an illustration of changes in the raw numbers of inmates in each category. From the second date to the third, during which the prison population rose by 1333, the changes in the various categories listed in Table 5 were as follows:

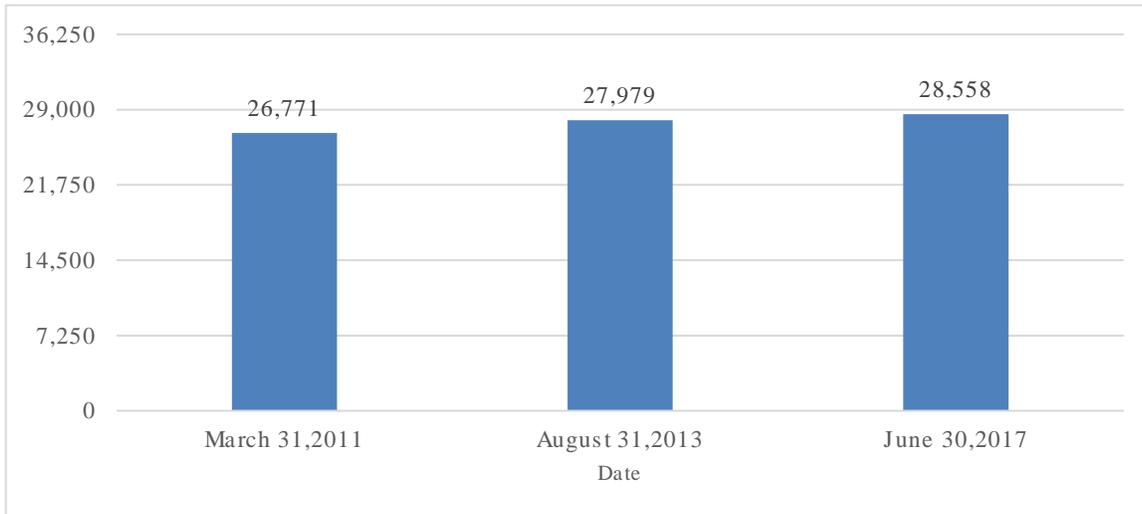
- 1) Violent Offenders increased by 579 or 2.1%.
- 2) Non-Violent Offenders increased by 754 or 6.0%.
- 3) Repeat Offenders increased by 1,559 or 4.6%.
- 4) First Offenders decreased by 226 or 3.3%.
- 5) Violent and/or Repeat offenders increased by 1,389 or 3.6%.

More specifically:

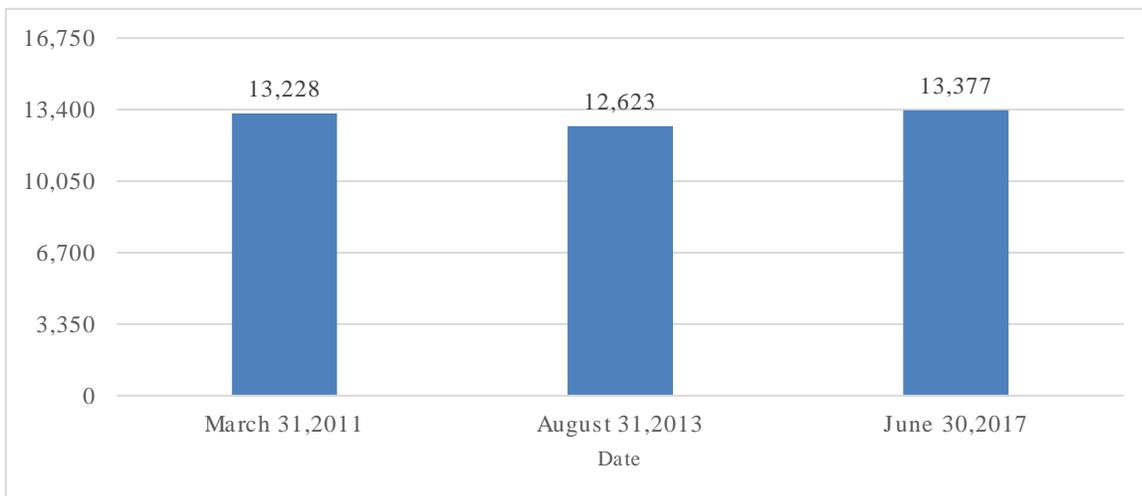
- 1) Repeat Violent Offenders increased by 1,324 or 14.8%.
- 2) Violent Repeat Offenders fell by 575 or 4.0%.
- 3) Violent First Offenders decreased by 170 or 3.6%.
- 4) Non-Violent Repeat Offenders increased by 810 or 7.7%.
- 5) Non-Violent First Offenders decreased by 56 or 2.6%.

The categories showing significant increases are violent offenders (579), non-violent offenders (754), repeat offenders (1,559), repeat violent offenders (1,324), non-violent repeat offenders (810), and violent and/or repeat offenders (1,389).

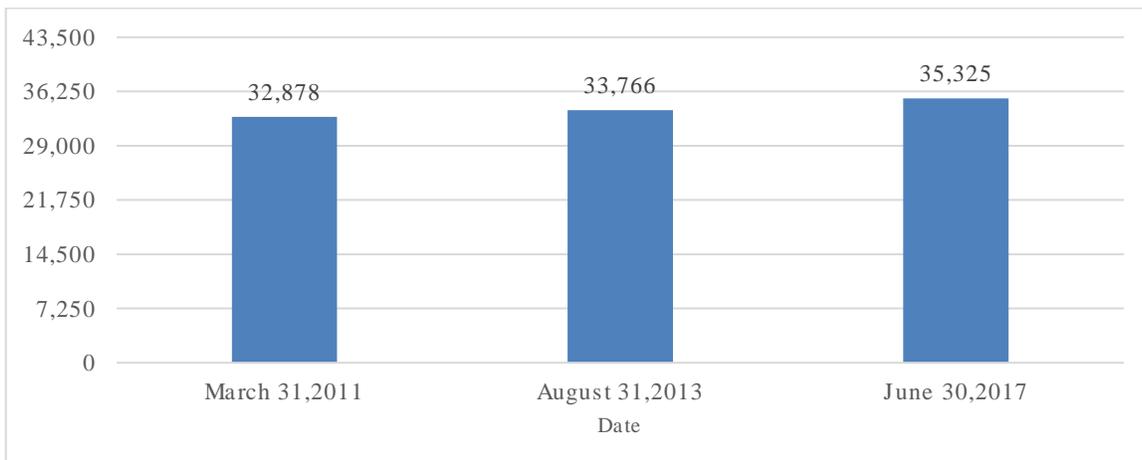
**Figure 26: Prison Population Comparison: Violent Offenders**



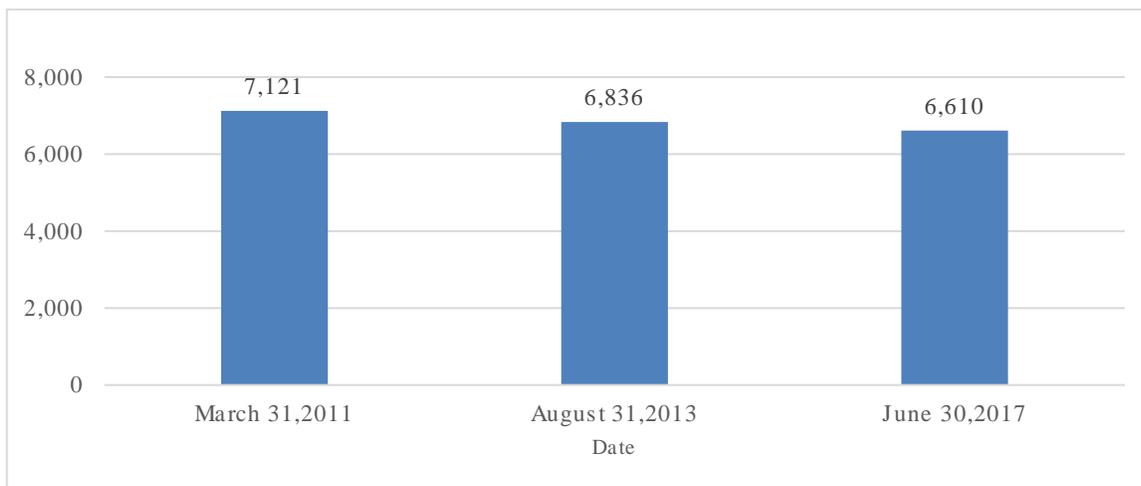
**Figure 27: Prison Population Comparison: Non-Violent Offenders**



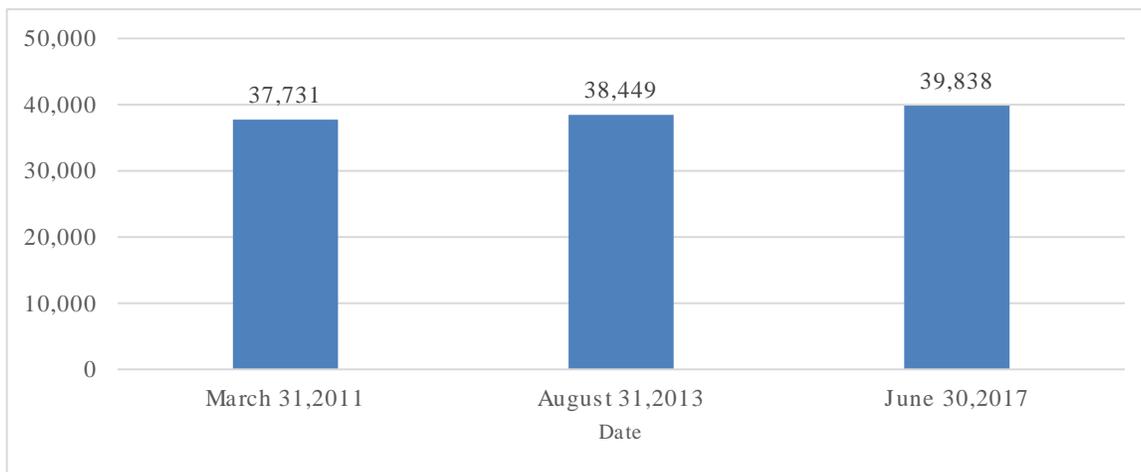
**Figure 28: Prison Population Comparison: Repeat Offenders**



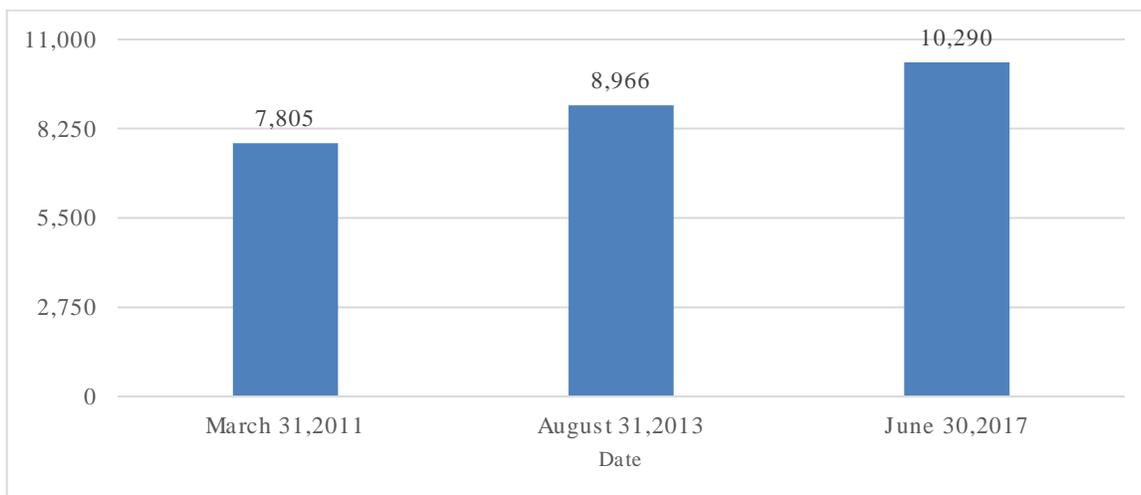
**Figure 29: Prison Population Comparison: First Offenders**



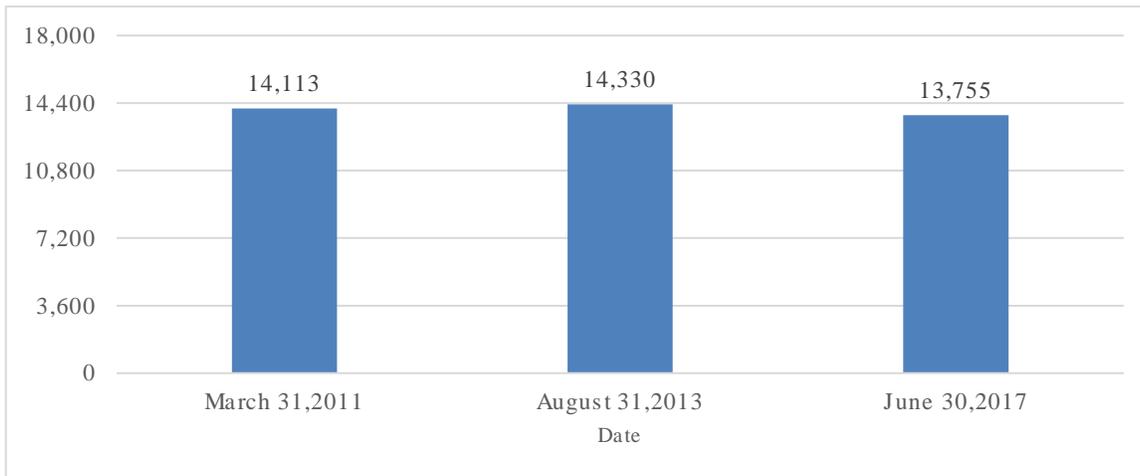
**Figure 30: Prison Population Comparison: Violent or Repeat Offenders**



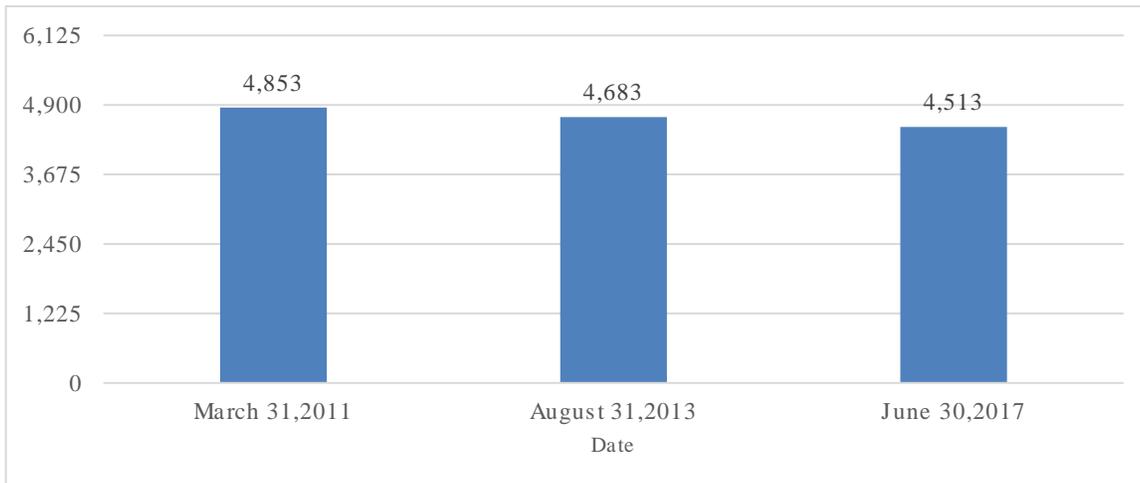
**Figure 31: Prison Population Comparison: Repeat Violent Offenders**



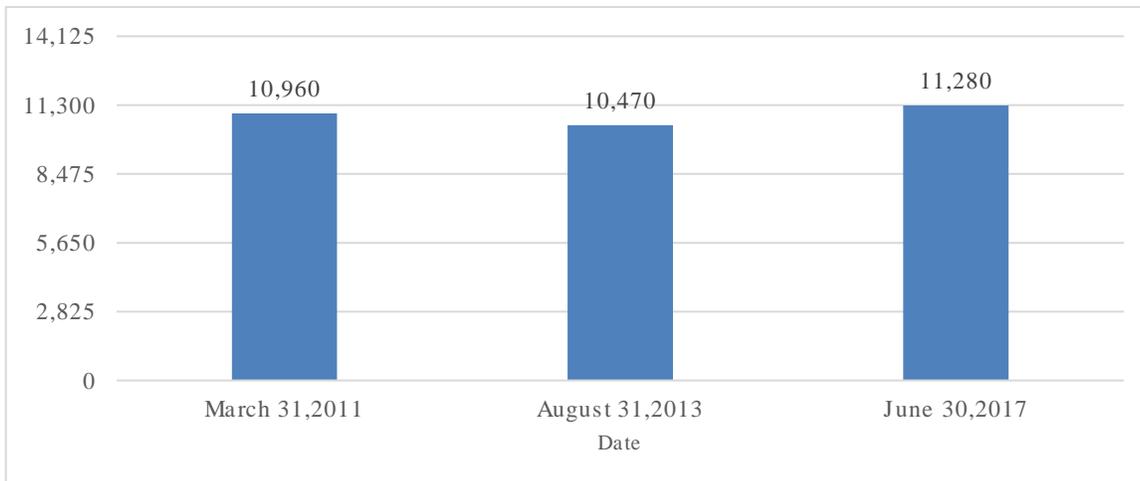
**Figure 32: Prison Population Comparison: Violent Repeat Offenders**



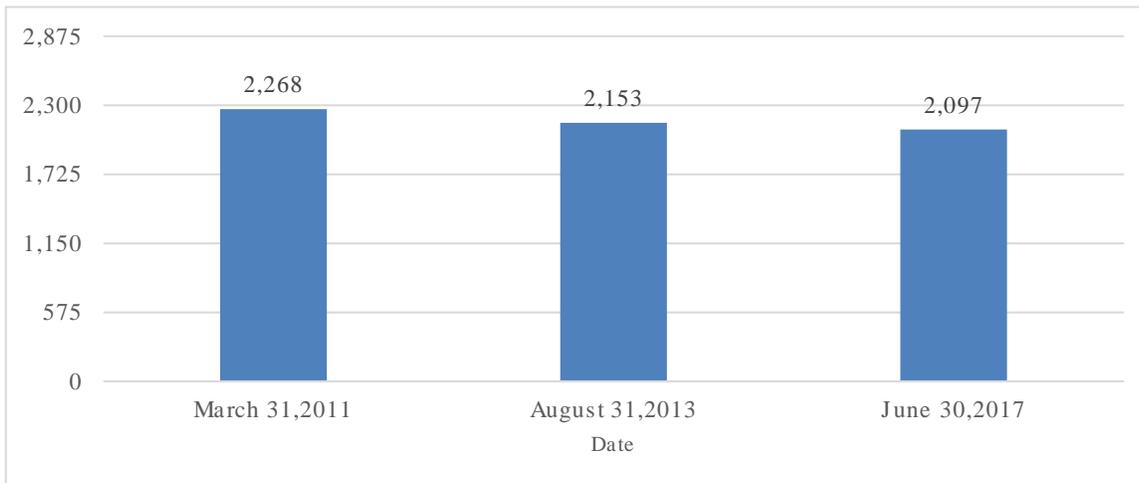
**Figure 33: Prison Population Comparison: Violent First Offenders**



**Figure 34: Prison Population Comparison: Non-Violent Repeat Offenders**



**Figure 35: Prison Population Comparison: Non-Violent First Offenders**



The above results deal with broad characteristics of inmates. To find out what is really happening, we need more detailed analysis. Tables 6 and 7 below compare the three prison populations according to the most serious current committing offense of each inmate. We will examine changes in felony class, general offense category, and specific Arizona Revised Statutes section.

**Table 6: Prison Population Comparison, Most Serious Current Offense**

<b>Most Serious Current Offense</b>	<b>3/31/2011 Population</b>	<b>8/31/13 Population</b>	<b>6/30/17 Population</b>
Felony Class 1	2,391	2,563	2,780
Felony Class 2	13,054	13,629	14,260
Felony Class 3	11,939	11,207	10,989
Felony Class 4	9,585	10,061	10,934
Felony Class 5	1,125	1,239	1,266
Felony Class 6	1,759	1,776	1,577
Old Code/Other	146	127	129
Violent Offense	16,494	17,140	17,370
Sex Offense	4,264	4,384	4,997
Property Offense	8,385	8,091	7,457
Drug Trafficking	5,535	5,572	5,644
Drug Possession	2,196	2,545	3,590
DUI	2,008	1,776	1,580
Other Offenses	1,117	1,094	1,297

<b>Most Serious Current Offense</b>	<b>3/31/2011 Population</b>	<b>8/31/13 Population</b>	<b>6/30/17 Population</b>
Dangerous Drug Violation	3,410	3,845	5,103
Aggravated Assault	4,475	4,557	4,818
Armed Robbery	3,064	3,170	2,973
Narcotic Drug Violation	2,203	2,013	1,976
Misconduct Involving Weapons	1,550	1,662	1,810
Marijuana Violation	1,881	1,935	1,796
Molestation of a Child	1,532	1,608	1,704
Theft of Means of Transportation	2,267	1,733	1,653
DUI	2,001	1,770	1,569
Burglary in the Second Degree	1,471	1,659	1,553
First Degree Murder	1,435	1,476	1,547
Sexual Conduct with a Minor	1,381	1,368	1,540
Second Degree Murder	1,254	1,360	1,496
Kidnapping	1,396	1,448	1,310
Burglary in the Third Degree	1,051	1,044	874
Trafficking in Stolen Property	525	678	710
Manslaughter	745	707	692
Sexual Assault	549	541	548
Sexual Exploitation of a Minor	236	302	523
Burglary in the First Degree	378	432	455
Theft	710	630	416
Possession, Manufacture, etc. of Drug Paraphernalia	339	419	405
Shoplifting	183	271	393
Promoting Prison Contraband	168	252	388
Forgery	697	520	383
Robbery	342	333	305
Child or Vulnerable Adult Abuse	240	253	298
Fraudulent Schemes and Artifices	236	240	270
Aggravated Robbery	244	265	247
Fail to register as sex offender	71	57	204
Identity Theft	205	193	178
Unlawful Use of Means of Transportation	192	162	168
Aggravated Domestic Violence	137	154	160

<b>Most Serious Current Offense</b>	<b>3/31/2011 Population</b>	<b>8/31/13 Population</b>	<b>6/30/17 Population</b>
Unlawful Flight from Pursuing Law Enforcement Vehicle	178	186	159
Drive by Shooting	212	196	156
Organized Retail Theft	46	149	152
Criminal Trespass in the First Degree	132	149	150
Escape in the Second Degree	187	133	146
Aggravated Identity Theft	105	120	144
Resisting Arrest	113	129	123
Sexual Abuse	127	127	118
Participating in or Assisting a Criminal Street Gang	48	82	113
Disorderly Conduct (Reckless Use of Weapon)	71	100	112
Conspiracy	18	14	110
Theft of a Credit Card or Obtaining Credit Card by Fraud	111	94	94
Arson of an Occupied Structure	76	96	93
Criminal Damage	129	95	92
Participating in or Assisting a Criminal Syndicate	125	118	83
Threatening or Intimidating	54	80	81
Dangerous or Deadly Assault by Prisoner or Juvenile	66	74	81
Endangerment	102	83	77
Sex Offender Registration Violation	179	161	69
Interstate corrections compact	67	63	68
Discharging a Firearm at a Structure	76	71	62
Add/name change sex offender	27	24	62
Child Prostitution	42	45	61
Negligent Homicide	70	45	56
Continuous Sexual Abuse of a Child	37	46	51
Destruction of or injury to public jail	21	38	50
Accidents Involving Death or Physical Injuries	59	48	45
Failure to Appear in the First Degree	19	26	44
Aggravated Harassment	40	37	41
Money Laundering	26	33	39
Arson of a Structure or Property	25	24	39
Murder (Old Code)	56	50	38

<b>Most Serious Current Offense</b>	<b>3/31/2011 Population</b>	<b>8/31/13 Population</b>	<b>6/30/17 Population</b>
Luring a Minor for Sexual Exploitation	23	31	34
Unlawful Imprisonment	23	42	30
Trafficking in the Identity of Another Person or Entity	53	57	29
Possession of Burglary Tools	61	42	24
Stalking	27	36	24
Involving or Using Minors in Drug Offenses	22	25	23
Illegal Control of an Enterprise	29	42	22
Aggravated Criminal Damage	14	32	18
Conducting a Chop Shop	15	9	13
Prisoners who Commit Assault with Intent to Incite to Riot	21	14	13
Criminal Possession of a Forgery Device	36	26	11
Hindering Prosecution in the First Degree	14	16	11
Forgery of Credit Card	14	11	11
Criminal Impersonation	25	26	10
Theft by Extortion	15	18	7
Prostitution	14	8	5
Smuggling	21	30	3
Miscellaneous Offenses	360	344	373
<b>Grand Total</b>	<b>39,999</b>	<b>40,602</b>	<b>41,935</b>

**Table 7: % Change in Prison Population by Most Serious Current Offense**

<b>Most Serious Current Offense</b>	<b>3/31/2011-8/31/2013</b>	<b>8/31/2013-6/30/2017</b>	<b>3/31/2011-6/30/2017</b>
Felony Class 1	7.2%	8.5%	16.3%
Felony Class 2	4.4%	4.6%	9.2%
Felony Class 3	-6.1%	-1.9%	-8.0%
Felony Class 4	5.0%	8.7%	14.1%
Felony Class 5	10.1%	2.2%	12.5%
Felony Class 6	1.0%	-11.2%	-10.3%
Old Code/Other	-13.0%	1.6%	-11.6%

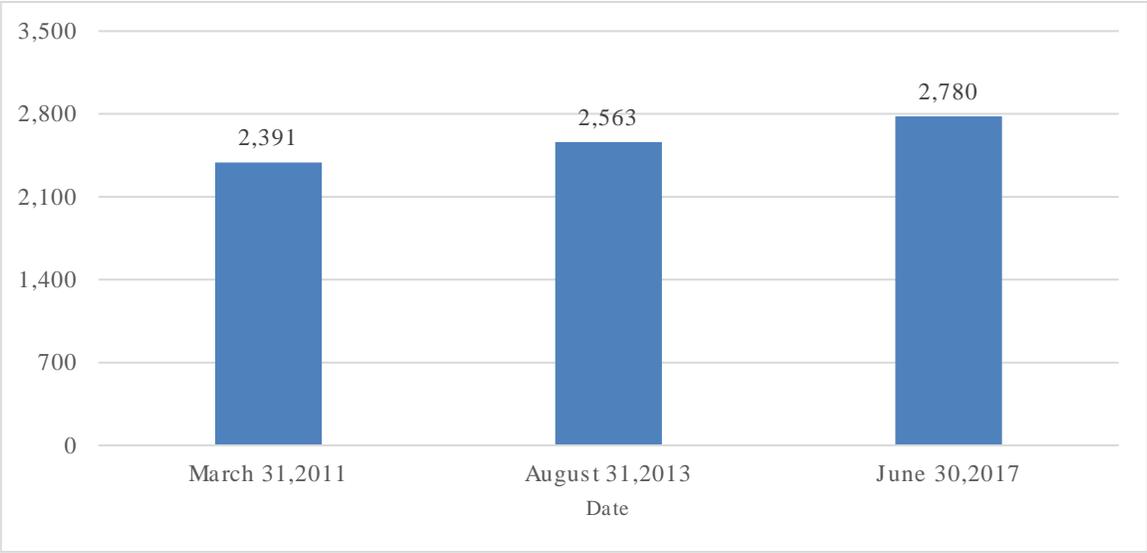
<b>Most Serious Current Offense</b>	<b>3/31/2011- 8/31/2013</b>	<b>8/31/2013- 6/30/2017</b>	<b>3/31/2011- 6/30/2017</b>
Violent Offense	3.9%	1.3%	5.3%
Sex Offense	2.8%	14.0%	17.2%
Property Offense	-3.5%	-7.8%	-11.1%
Drug Trafficking	0.7%	1.3%	2.0%
Drug Possession	15.9%	41.1%	63.5%
DUI	-11.6%	-11.0%	-21.3%
Other Offenses	-2.1%	18.6%	16.1%
Smuggling	42.9%	-90.0%	-85.7%
Criminal Possession of a Forgery Device	-27.8%	-57.7%	-69.4%
Prostitution	-42.9%	-37.5%	-64.3%
Sex Offender Registration Violation	-10.1%	-57.1%	-61.5%
Possession of Burglary Tools	-31.1%	-42.9%	-60.7%
Criminal Impersonation	4.0%	-61.5%	-60.0%
Theft by Extortion	20.0%	-61.1%	-53.3%
Trafficking in the Identity of Another Person or Entity	7.5%	-49.1%	-45.3%
Forgery	-25.4%	-26.3%	-45.1%
Theft	-11.3%	-34.0%	-41.4%
Prisoners who Commit Assault with Intent to Incite to Riot	-33.3%	-7.1%	-38.1%
Participating in or Assisting a Criminal Syndicate	-5.6%	-29.7%	-33.6%
Murder (Old Code)	-10.7%	-24.0%	-32.1%
Criminal Damage	-26.4%	-3.2%	-28.7%
Theft of Means of Transportation	-23.6%	-4.6%	-27.1%
Drive by Shooting	-7.5%	-20.4%	-26.4%
Endangerment	-18.6%	-7.2%	-24.5%
Illegal Control of an Enterprise	44.8%	-47.6%	-24.1%
Accidents Involving Death or Physical Injuries	-18.6%	-6.3%	-23.7%
Escape in the Second Degree	-28.9%	9.8%	-21.9%
DUI	-11.5%	-11.4%	-21.6%
Hindering Prosecution in the First Degree	14.3%	-31.3%	-21.4%
Forgery of Credit Card	-21.4%	0.0%	-21.4%

<b>Most Serious Current Offense</b>	<b>3/31/2011- 8/31/2013</b>	<b>8/31/2013- 6/30/2017</b>	<b>3/31/2011- 6/30/2017</b>
Negligent Homicide	-35.7%	24.4%	-20.0%
Discharging a Firearm at a Structure	-6.6%	-12.7%	-18.4%
Burglary in the Third Degree	-0.7%	-16.3%	-16.8%
Theft of a Credit Card or Obtaining Credit Card by Fraud	-15.3%	0.0%	-15.3%
Conducting a Chop Shop	-40.0%	44.4%	-13.3%
Identity Theft	-5.9%	-7.8%	-13.2%
Unlawful Use of Means of Transportation	-15.6%	3.7%	-12.5%
Stalking	33.3%	-33.3%	-11.1%
Robbery	-2.6%	-8.4%	-10.8%
Unlawful Flight from Pursuing Law Enforcement Vehicle	4.5%	-14.5%	-10.7%
Narcotic Drug Violation	-8.6%	-1.8%	-10.3%
Manslaughter	-5.1%	-2.1%	-7.1%
Sexual Abuse	0.0%	-7.1%	-7.1%
Kidnapping	3.7%	-9.5%	-6.2%
Marijuana Violation	2.9%	-7.2%	-4.5%
Armed Robbery	3.5%	-6.2%	-3.0%
Sexual Assault	-1.5%	1.3%	-0.2%
Aggravated Robbery	8.6%	-6.8%	1.2%
Interstate corrections compact	-6.0%	7.9%	1.5%
Aggravated Harassment	-7.5%	10.8%	2.5%
Involving or Using Minors in Drug Offenses	13.6%	-8.0%	4.5%
Burglary in the Second Degree	12.8%	-6.4%	5.6%
Aggravated Assault	1.8%	5.7%	7.7%
First Degree Murder	2.9%	4.8%	7.8%
Resisting Arrest	14.2%	-4.7%	8.8%
Molestation of a Child	5.0%	6.0%	11.2%
Sexual Conduct with a Minor	-0.9%	12.6%	11.5%
Criminal Trespass in the First Degree	12.9%	0.7%	13.6%
Fraudulent Schemes and Artifices	1.7%	12.5%	14.4%
Misconduct Involving Weapons	7.2%	8.9%	16.8%

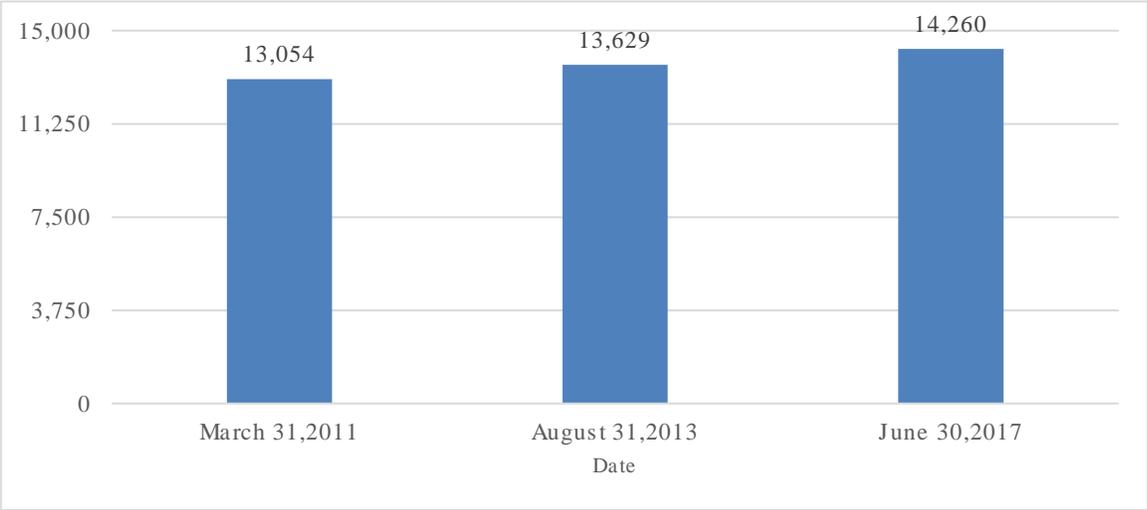
<b>Most Serious Current Offense</b>	<b>3/31/2011- 8/31/2013</b>	<b>8/31/2013- 6/30/2017</b>	<b>3/31/2011- 6/30/2017</b>
Aggravated Domestic Violence	12.4%	3.9%	16.8%
Second Degree Murder	8.5%	10.0%	19.3%
Possession, Manufacture, etc. of Drug Paraphernalia	23.6%	-3.3%	19.5%
Burglary in the First Degree	14.3%	5.3%	20.4%
Arson of an Occupied Structure	26.3%	-3.1%	22.4%
Dangerous or Deadly Assault by Prisoner or Juvenile	12.1%	9.5%	22.7%
Child or Vulnerable Adult Abuse	5.4%	17.8%	24.2%
Aggravated Criminal Damage	128.6%	-43.8%	28.6%
Unlawful Imprisonment	82.6%	-28.6%	30.4%
Trafficking in Stolen Property	29.1%	4.7%	35.2%
Aggravated Identity Theft	14.3%	20.0%	37.1%
Continuous Sexual Abuse of a Child	24.3%	10.9%	37.8%
Child Prostitution	7.1%	35.6%	45.2%
Luring a Minor for Sexual Exploitation	34.8%	9.7%	47.8%
Dangerous Drug Violation	12.8%	32.7%	49.6%
Threatening or Intimidating	48.1%	1.3%	50.0%
Money Laundering	26.9%	18.2%	50.0%
Arson of a Structure or Property	-4.0%	62.5%	56.0%
Disorderly Conduct (Reckless Use of Weapon)	40.8%	12.0%	57.7%
Shoplifting	48.1%	45.0%	114.8%
Sexual Exploitation of a Minor	28.0%	73.2%	121.6%
Add/name change sex offender	-11.1%	158.3%	129.6%
Promoting Prison Contraband	50.0%	54.0%	131.0%
Failure to Appear in the First Degree	36.8%	69.2%	131.6%
Participating in or Assisting a Criminal Street Gang	70.8%	37.8%	135.4%
Destruction of or injury to public jail	81.0%	31.6%	138.1%
Fail to register as sex offender	-19.7%	257.9%	187.3%
Organized Retail Theft	223.9%	2.0%	230.4%
Conspiracy	-22.2%	685.7%	511.1%
<b>Grand Total</b>	<b>1.5%</b>	<b>3.3%</b>	<b>4.8%</b>

According to Table 7, almost every offense category experienced a significant change in the number of inmates incarcerated for that offense; about half of these changes were positive and about half were negative. Inmates imprisoned for Class 1 (+16.3%) and Class 2 (+9.2%) felonies were both well up from the first to the third date, while those incarcerated for Class 6 felonies were down by 10.3%. On top of this, the number of inmates committed for a violent (+5.3%), sex (+17.2%), or drug crime (+18.2%) were all well up over the 75-month period at issue. Significantly, the number of inmates committed for a DUI decreased by 21.3%. In addition, the 11.1% drop in property offenders is mainly driven by a 27.1% drop in inmates imprisoned for vehicle theft and a 45.1% drop in that of forgery. Figures 36-48 illustrate variations in felony class and most serious current offense category.

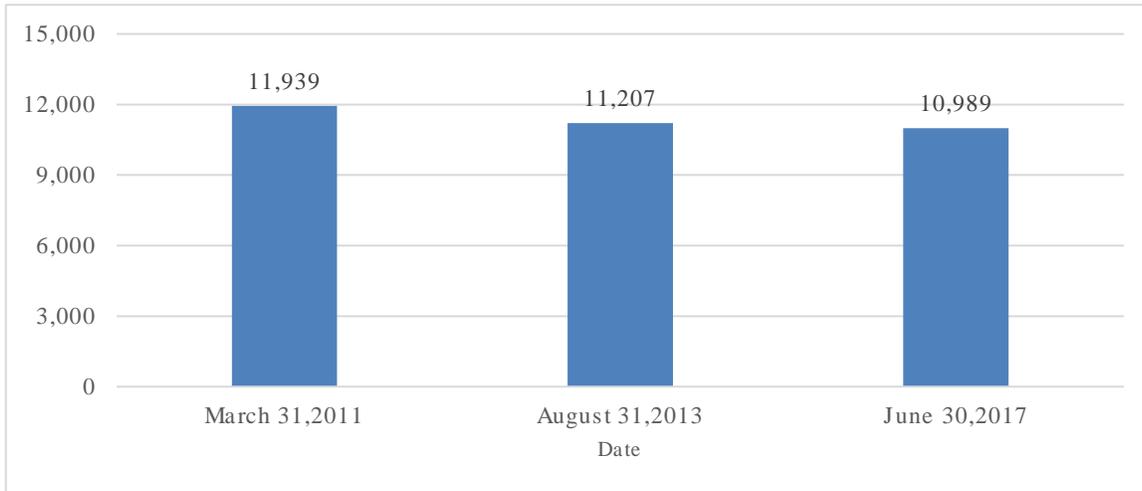
**Figure 36: Prison Population Comparison: Most Serious Current Offense = Class 1 Felony**



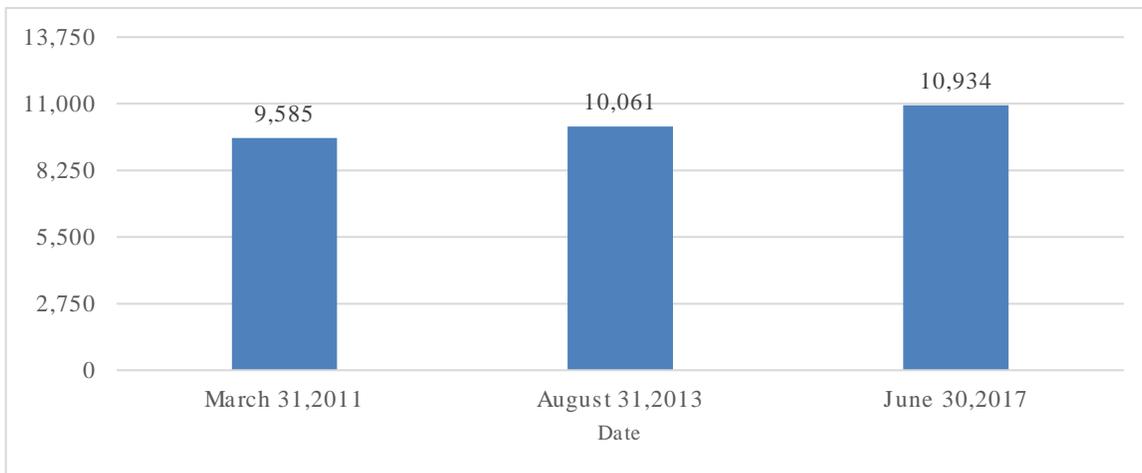
**Figure 37: Prison Population Comparison: Most Serious Current Offense = Class 2 Felony**



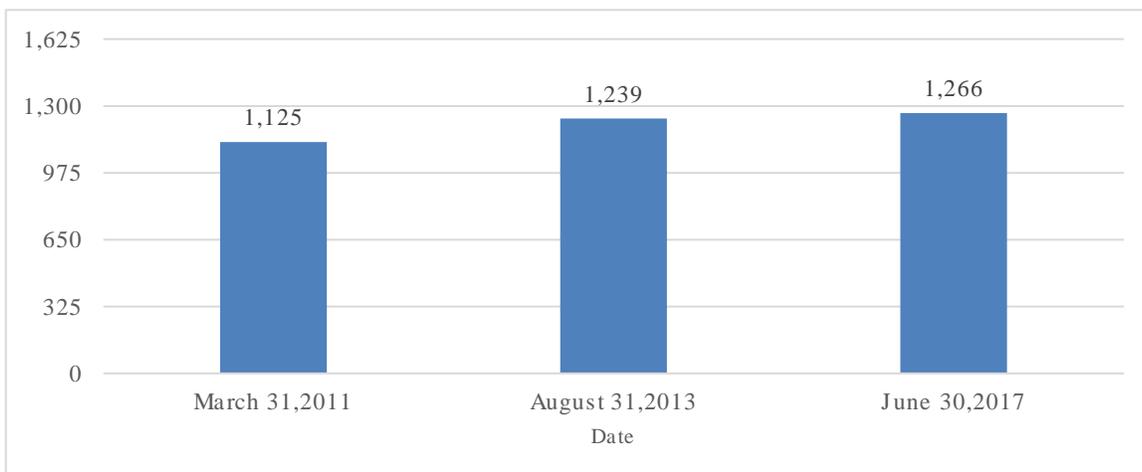
**Figure 38: Prison Population Comparison: Most Serious Current Offense = Class 3 Felony**



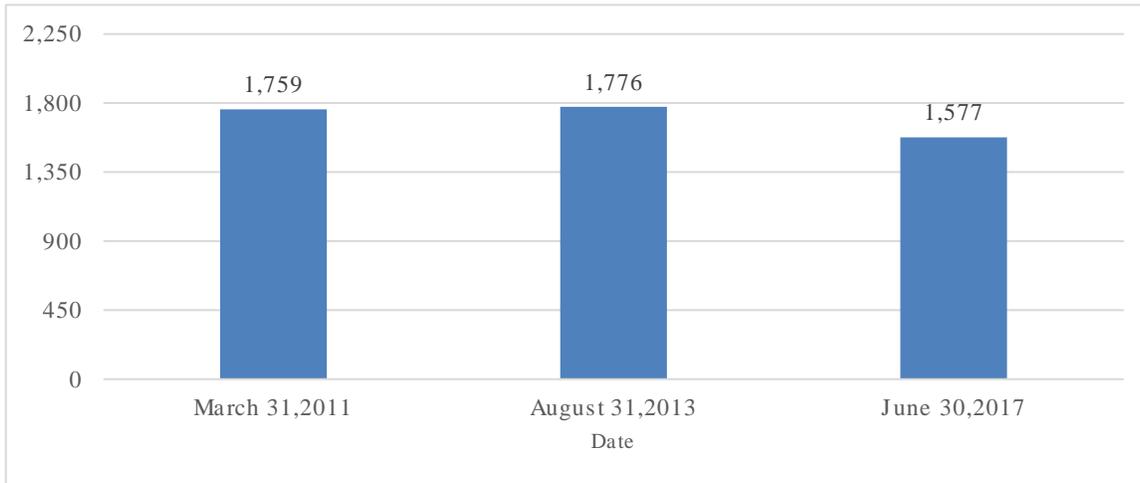
**Figure 39: Prison Population Comparison: Most Serious Current Offense = Class 4 Felony**



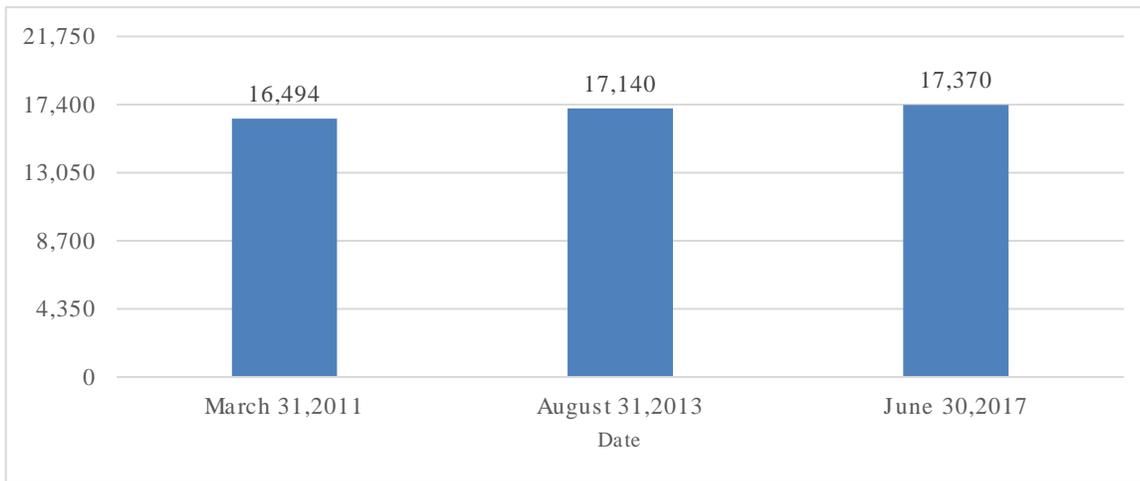
**Figure 40: Prison Population Comparison: Most Serious Current Offense = Class 5 Felony**



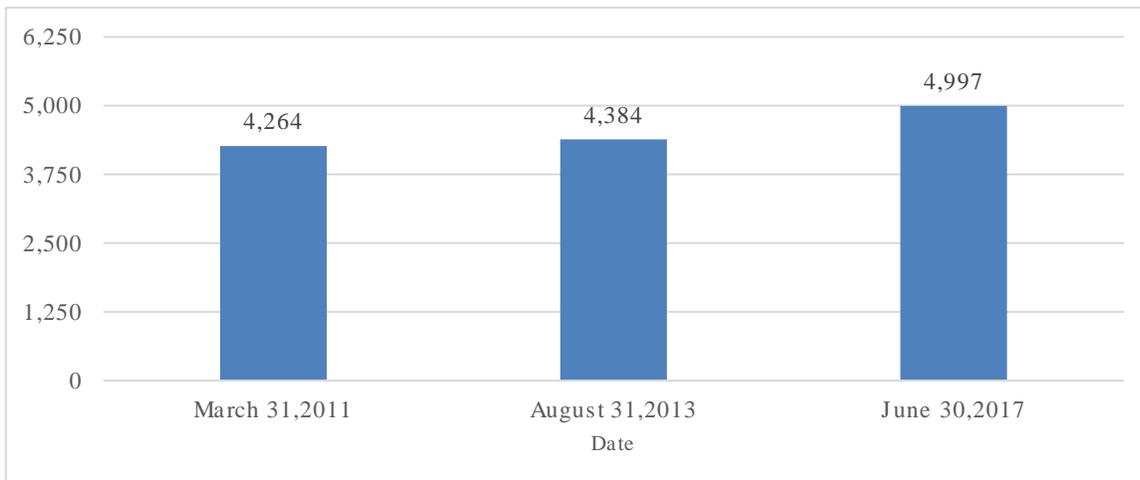
**Figure 41: Prison Population Comparison: Most Serious Current Offense = Class 6 Felony**



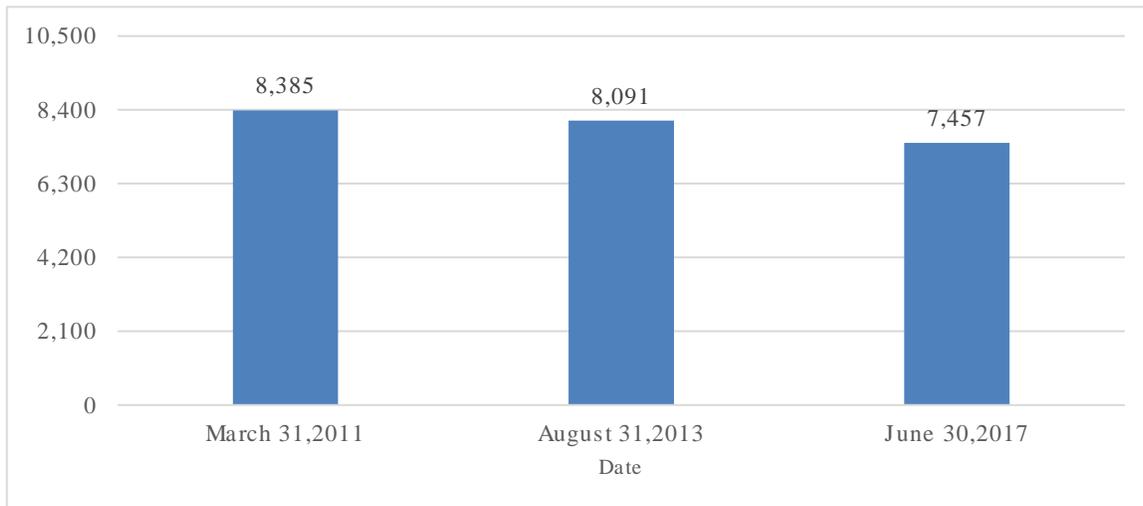
**Figure 42: Prison Population Comparison: Most Serious Current Offense = Violent Offense**



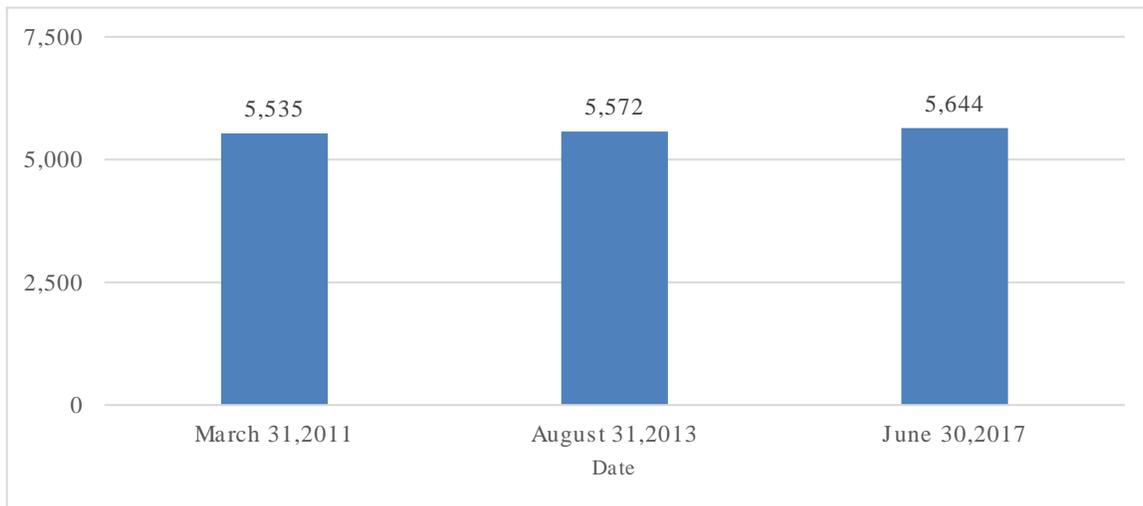
**Figure 43: Prison Population Comparison: Most Serious Current Offense = Sex Offense**



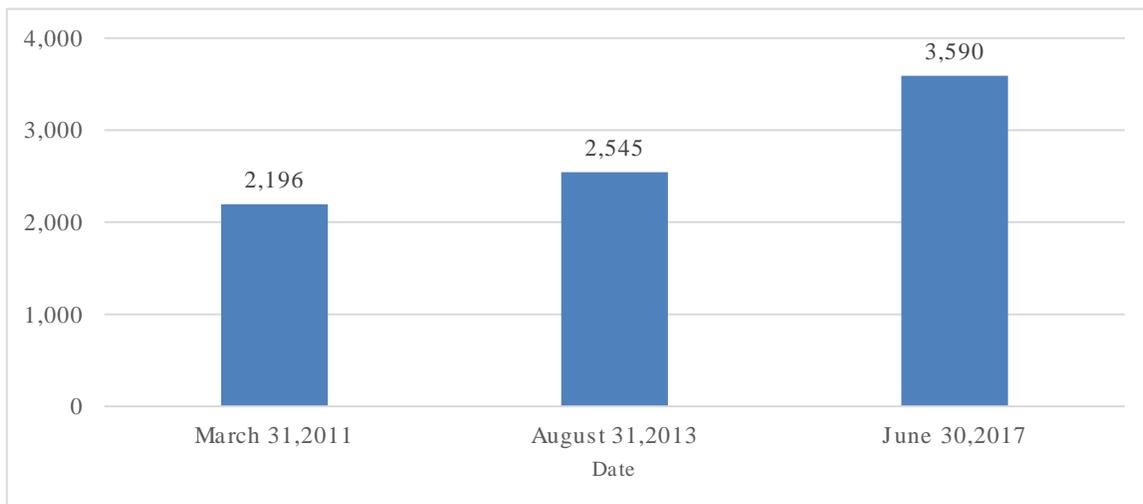
**Figure 44: Prison Population Comparison: Most Serious Current Offense = Property Offense**



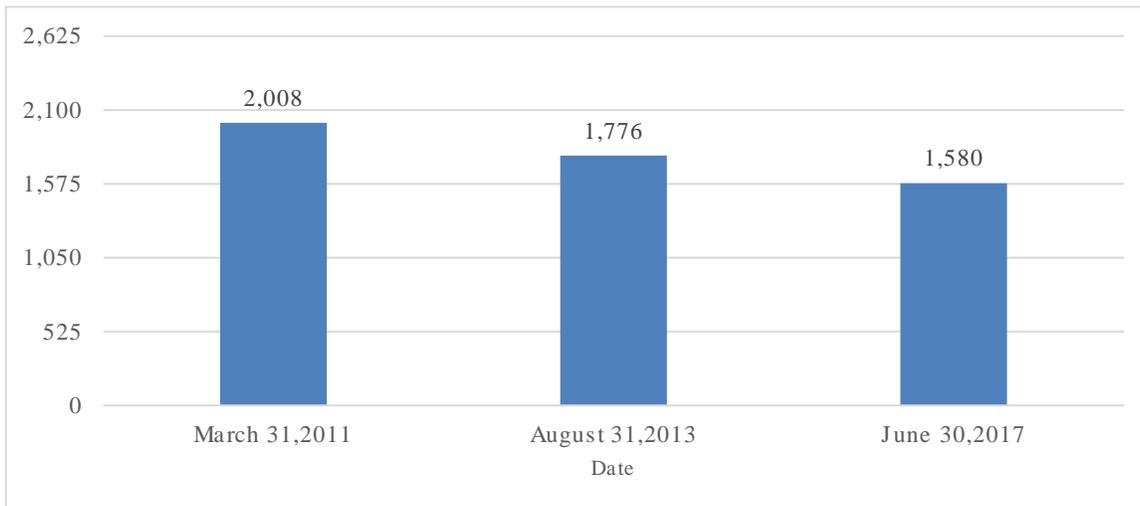
**Figure 45: Prison Population Comparison: Most Serious Current Offense = Drug Trafficking**



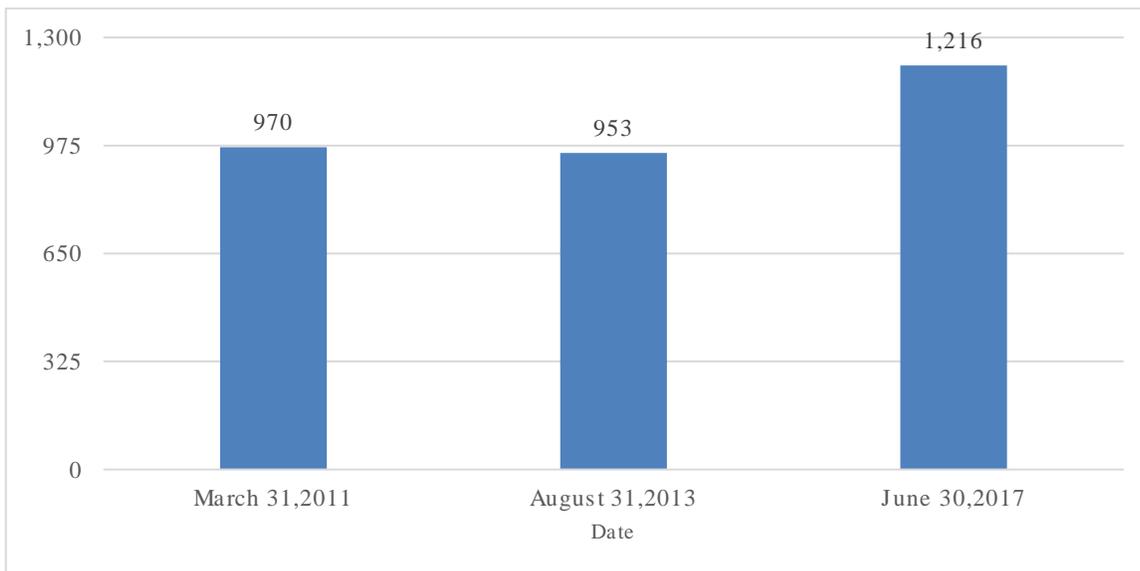
**Figure 46: Prison Population Comparison: Most Serious Current Offense = Drug Possession**



**Figure 47: Prison Population Comparison: Most Serious Current Offense = DUI**



**Figure 48: Prison Population Comparison: Most Serious Current Offense = Other Offense**



## **Chapter 3: Admission Trends**

In Chapter 1, we determined that the recent decrease in the inmate population was in part due to a reduction in the number of admissions to state prisons, and also to a surge in releases of short-term inmates (i.e., those serving six months or less). In Chapter 2, we gained some insight as to the source(s) of the admission decline by identifying segments of prisoners experiencing recent aberrant change. In this chapter, we take the next logical step by isolating trends in various admission categories. The admission data necessarily end at June 30, 2017, and should provide a decent glimpse into the causal factors at work. Of course, we will be discussing statistical relationships, not actual cause-and-effect mechanisms.

Our approach focuses on two offender variables, namely admission type and general category of the most serious current offense. The former variable subdivides into: 1) direct court commitments, 2) probation violation commitments, 3) “condition of probation” commitments, 4) admissions of ADC release violators, and 5) other admissions, including returns from escape, returns from deportation at 1/2 sentence, interstate compact admissions, and returns of inmates released in error. The second and fourth categories include both technical and new offense violators. The general category of the most serious current offense includes the same categories discussed in Chapter 2.

We will use a two-pronged approach, examining both long-term and short-term variations in each category, as per Figures 49 and 50. This analytical scheme will provide glimpses of both the broad historical context for the category being discussed (long-term; line charts), as well as specific fluctuations of interest in the present context (short-term; bar charts). In both cases, we will be considering quarterly data, in the former case over the 32.5-year period 1985-2017, and in the latter case over the 51-month period 2013-2017.

We begin by reiterating the trend data on all admissions as presented and discussed in Chapter 1 (Figure 49). A close examination of Figures 49 and 50 reveals that, on the heels of a drop of about 500 in 2010, admissions leveled off beginning in 2011 and extending to the first quarter of 2013. The admissions then went up for another nine quarters and dropped steadily from the second quarter of 2015 until the fourth quarter of 2016. The downward-trend aspect of that scenario may be clearly seen in Figure 50. We may summarize the situation as follows:

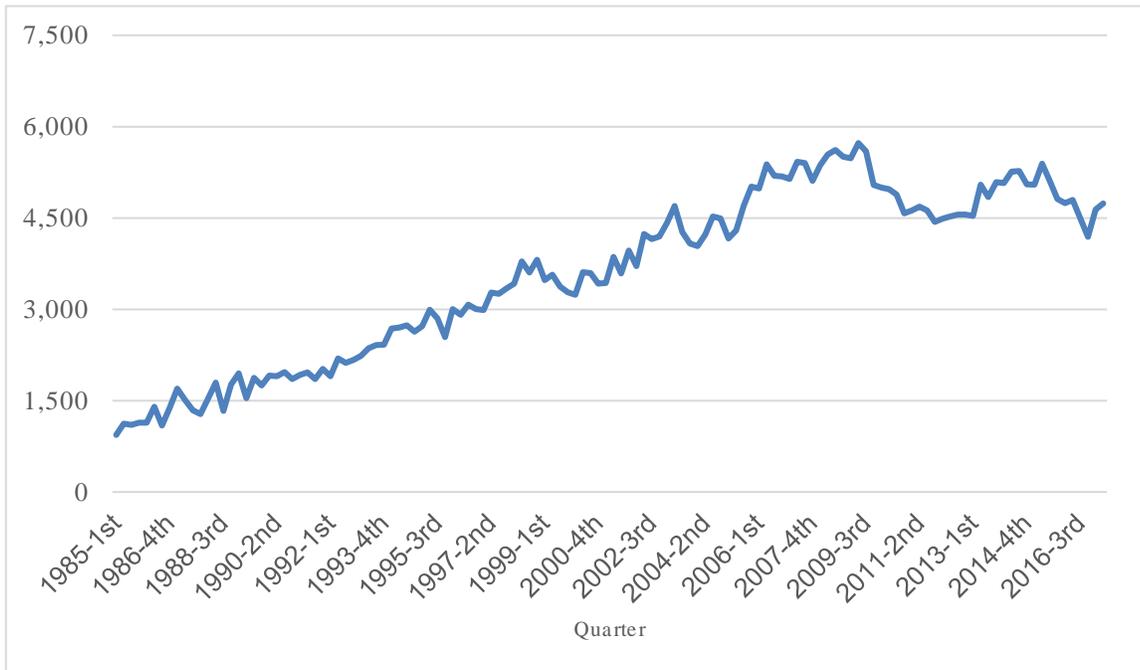
### **Summary of Recent Variation in Admission Levels**

- 1) A decline during late 2009 and all of 2010.*
- 2) A leveling off during 2011, 2012 and the first quarter of 2013.*
- 3) A surge upward from the second quarter of 2013 till the second quarter of 2015.*
- 4) A drop during late 2015 and all of 2016*

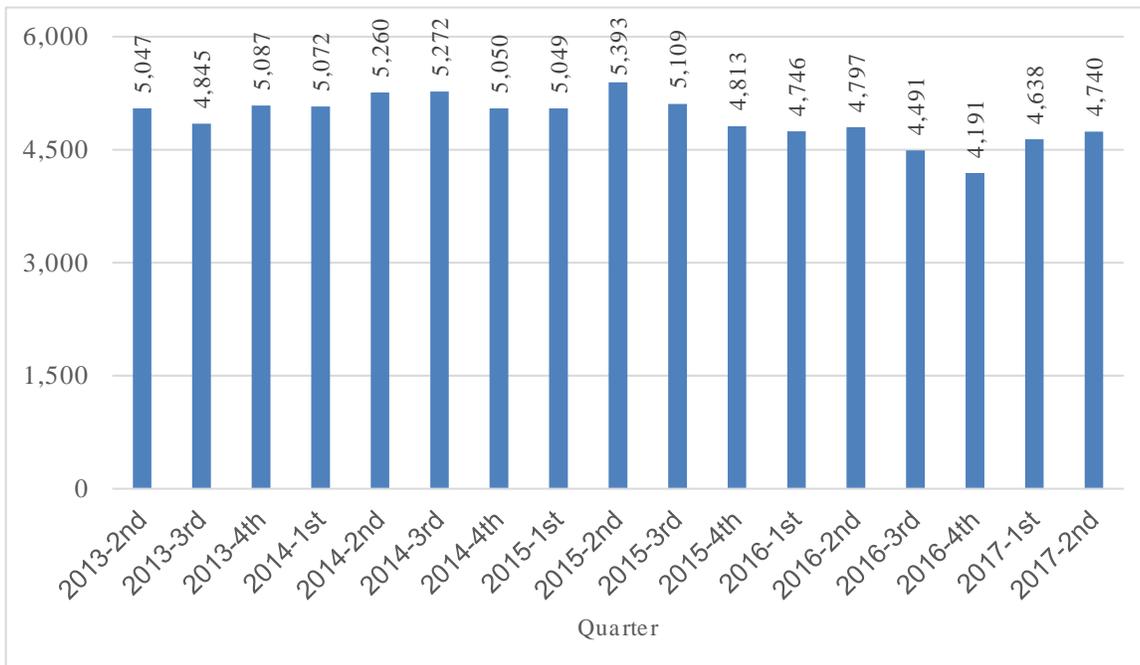
Table 8 focuses on the third and fourth periods, taking the third period and the average number of quarterly admissions over this period as a base. The table then calculates the difference between this base average and the actual number of admissions for each of the seventeen quarters shown in the table. This base average may be considered the “expectation” for each quarter of period 4 (column 3).

According to Table 8, comparing the number of quarterly admissions from the second quarter of 2013 to the second quarter of 2015 with the period from the third quarter of 2015 through the second quarter of 2017 shows a large drop in admissions (3,427 or 428 per quarter). This change is quite noticeable given that the average number of quarterly admissions was 5,119 during the first period.

**Figure 49: All Admissions, 1985-2017 (464,641)**



**Figure 50: All Admissions, 2013-2017 (83,600)**



From the bottom line of Table 8, we can see that the actual number of admissions for these eight quarters (37,525) is less than the expected value of 40,952 (an 8.4% difference). Table 9 expands on that bottom line by breaking out the results according to current admission category and the category of the most serious current offense.

**Table 8: Quarterly Excess/Shortfall in Admissions, April 2013-June 2017**

<b>Quarter</b>	<b>Actual Admissions</b>	<b>Expected Admissions*</b>	<b>Difference = Excess/Shortfall</b>	<b>% Difference</b>
2013-2nd	5,047	5,119	-72	-1.4%
2013-3rd	4,845	5,119	-274	-5.4%
2013-4th	5,087	5,119	-32	-0.6%
2014-1st	5,072	5,119	-47	-0.9%
2014-2nd	5,260	5,119	141	2.8%
2014-3rd	5,272	5,119	153	3.0%
2014-4th	5,050	5,119	-69	-1.3%
2015-1st	5,049	5,119	-70	-1.4%
2015-2nd	5,393	5,119	274	5.4%
2015-3rd	5,109	5,119	-10	-0.2%
2015-4th	4,813	5,119	-306	-6.0%
2016-1st	4,746	5,119	-373	-7.3%
2016-2nd	4,797	5,119	-322	-6.3%
2016-3rd	4,491	5,119	-628	-12.3%
2016-4th	4,191	5,119	-928	-18.1%
2017-1st	4,638	5,119	-481	-9.4%
2017-2nd	4,740	5,119	-379	-7.4%
<b>Subtotal (2015/3rd-2017/2nd)</b>	<b>37,525</b>	<b>40,952</b>	<b>-3,427</b>	<b>-8.4%</b>

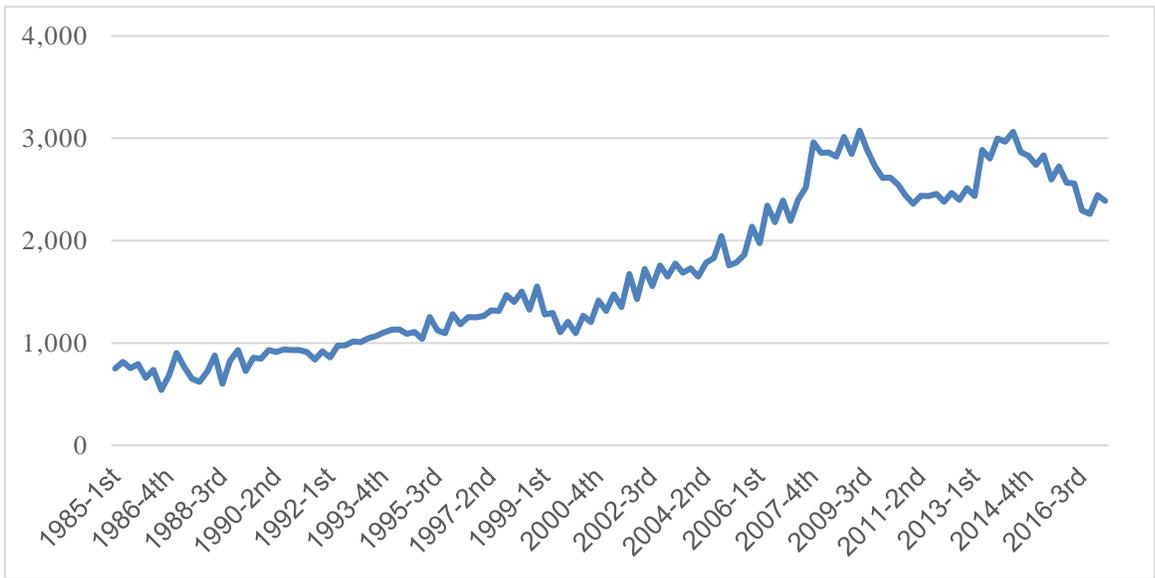
\*Average admissions over the 27-month period from 2013-2nd through 2015-2nd.

**Table 9: Quarterly Excess/Shortfall in Admissions by Category, July 2015-June 2017**

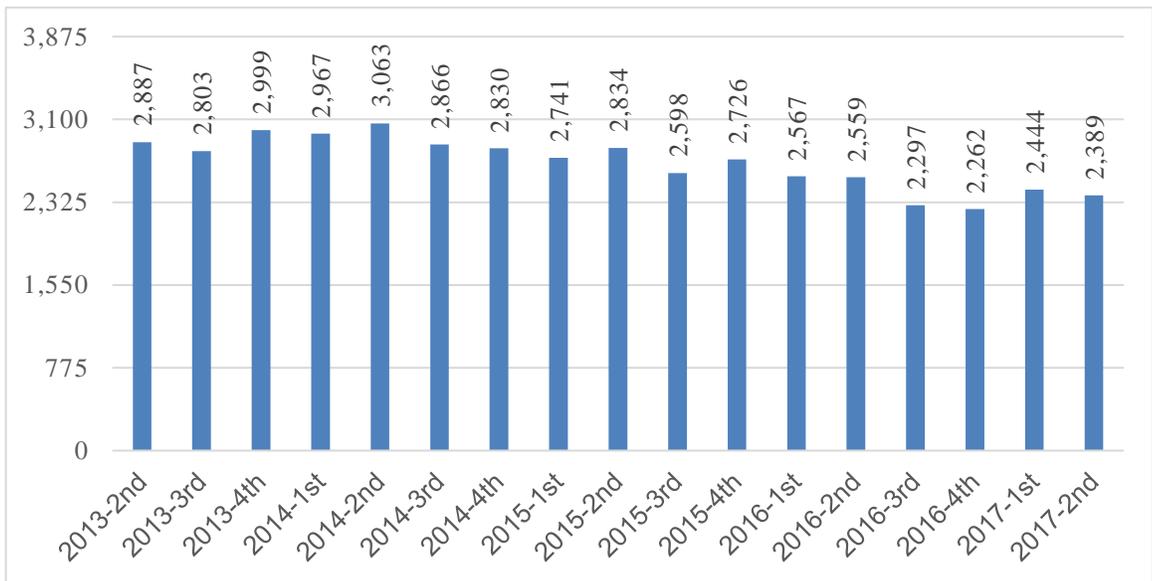
<b>Quarter</b>	<b>Actual Admissions</b>	<b>Expected Admissions*</b>	<b>Difference = Excess/Shortfall</b>	<b>% Difference</b>
All Admissions	37,525	40,952	-3,427	-8.4%
Direct Court Commitments	19,842	23,102	-3,260	-14.1%
Probation Violation Commitments “Condition of Probation” Commitments	9,013 1,186	8,981 1,347	32 -161	0.4% -11.9%
Release Violation Admissions	7,013	7,084	-71	-1.0%
Other Admissions	471	441	30	6.8%
<u>Direct Court Commitment</u>				
Violent Offense	5,445	6,220	-775	-12.5%
Sex Offense	1,160	1,165	-5	-0.5%
Property Offense	4,065	5,187	-1,122	-21.6%
Drug Trafficking	3,755	4,580	-825	-18.0%
Drug Possession	3,427	3,450	-23	-0.7%
DUI	1,280	1,676	-396	-23.6%
Other Offense	720	831	-111	-13.4%
<u>Direct Court Commitment-Drug Trafficking</u>				
Marijuana Trafficking	1,876	2,498	-622	-24.9%
-U.S. Citizens	613	648	-35	-5.4%
-Non-Citizens	1,263	1,850	-587	-31.7%
Other Trafficking	1,879	2,082	-203	-9.7%
<u>Direct Court Commitment-Drug Possession</u>				
Marijuana	287	393	-106	-27.0%
Dangerous Drugs	1,816	1,656	160	9.7%
Other Drugs	1,324	1,401	-77	-5.5%

Table 9 shows the result for each category. Looked at along with Figures 51-60 below, it is apparent that across the five admission type categories, the admission decline is limited to direct court (-14.1%), “condition of probation” (-11.9%), and release violation (-1.0%) commitments.

**Figure 51: Direct Court Commitments, 1985-2013 (219,367)**

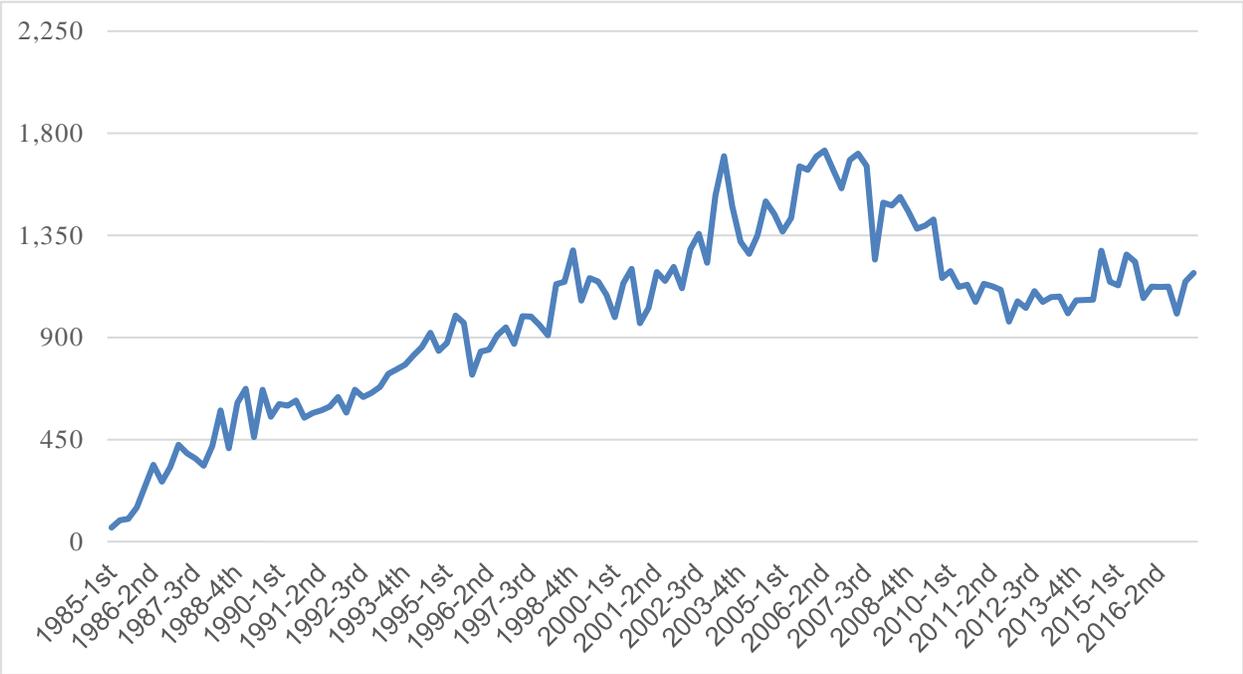


**Figure 52: Direct Court Commitments, 2013-2017 (45,832)**

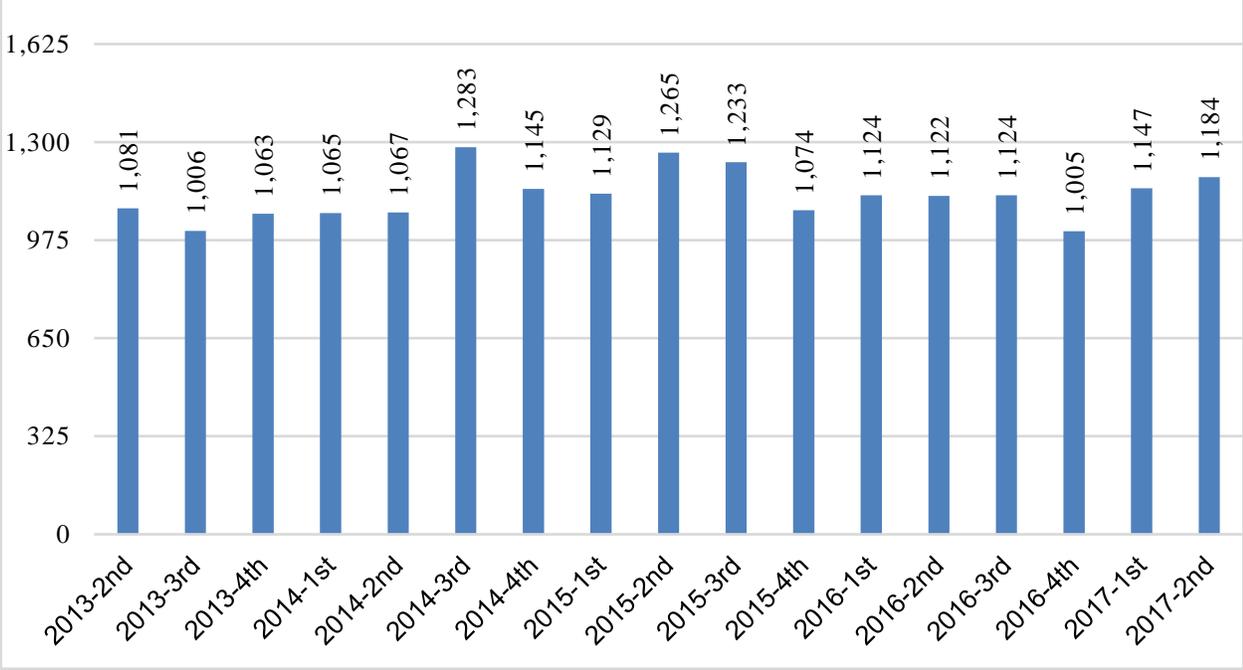


Furthermore, the impact cuts across all offense categories except sex offenses, with the largest impact (-23.6%) being on DUI commitments. Figures 61-88 cover only direct court commitments. For those with an interest, Figures 89-94 detail long-term trends in probation violation commitment categories.

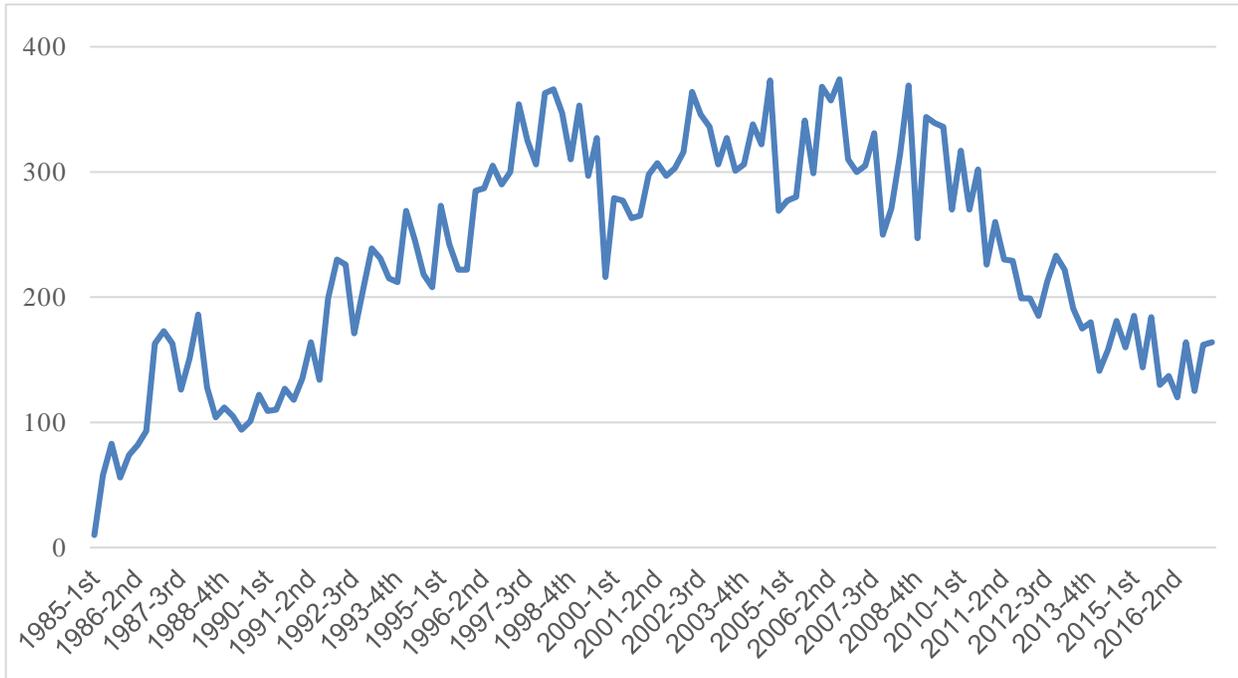
**Figure 53: Probation Violation Commitments, 1985-2017 (130,053)**



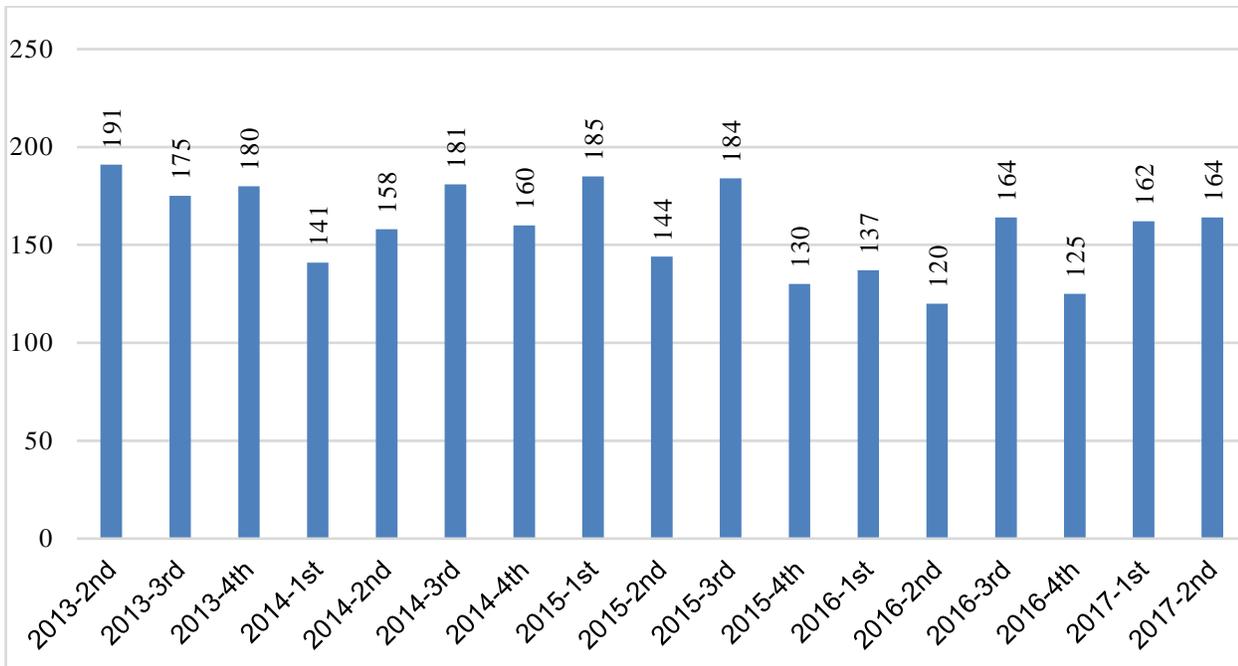
**Figure 54: Probation Violation Commitments, 2013-2017 (19,117)**



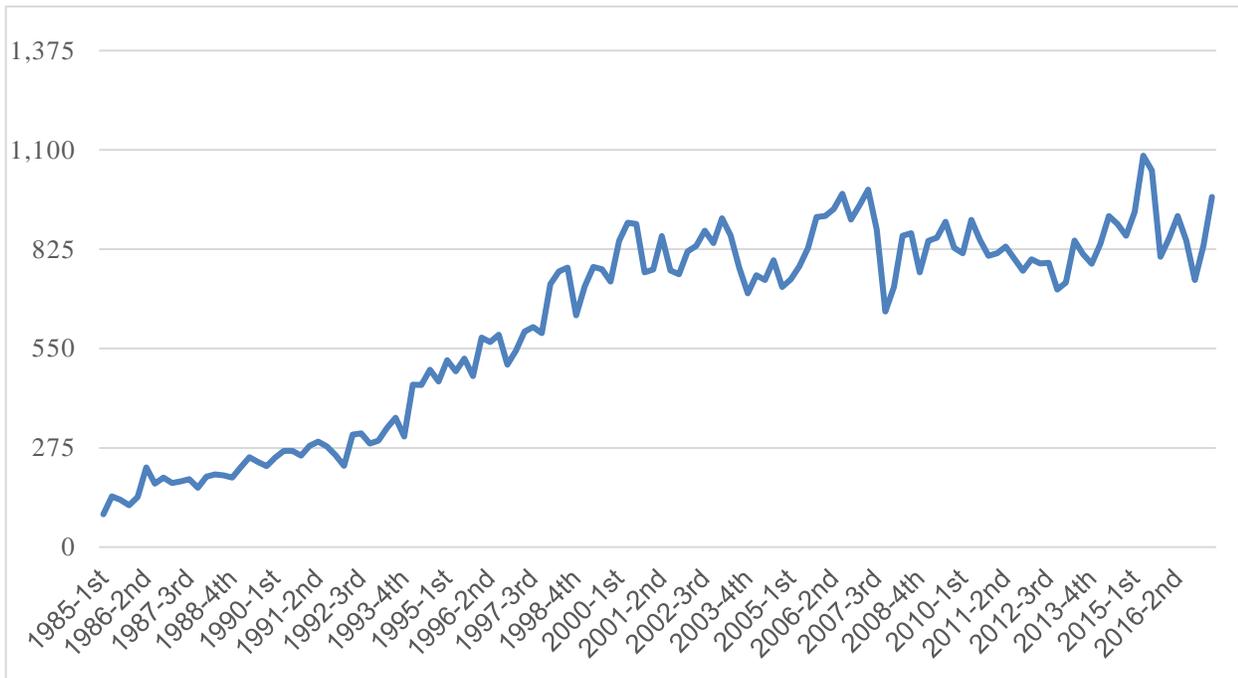
**Figure 55: “Condition of Probation” Commitments, 1985-2017 (30,200)**



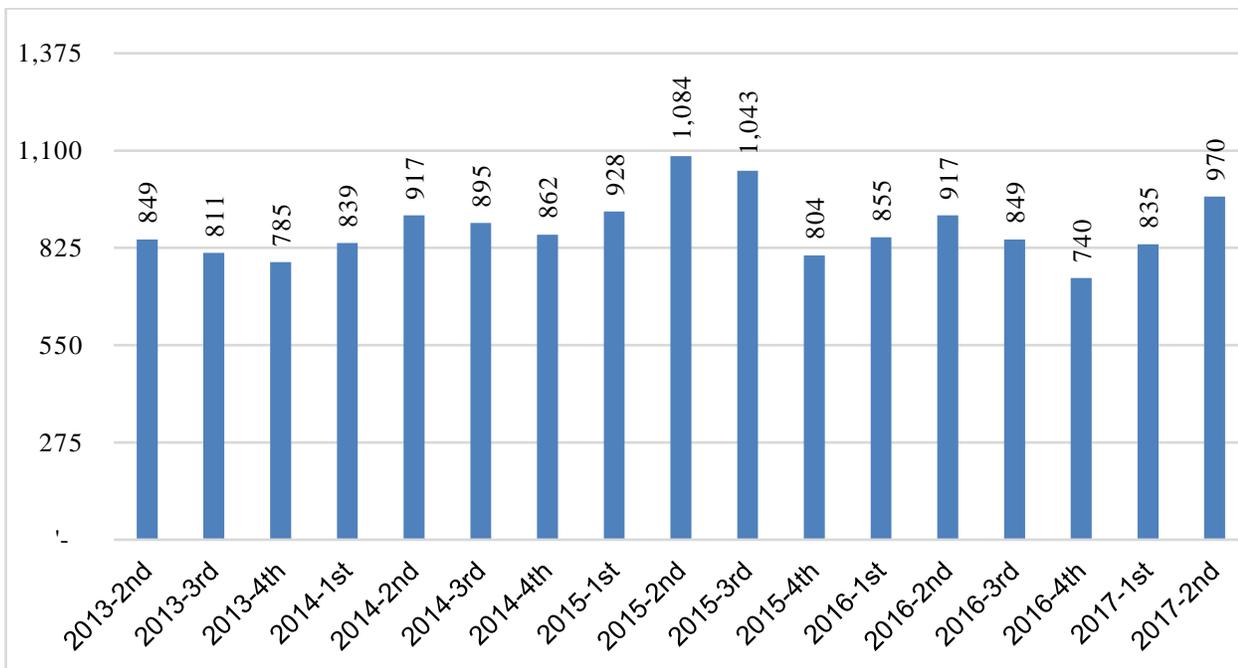
**Figure 56: “Condition of Probation” Commitments, 2013-2017 (2,701)**



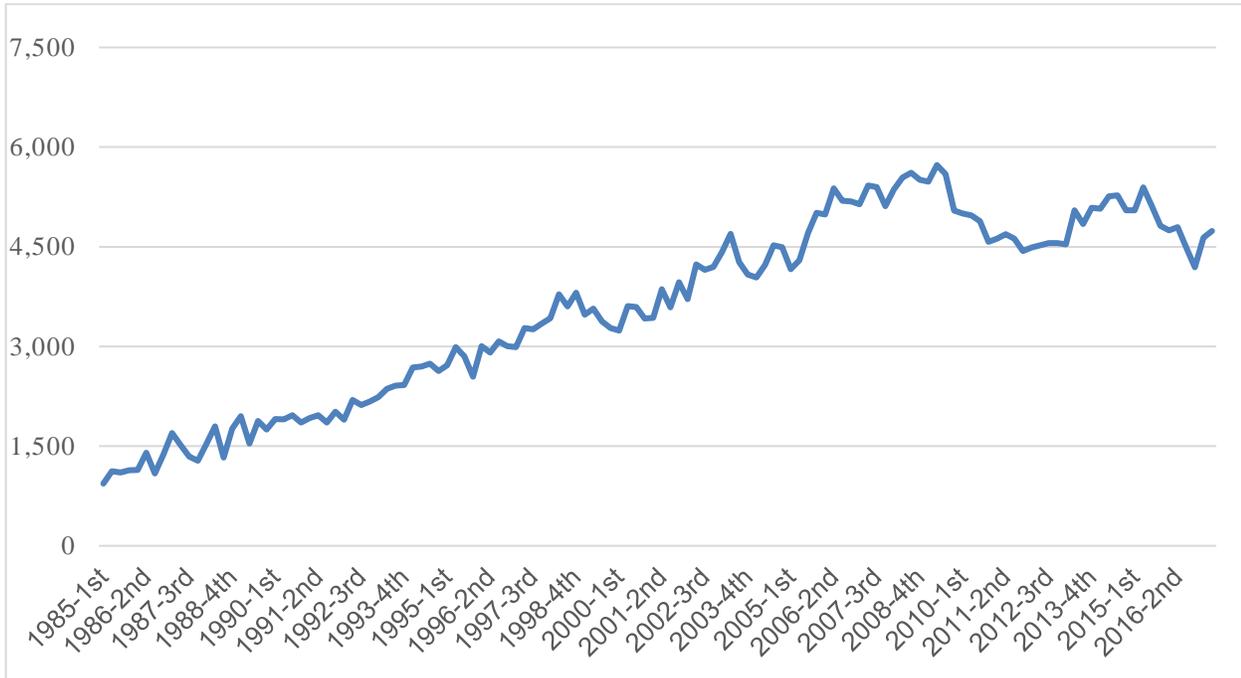
**Figure 57: Release Violation Admissions, 1985-2017 (81,241)**



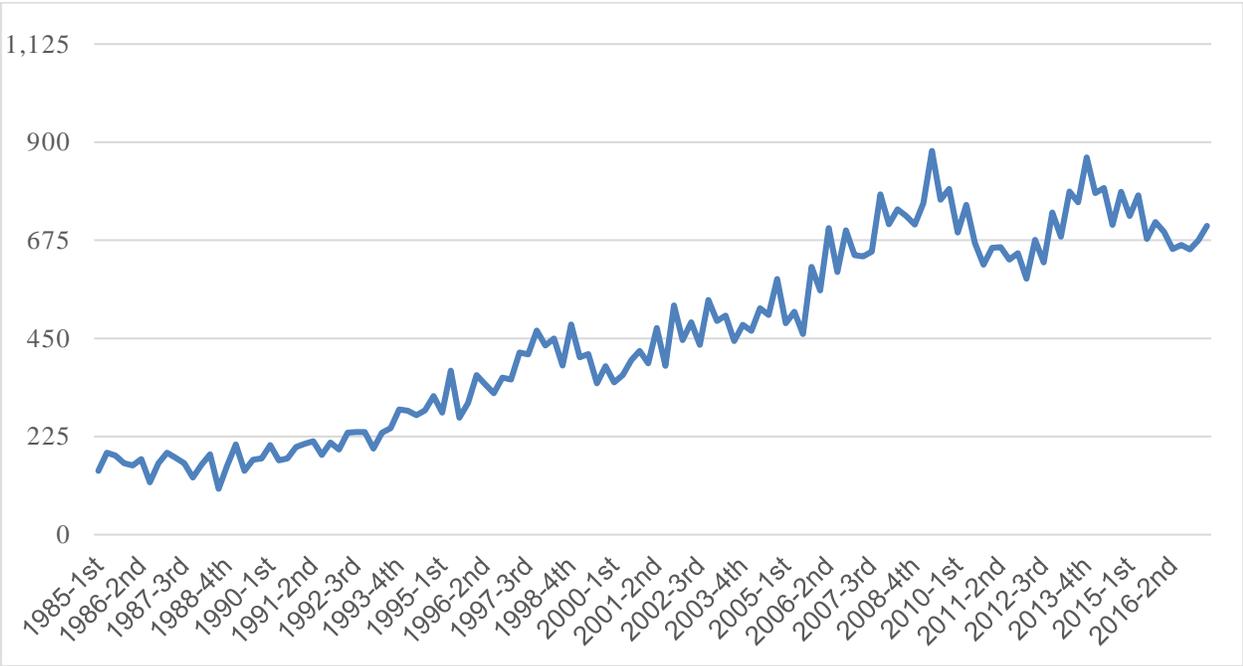
**Figure 58: Release Violation Admissions, 2013-2017 (14,983)**



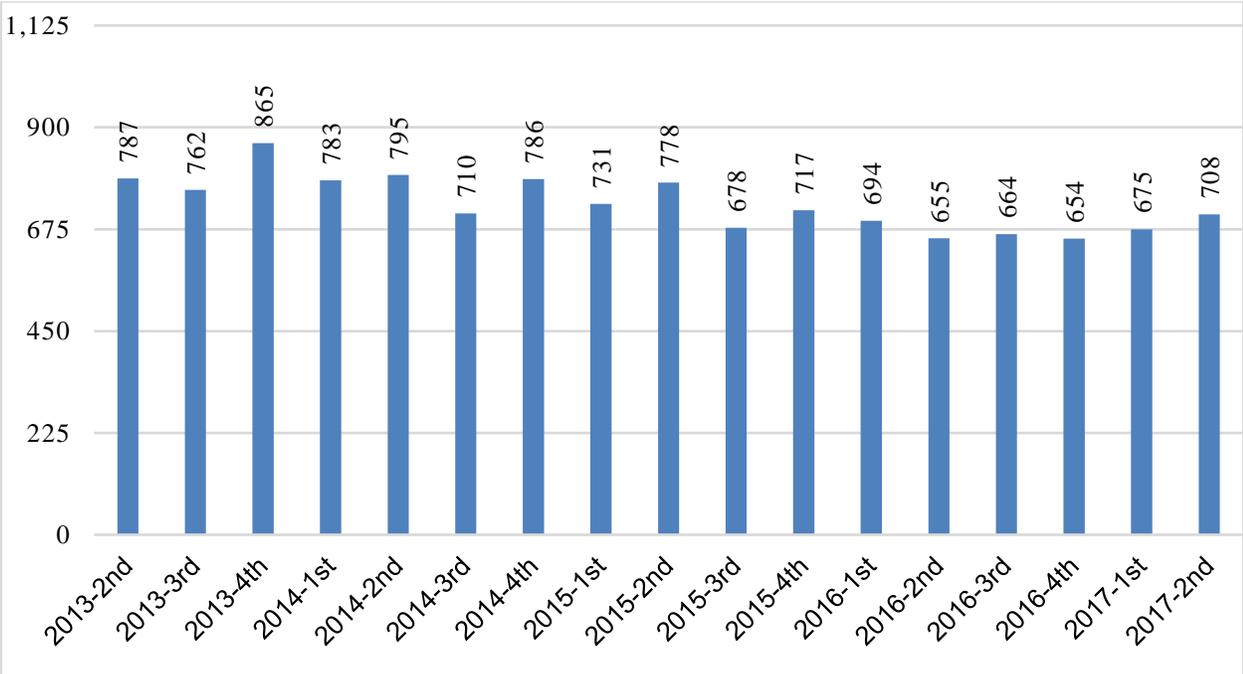
**Figure 59: Other Admissions, 1985-2017 (3,780)**



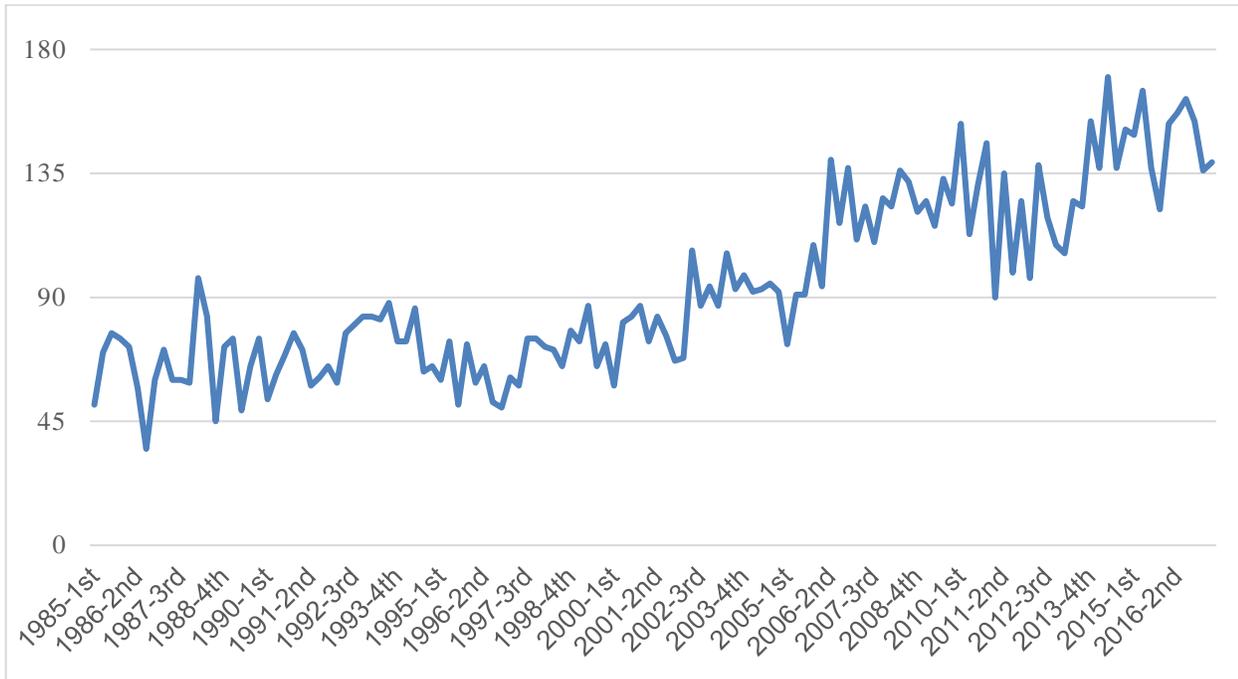
**Figure 61: Direct Court Commitments, Violent Offenses, 1985-2017 (59,173)**



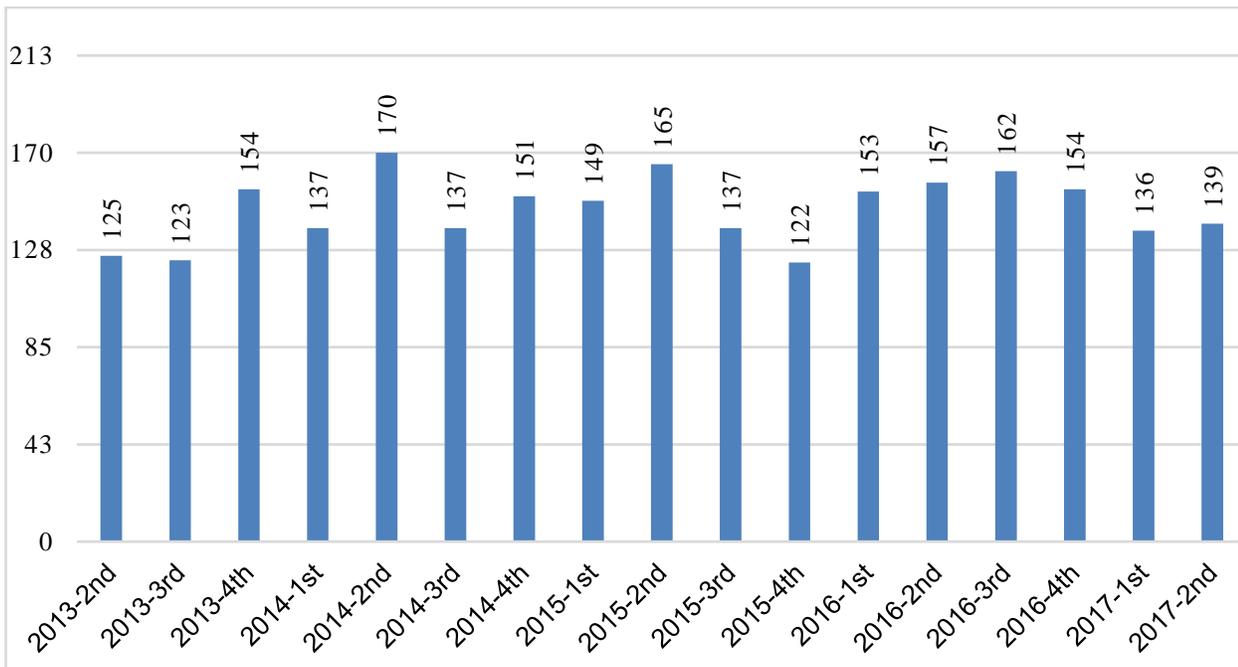
**Figure 62: Direct Court Commitments, Violent Offenses, 2013-2017 (12,442)**



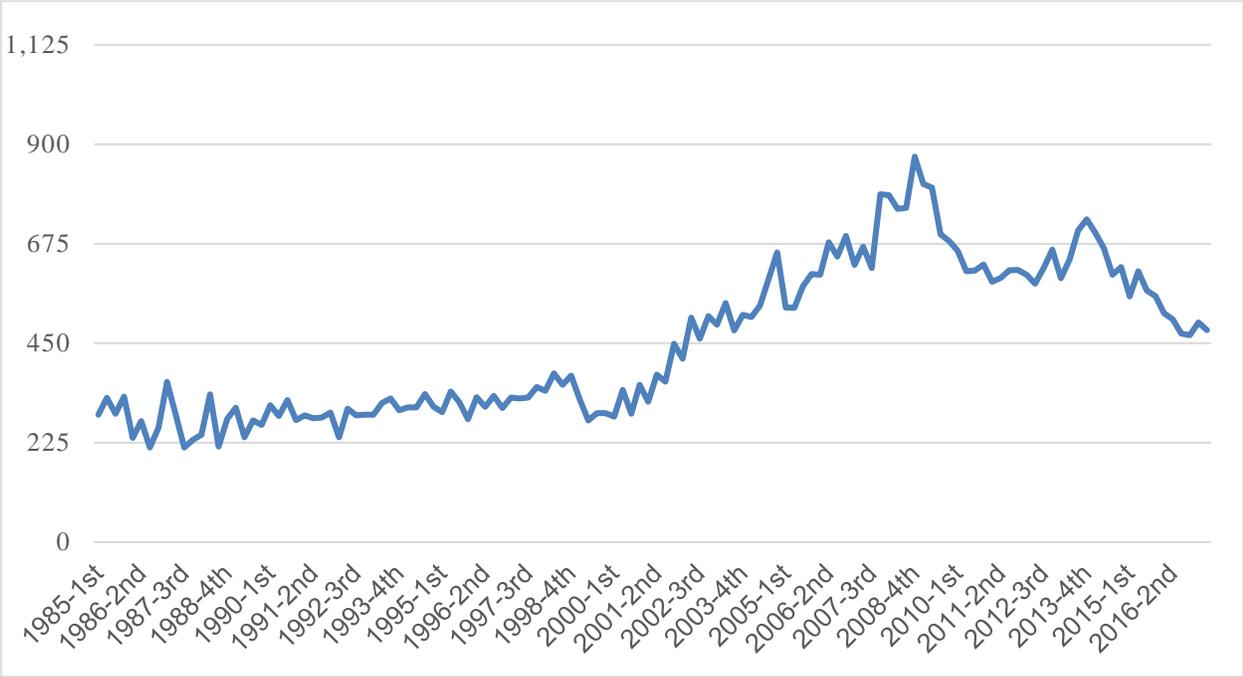
**Figure 63: Direct Court Commitments, Sex Offenses, 1985-2017 (12,161)**



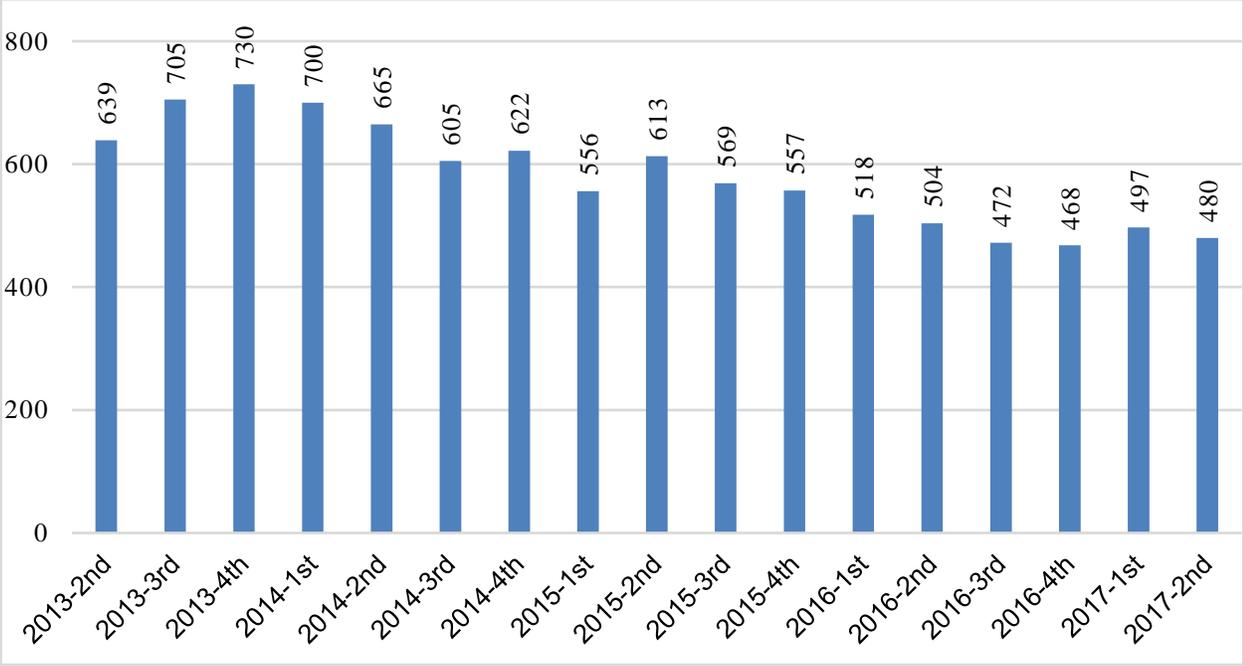
**Figure 64: Direct Court Commitments, Sex Offenses, 2013-2017 (2,471)**



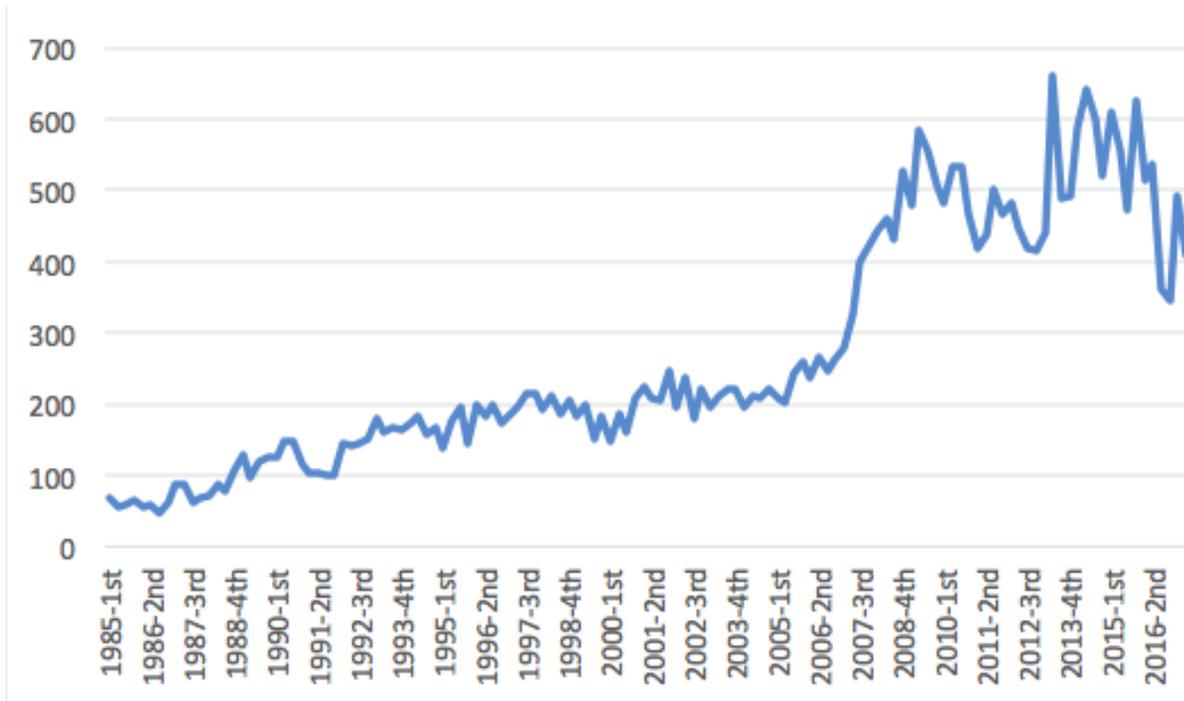
**Figure 65: Direct Court Commitments, Property Offenses, 1985-2017 (58,480)**



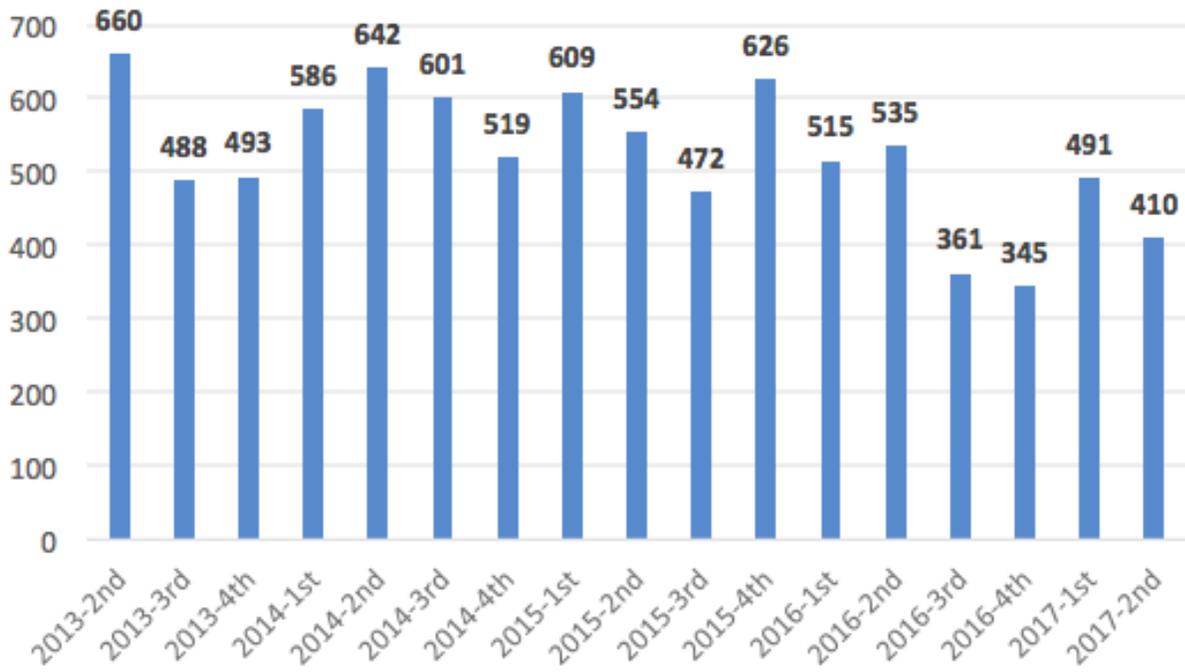
**Figure 66: Direct Court Commitments, Property Offenses, 2013-2017 (9,900)**



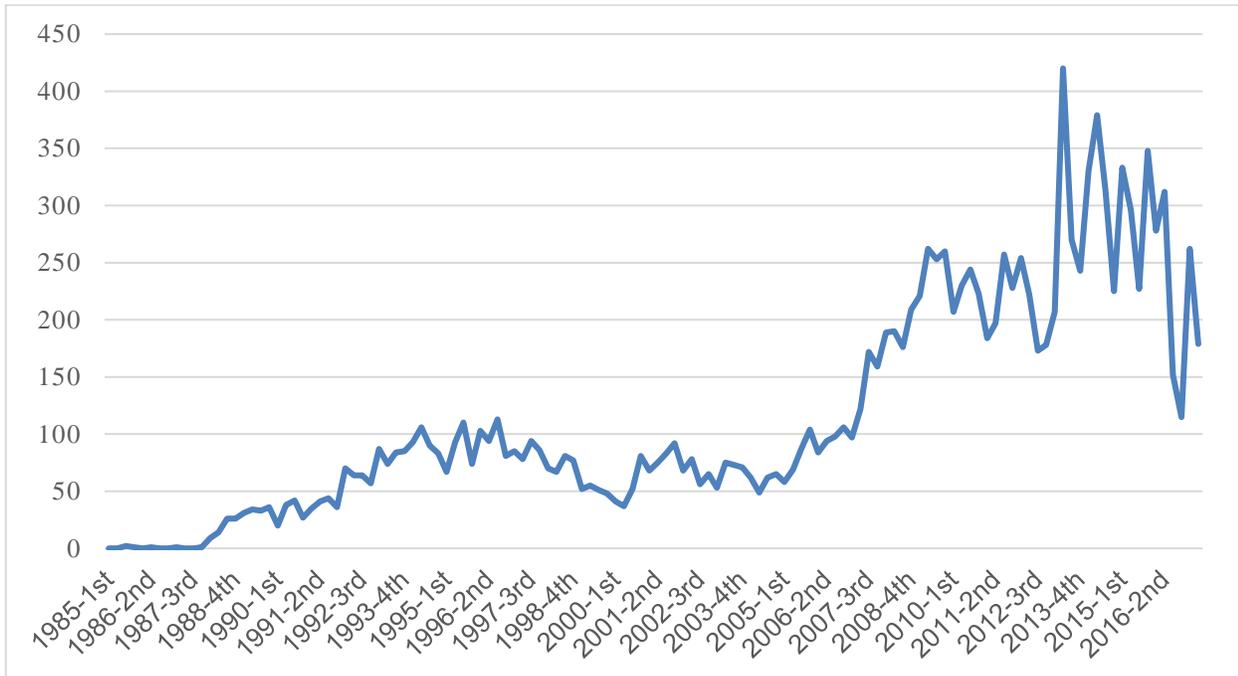
**Figure 67: Direct Court Commitments, Drug Trafficking, 1985-2017 (34,566)**



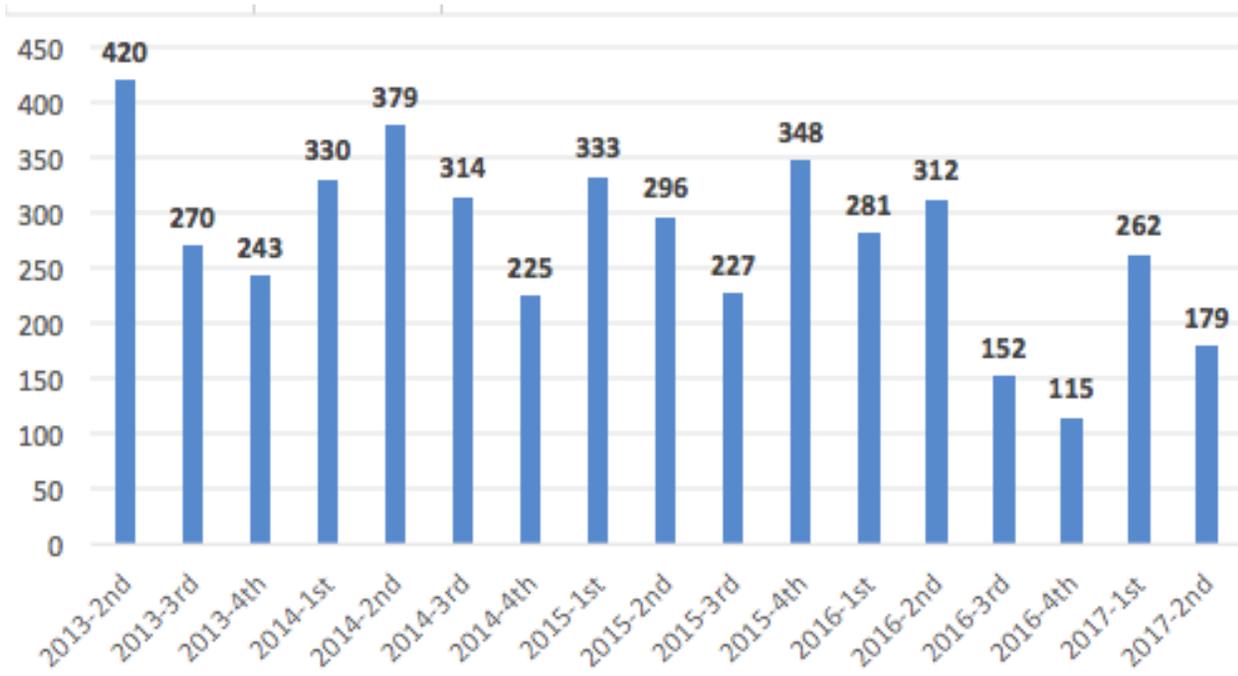
**Figure 68: Direct Court Commitments, Drug Trafficking, 2013-2017 (8,907)**



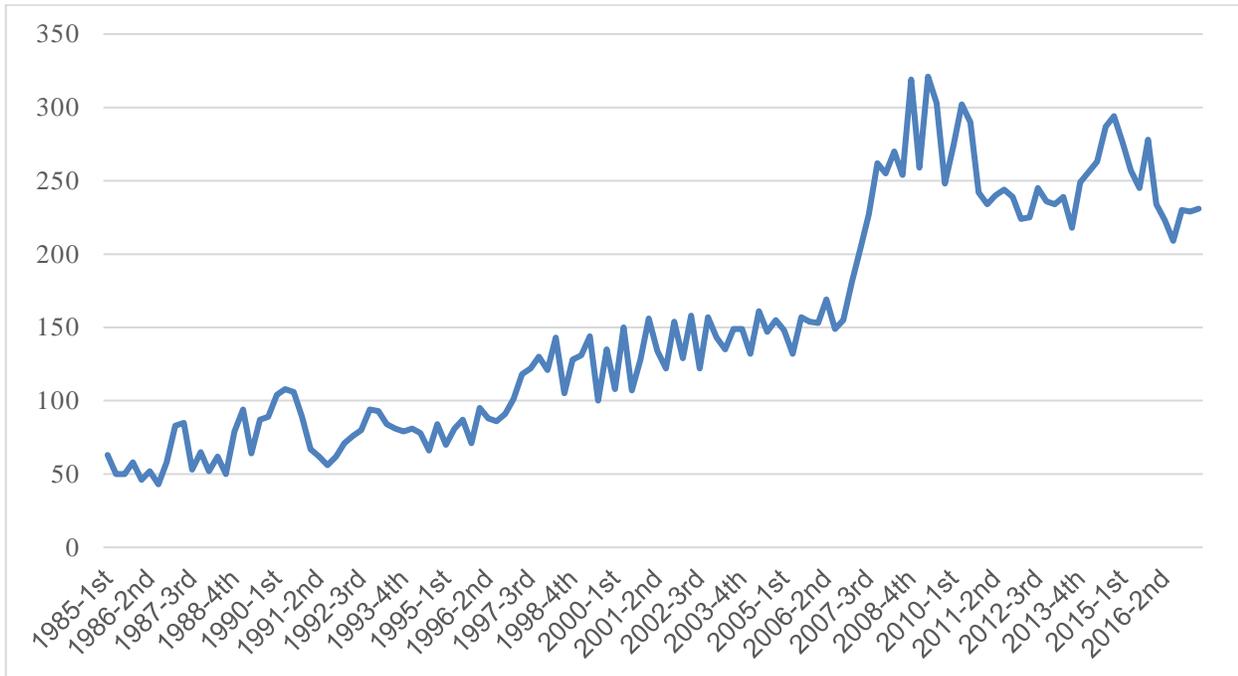
**Figure 69: Direct Court Commitments, Marijuana Trafficking, 1985-2017 (14,903)**



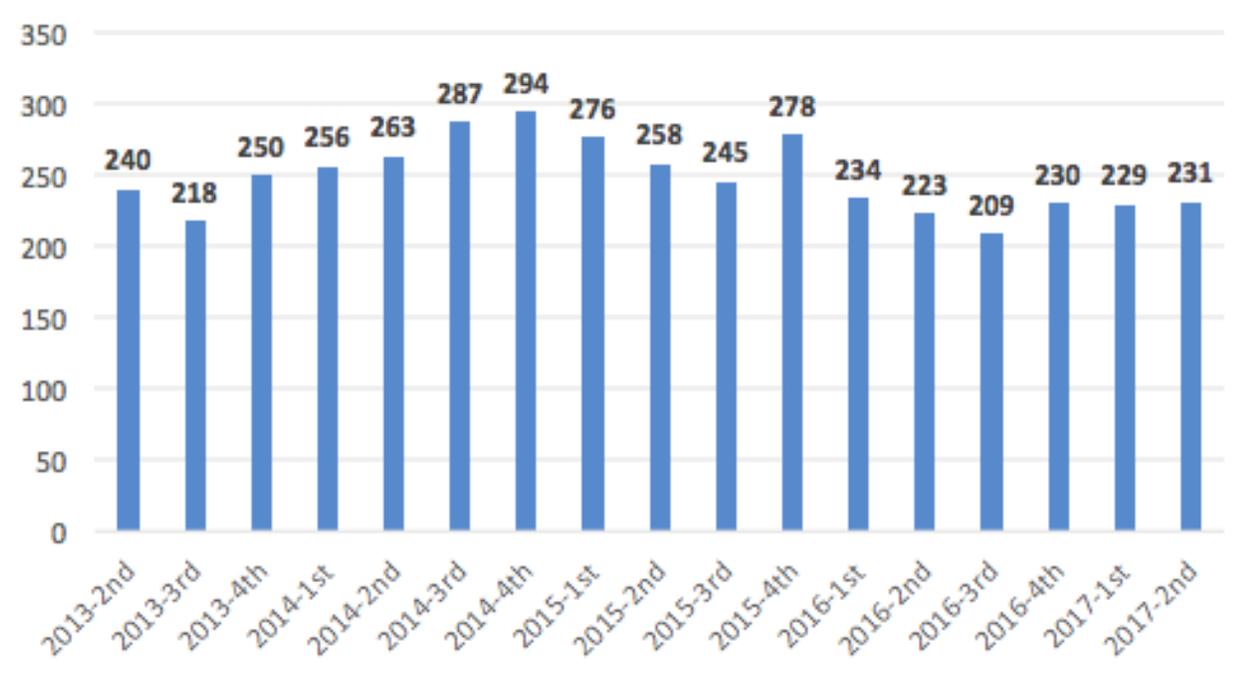
**Figure 70: Direct Court Commitments, Marijuana Trafficking, 2013-2017 (4,686)**



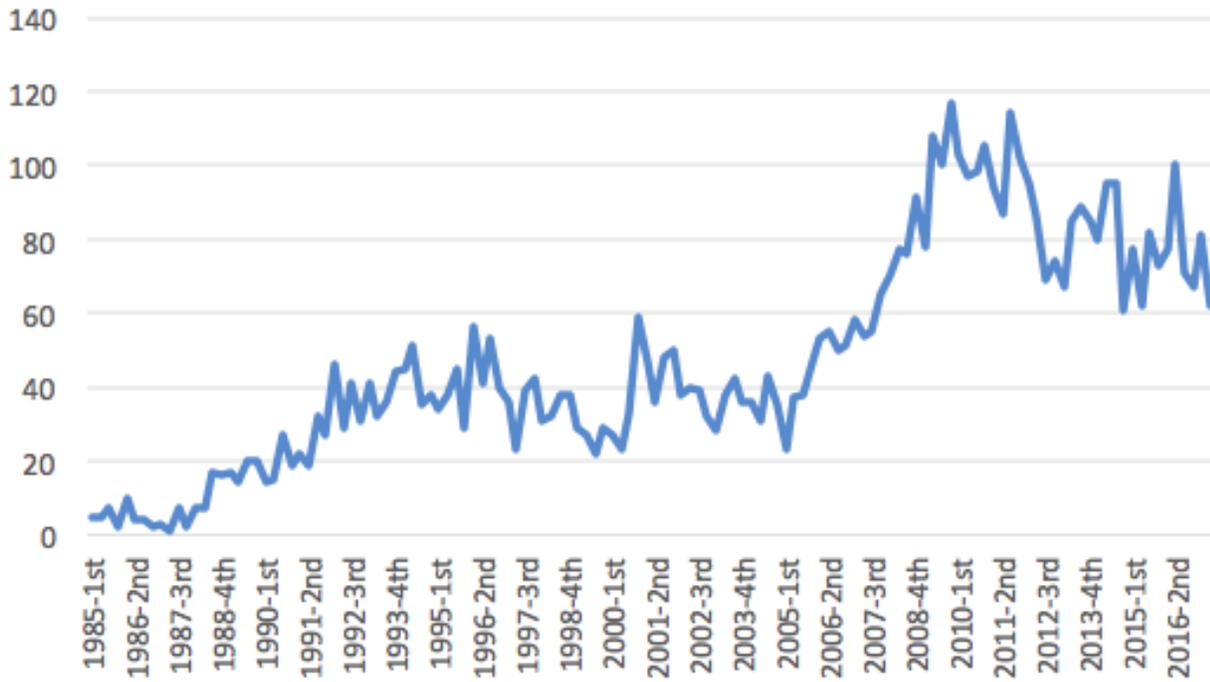
**Figure 71: Direct Court Commitments, Other Drug Trafficking, 1985-2017 (19,663)**



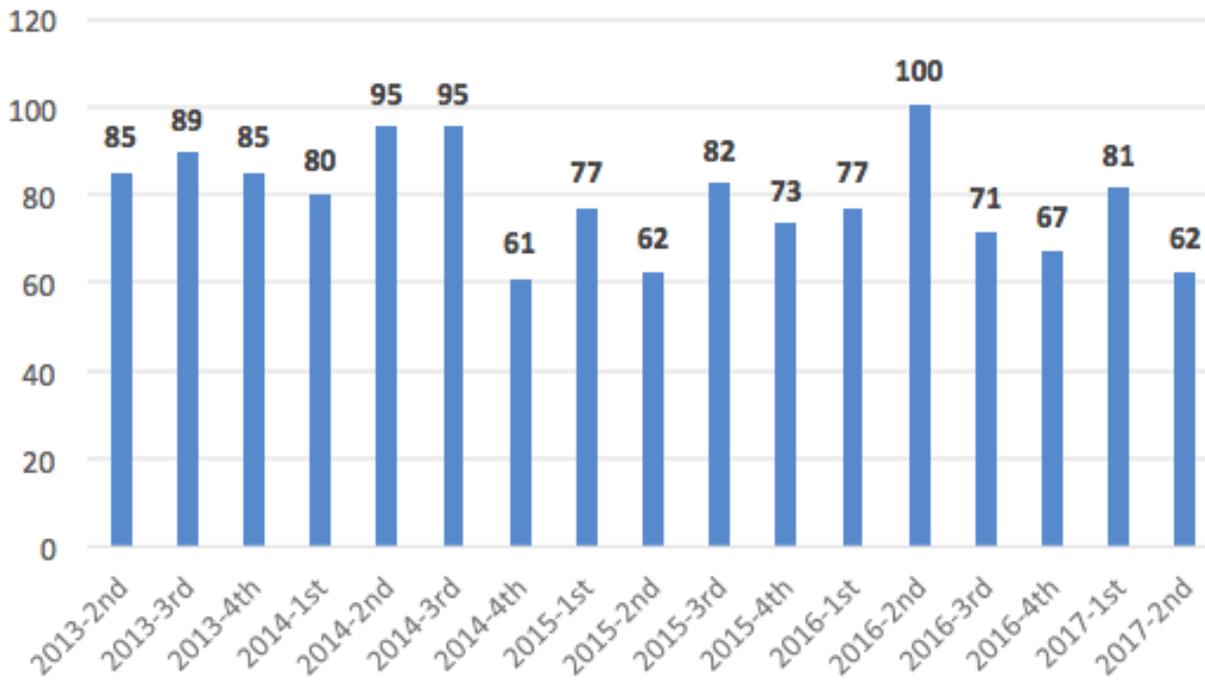
**Figure 72: Direct Court Commitments, Other Drug Trafficking, 2013-2017 (4,221)**



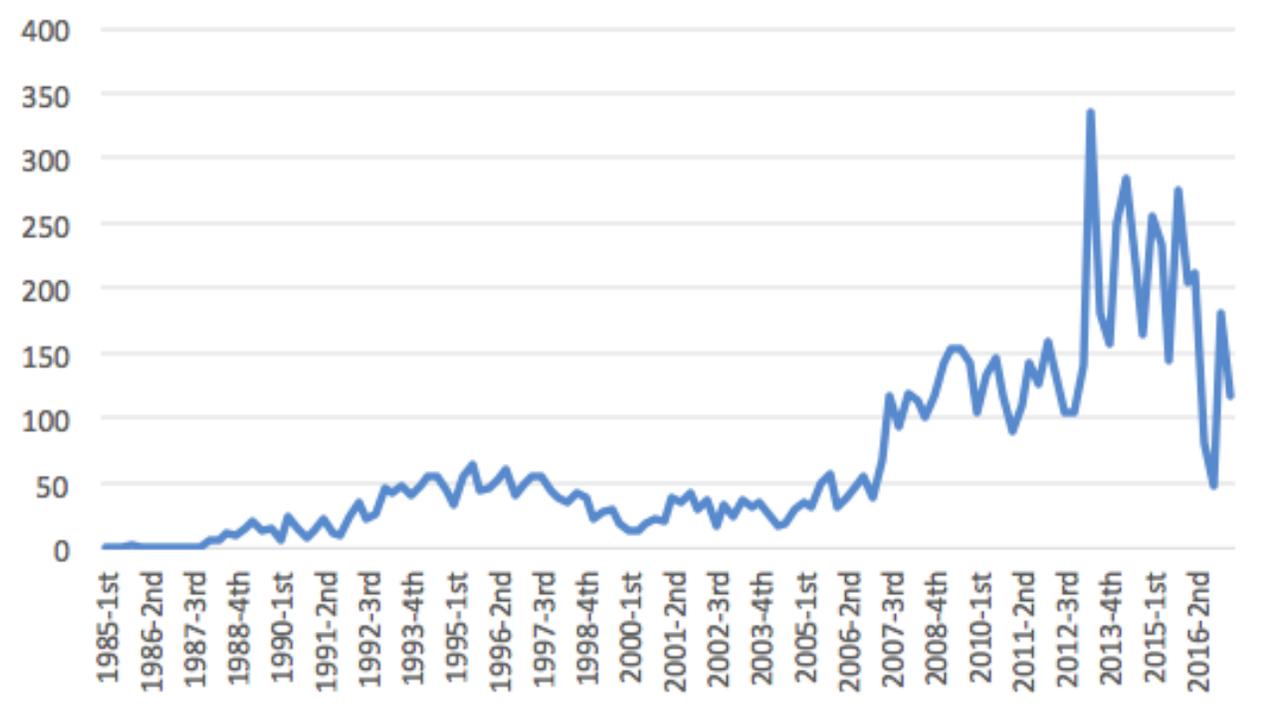
**Figure 73: Direct Court Commitments, Citizens, Marijuana Trafficking, 1985-2017 (6,133)**



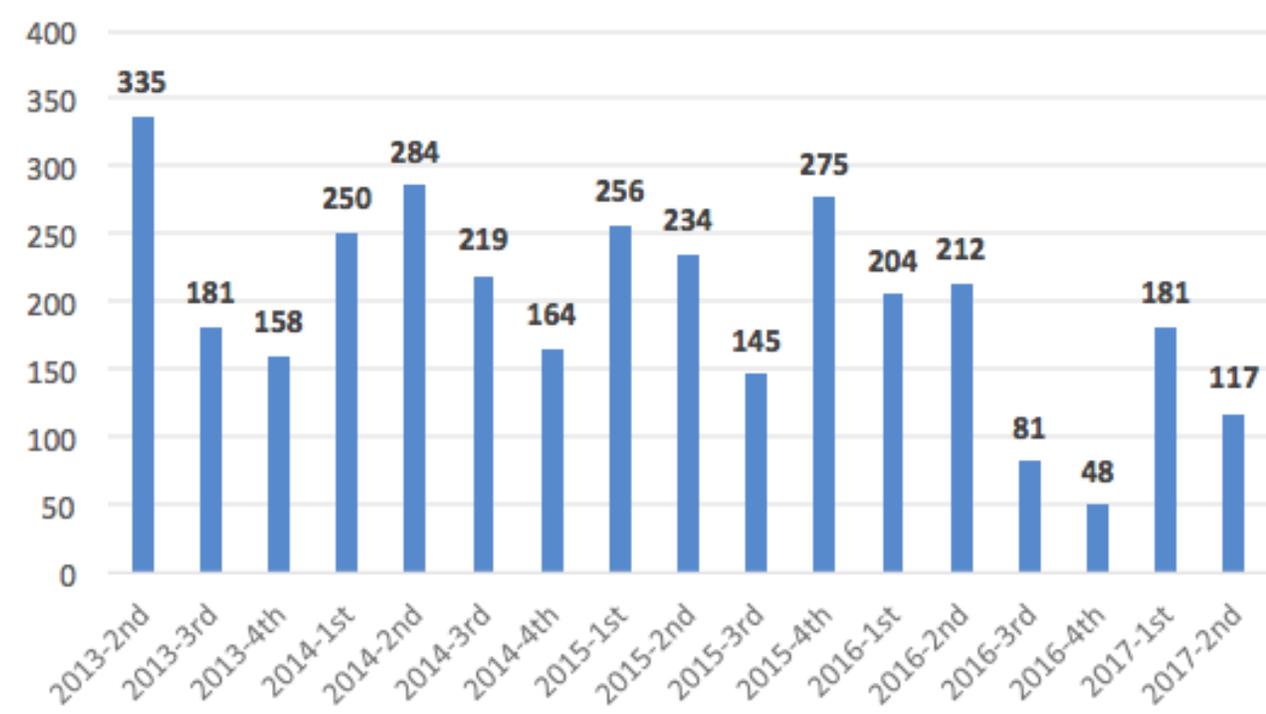
**Figure 74: Direct Court Commitments, Citizens, Marijuana Trafficking, 2013-2017 (1,342)**



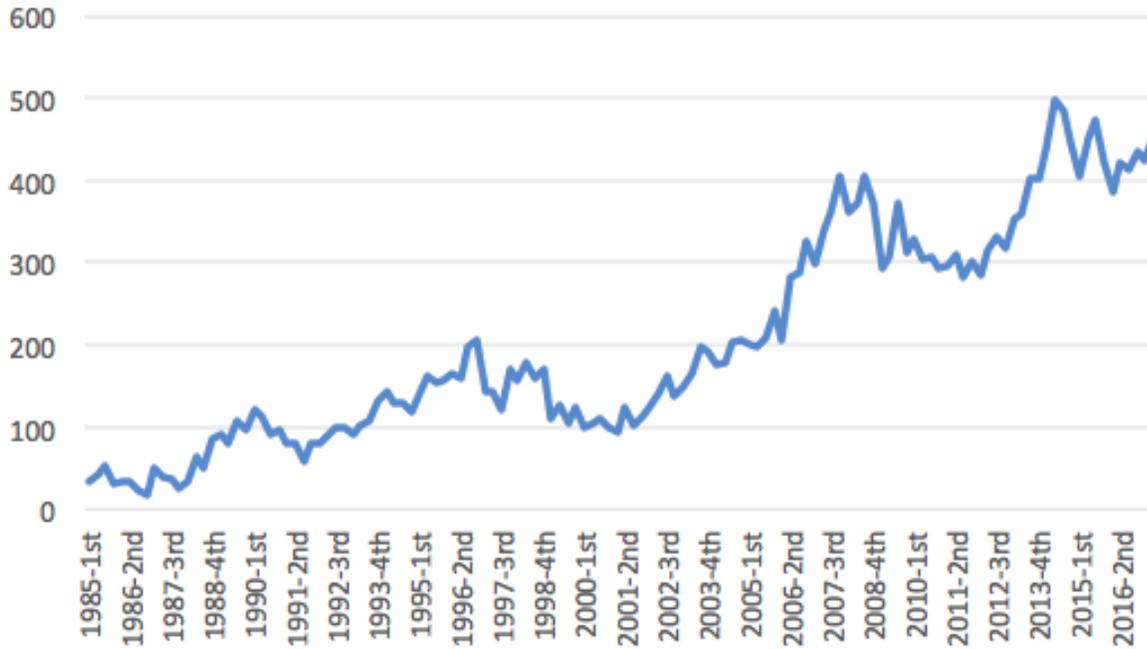
**Figure 75: Direct Court Commitments, Non-Citizens, Marijuana Trafficking 1985-2017 (8,770)**



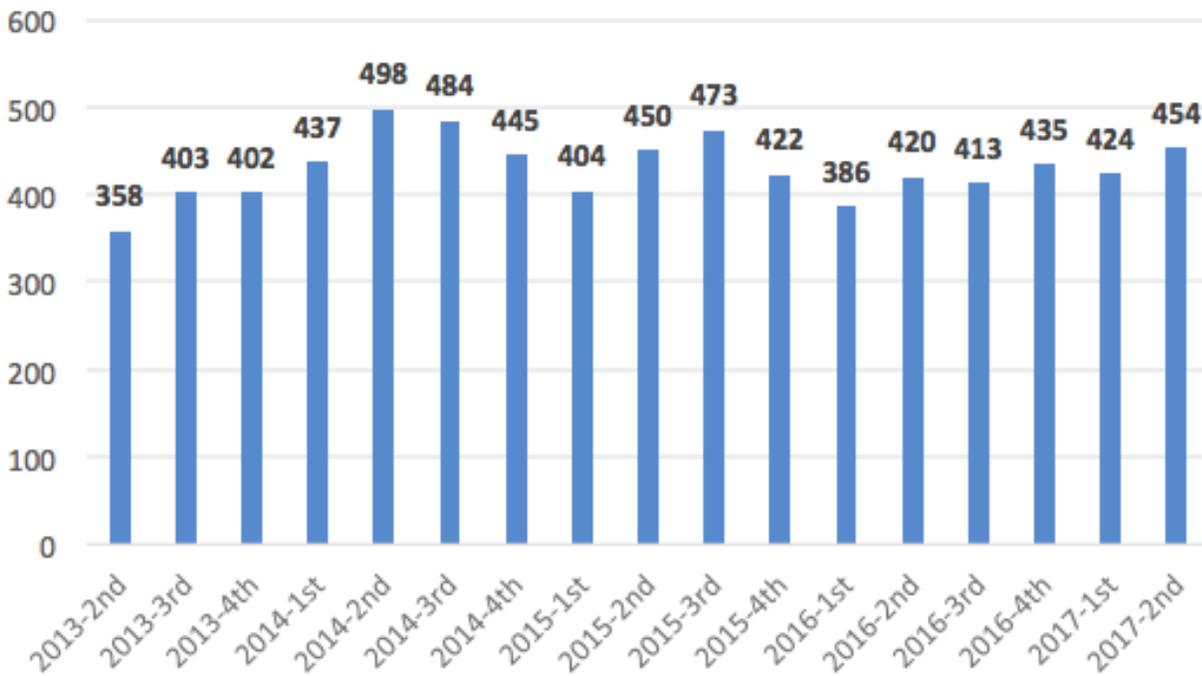
**Figure 76: Direct Court Commitments, Non-Citizens, Marijuana Trafficking 2013-2017 (3,344)**



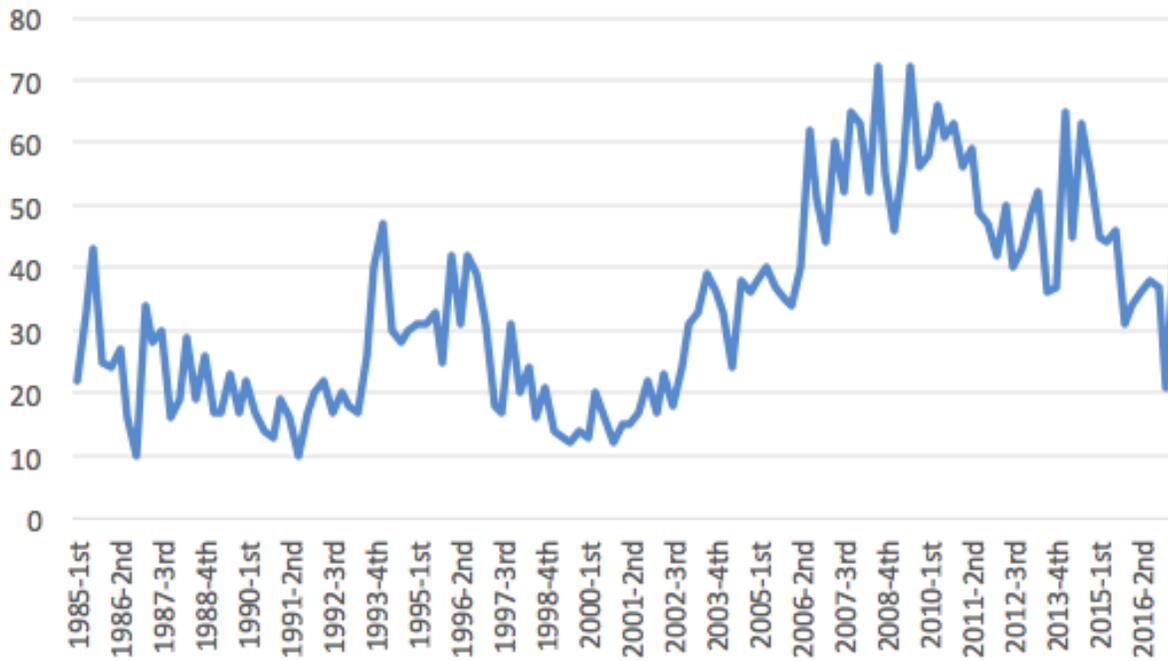
**Figure 77: Direct Court Commitments, Drug Possession, 1985-2017 (26,462)**



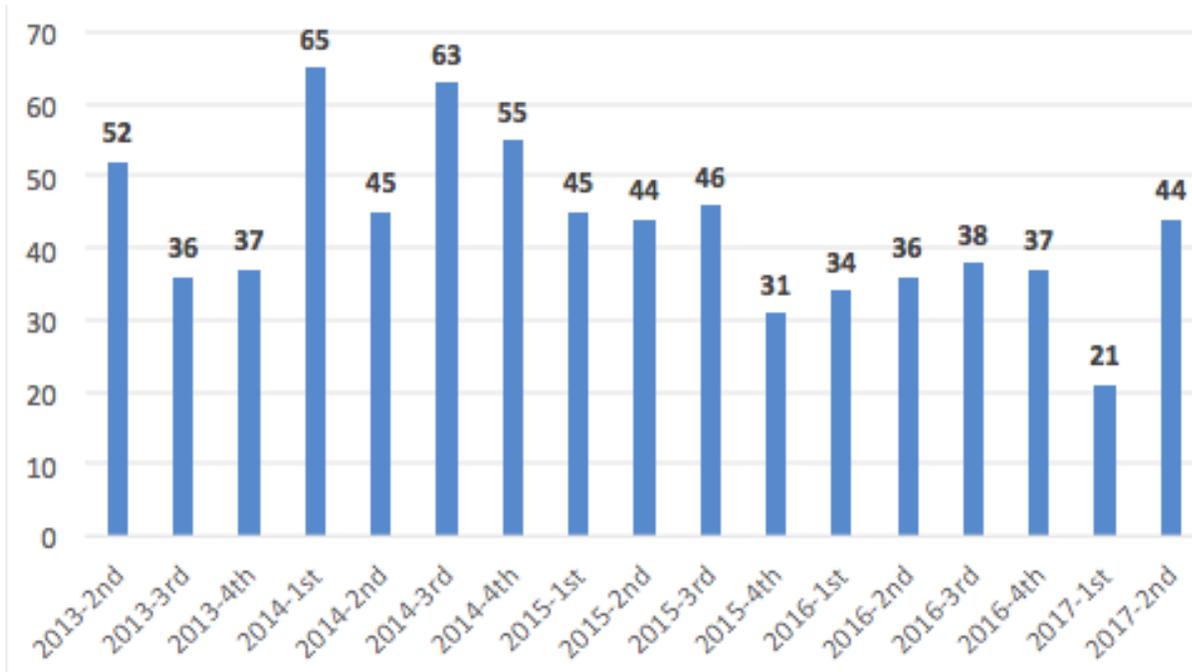
**Figure 78: Direct Court Commitments, Drug Possession, 2013-2017 (7,308)**



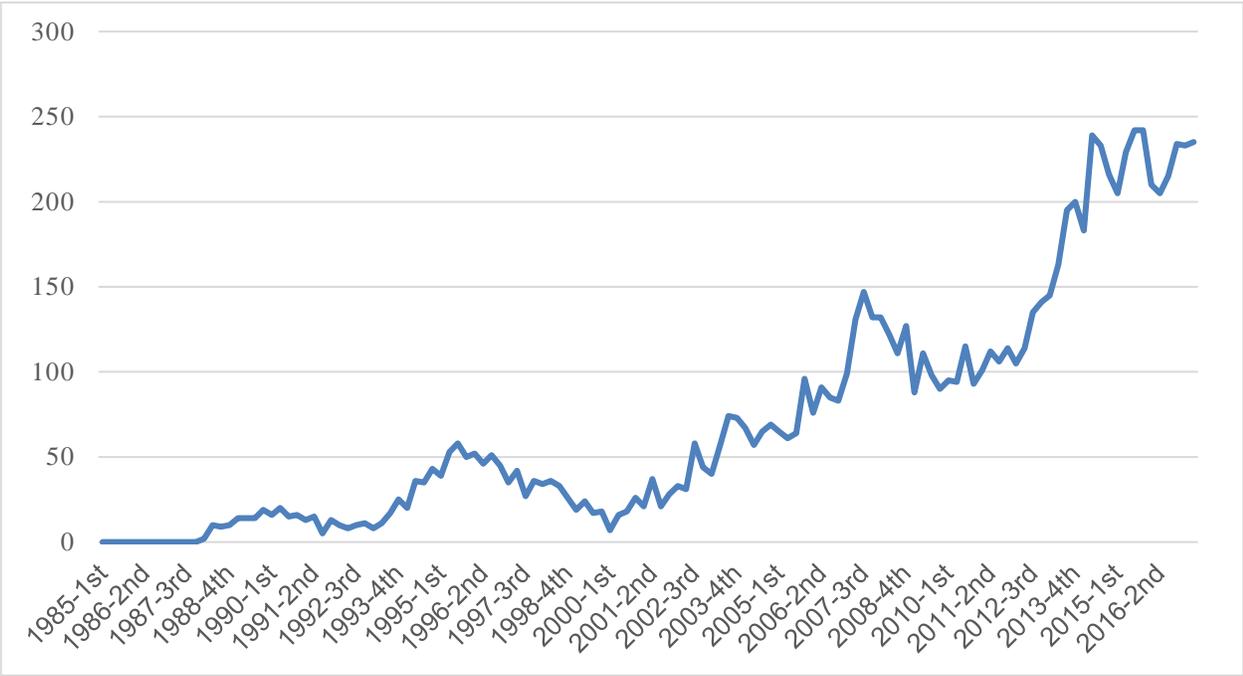
**Figure 79: Direct Court Commitments, Marijuana Possession, 1985-2017 (4,348)**



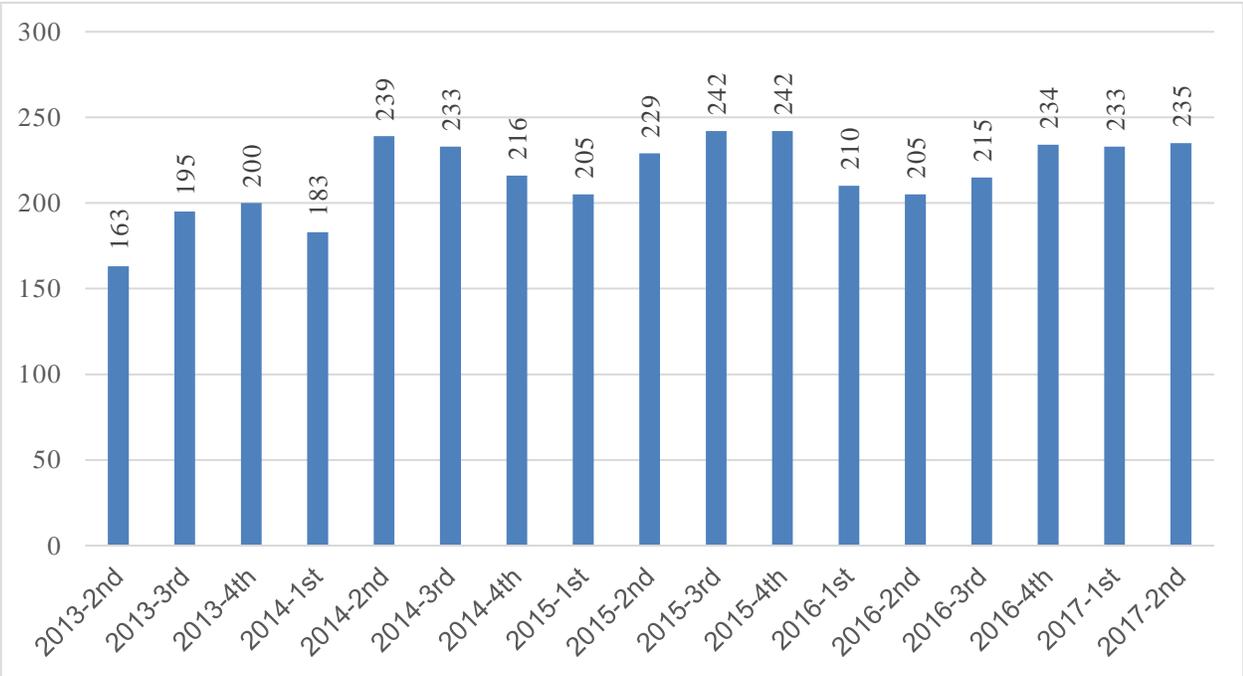
**Figure 80: Direct Court Commitments, Marijuana Possession, 2013-2017 (729)**



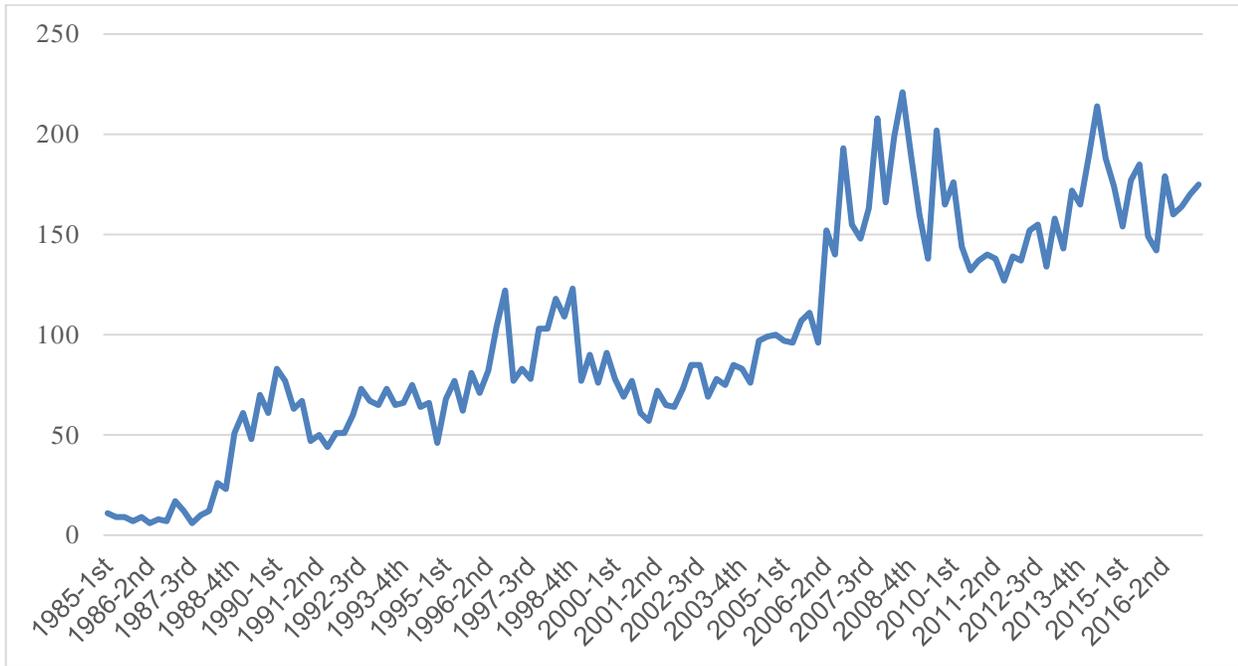
**Figure 81: Direct Court Commitments, Dangerous Drug Possession, 1985-2017 (9,180)**



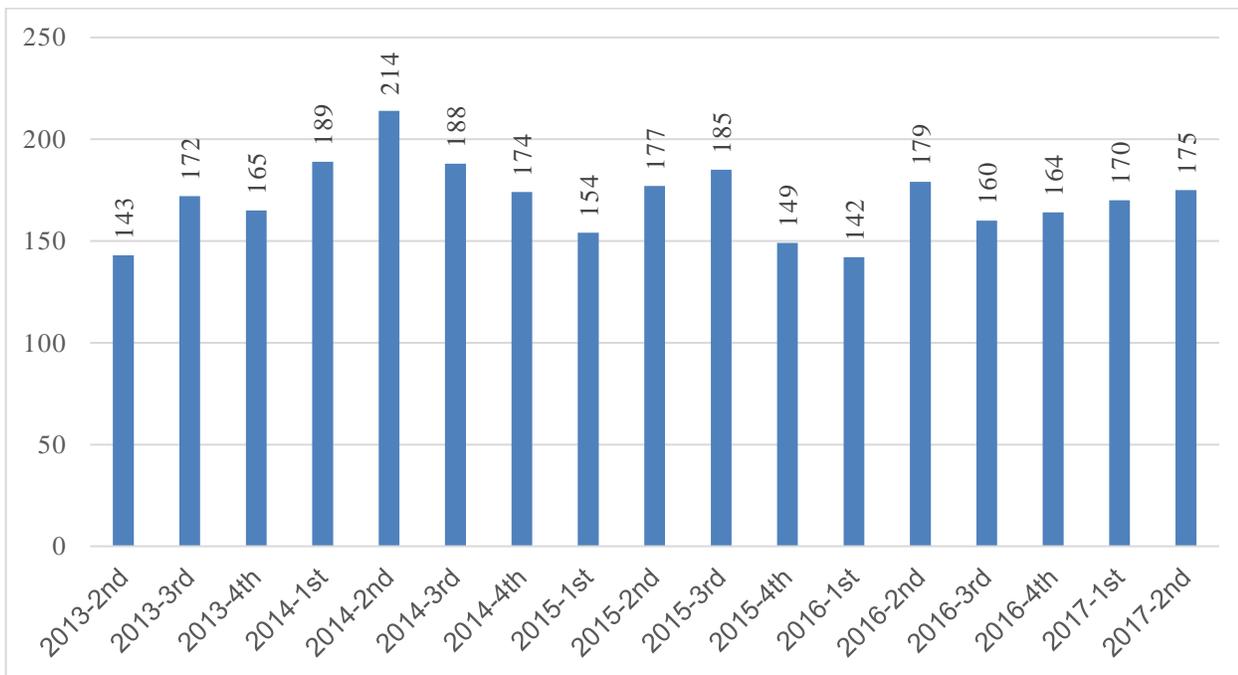
**Figure 82: Direct Court Commitments, Dangerous Drug Possession, 2013-2017 (3,679)**



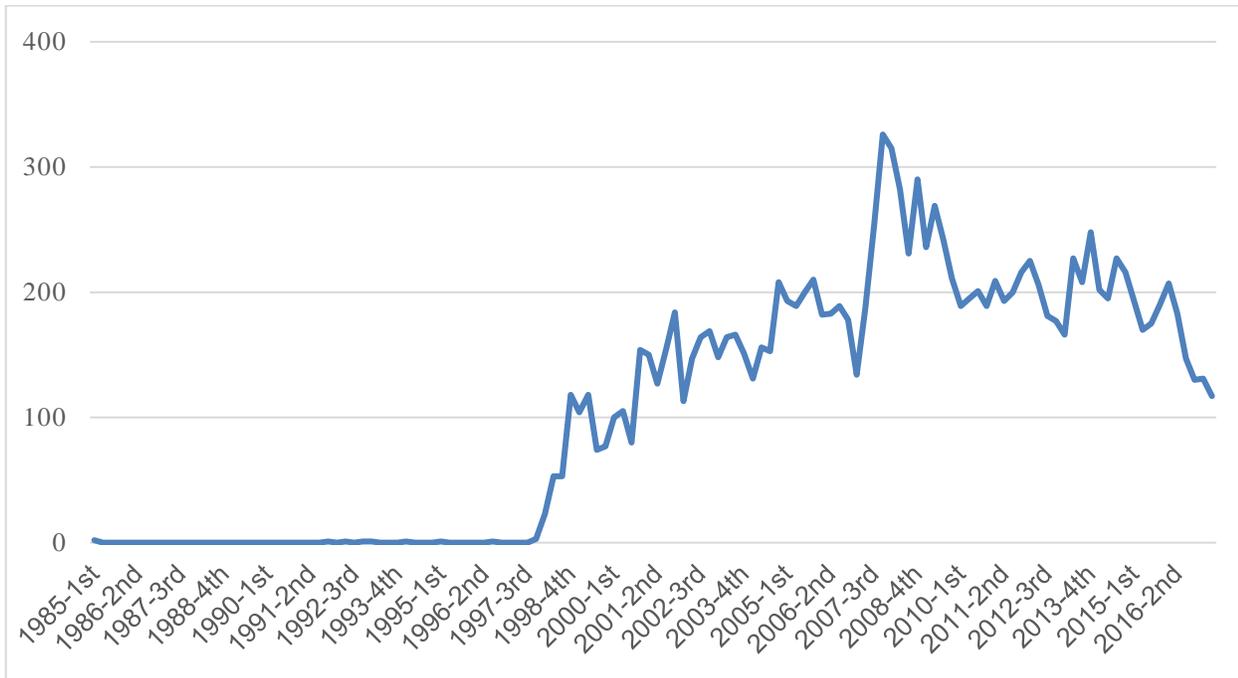
**Figure 83: Direct Court Commitments, Other Drug Possession, 1985-2013 (12,934)**



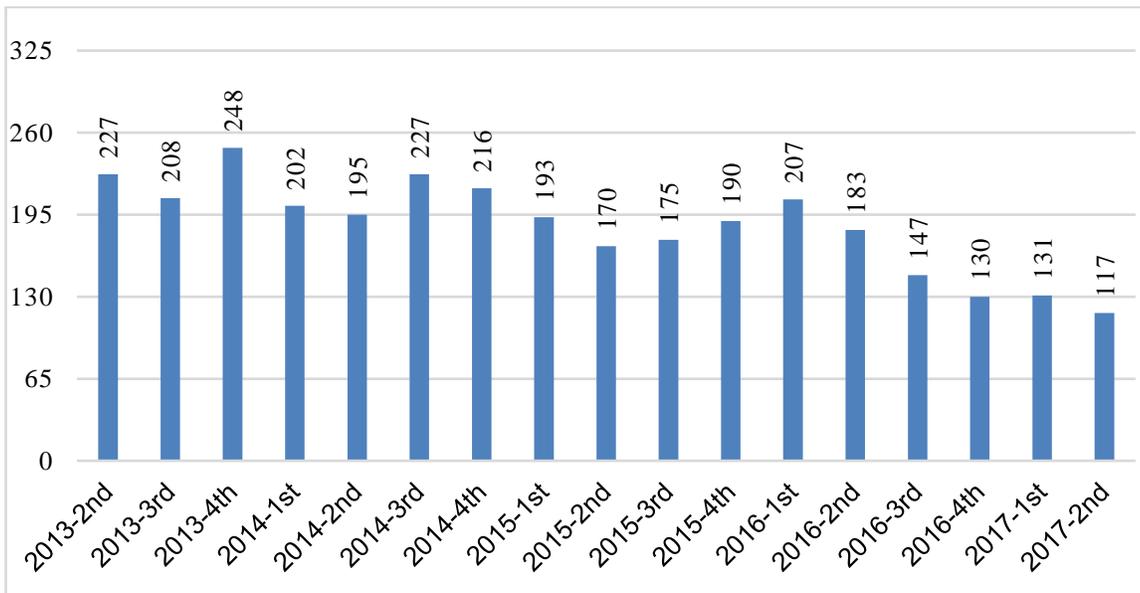
**Figure 84: Direct Court Commitments, Other Drug Possession, 2013-2017 (2,900)**



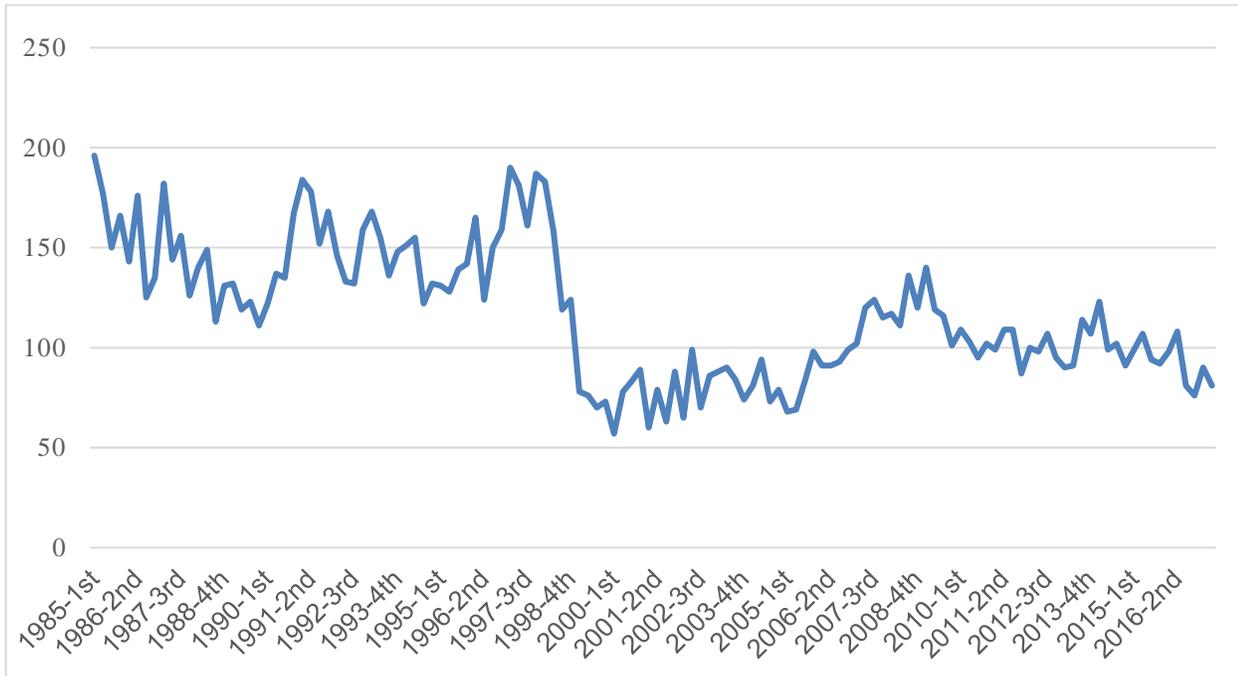
**Figure 85: Direct Court Commitments, DUI 1985-2017 (13,771)**  
 (DUI data was almost 0 from 1985 till 1997)



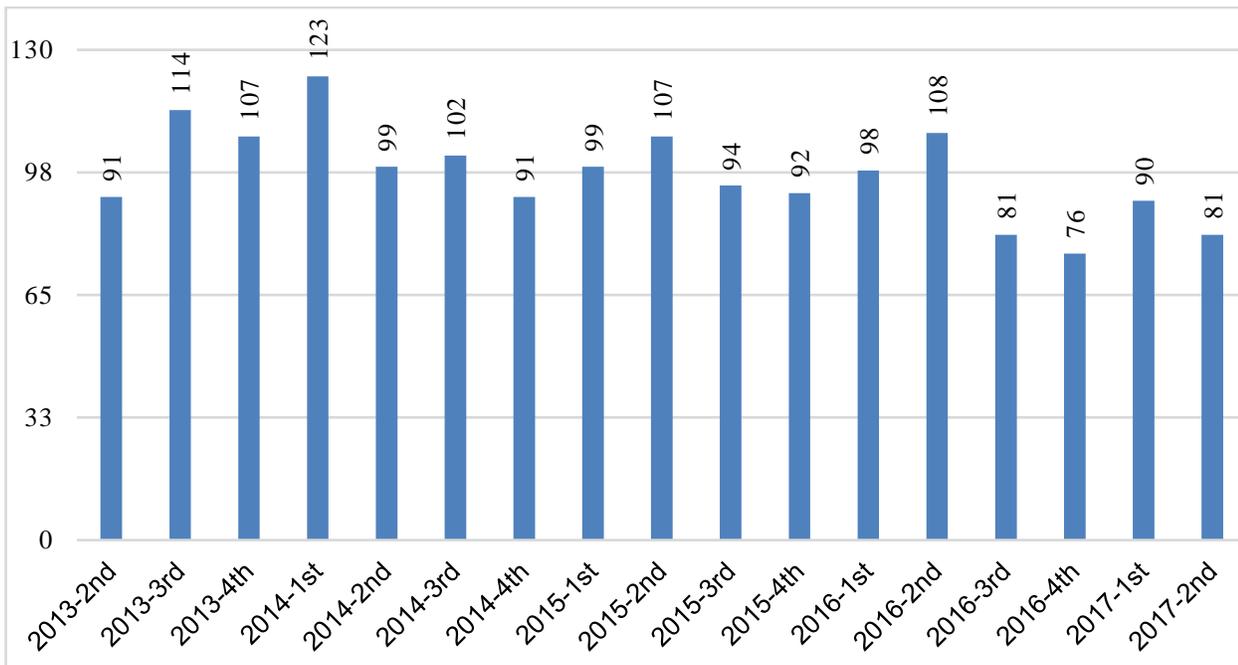
**Figure 86: Direct Court Commitments, DUI, 2013-2017 (3,166)**



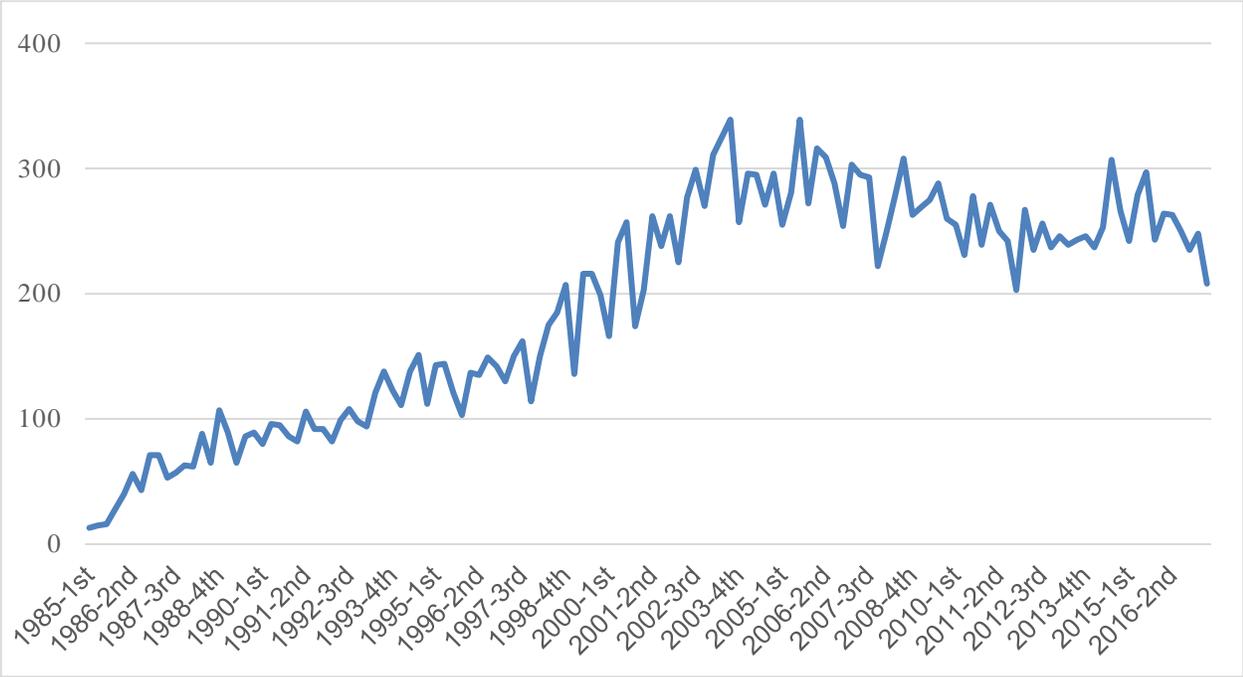
**Figure 87: Direct Court Commitments, Other Offenses 1985-2017 (15,261)**



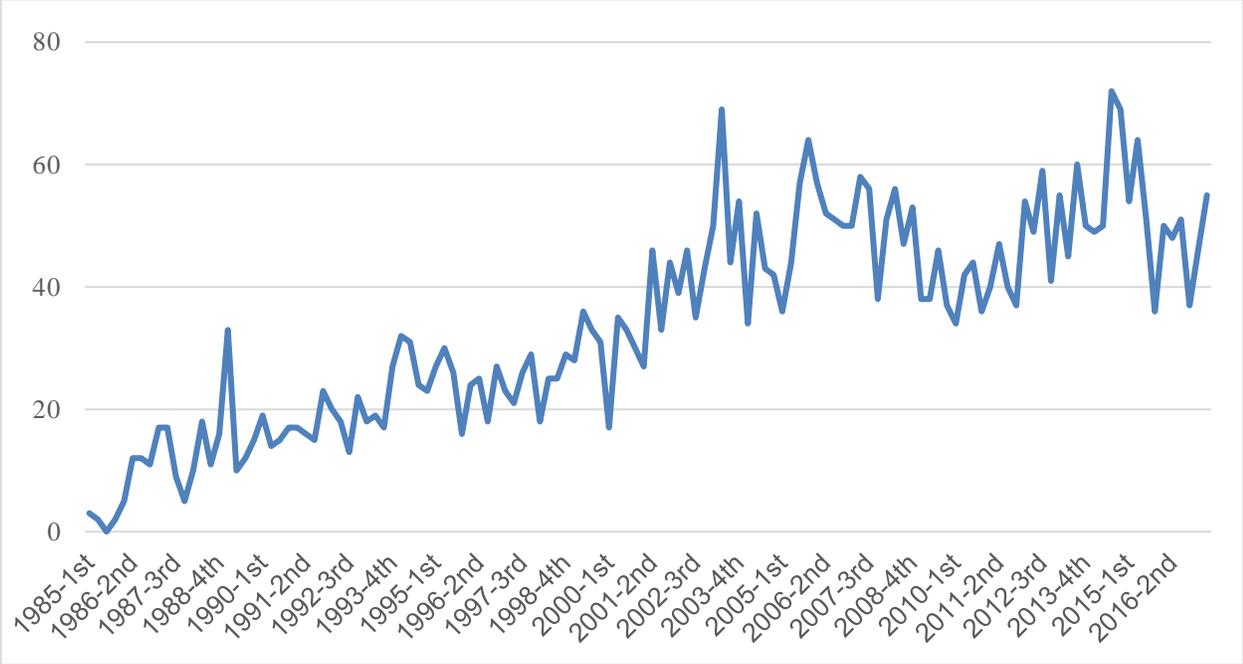
**Figure 88: Direct Court Commitments, Other Offenses 2013-2017 (1,653)**



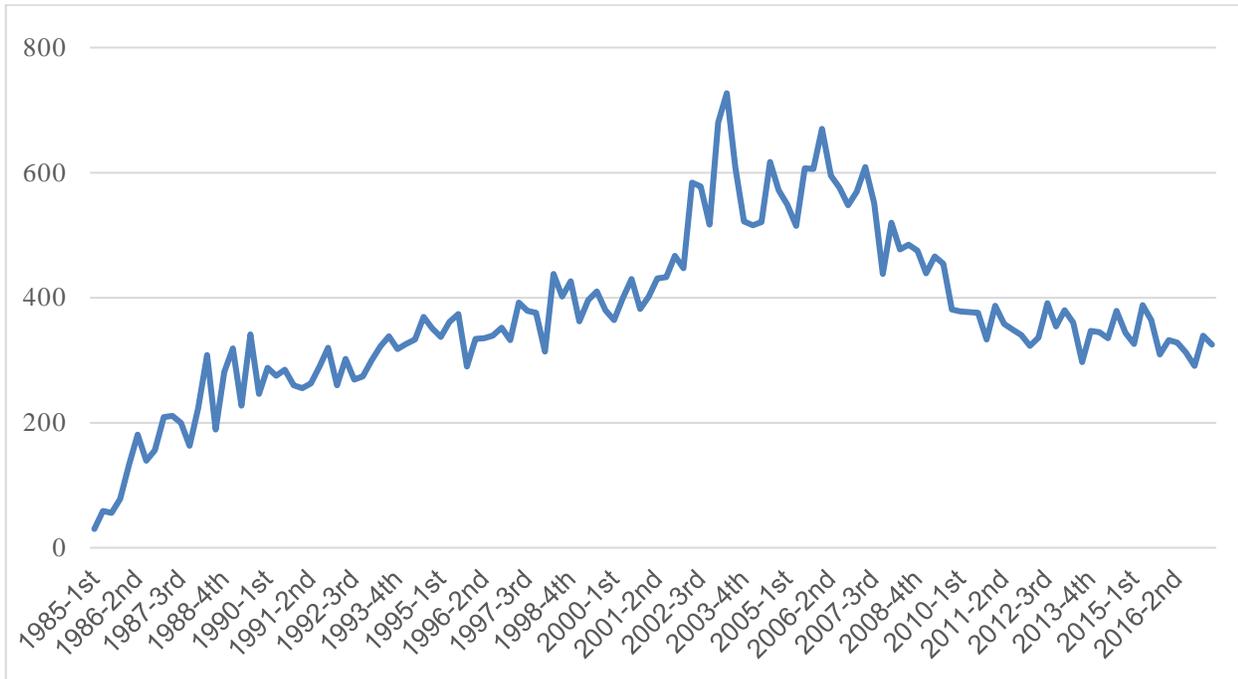
**Figure 89: Probation Violation Commitments, Violent Offenses 1985-2017 (24,806)**



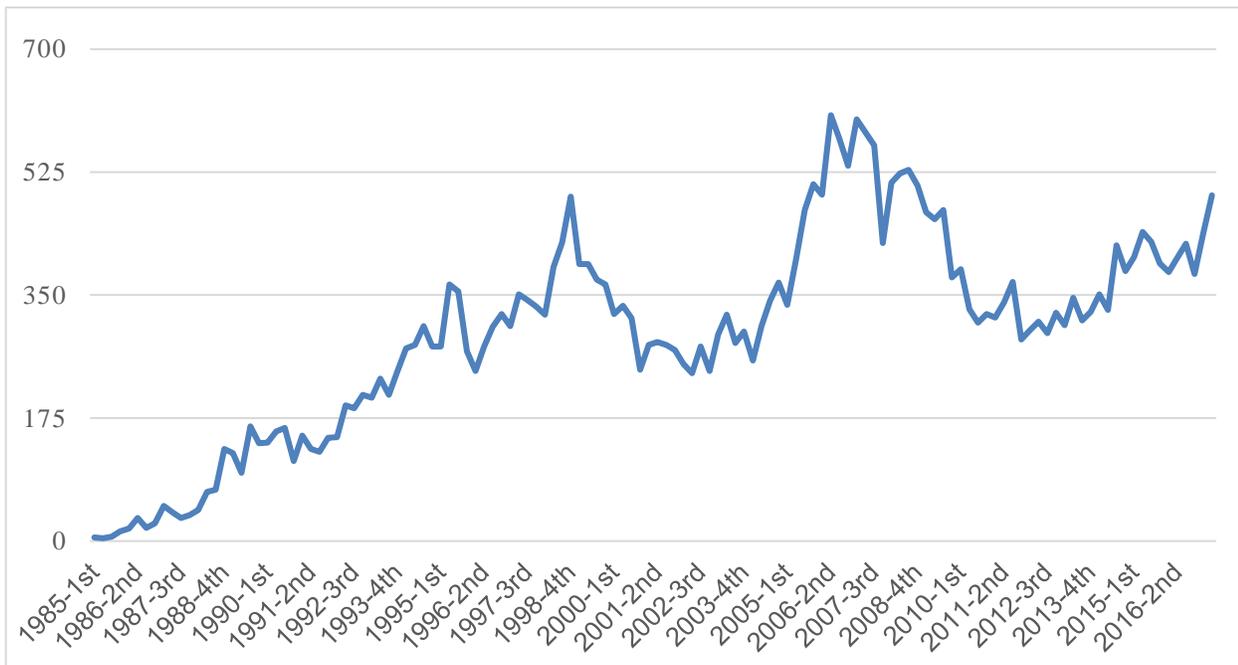
**Figure 90: Probation Violation Commitments, Sex Offenses 1985-2017 (4,397)**



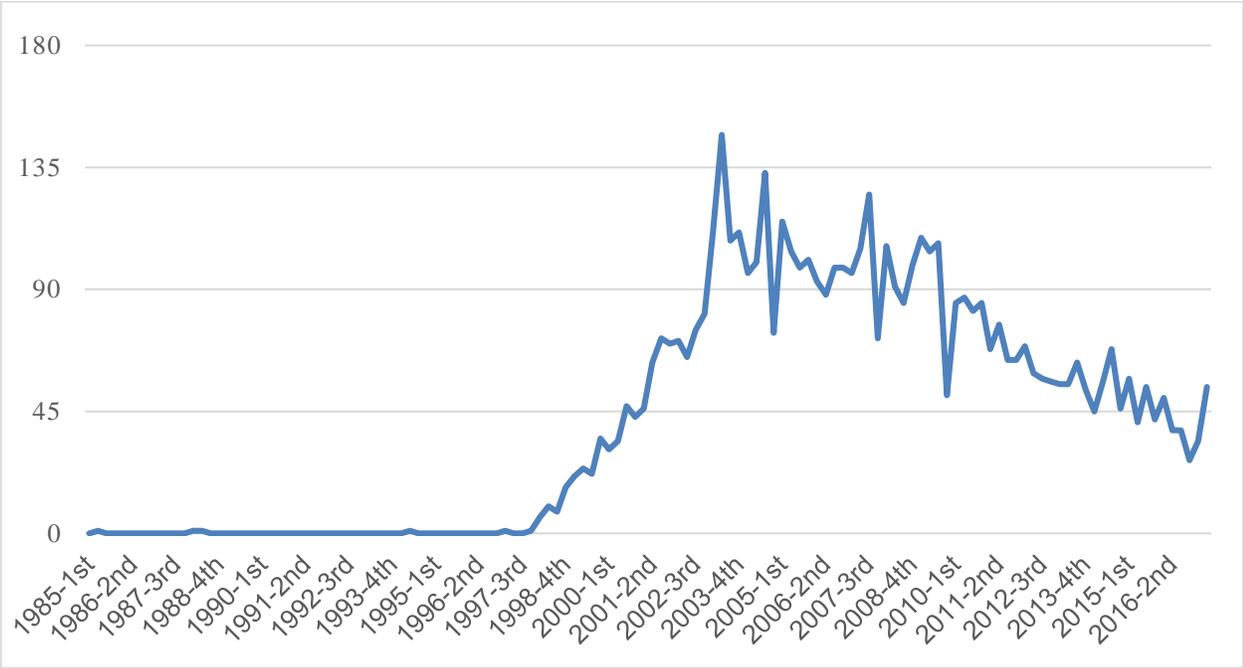
**Figure 91 Probation Violation Commitments, Property Offenses 1985-2017 (48,207)**



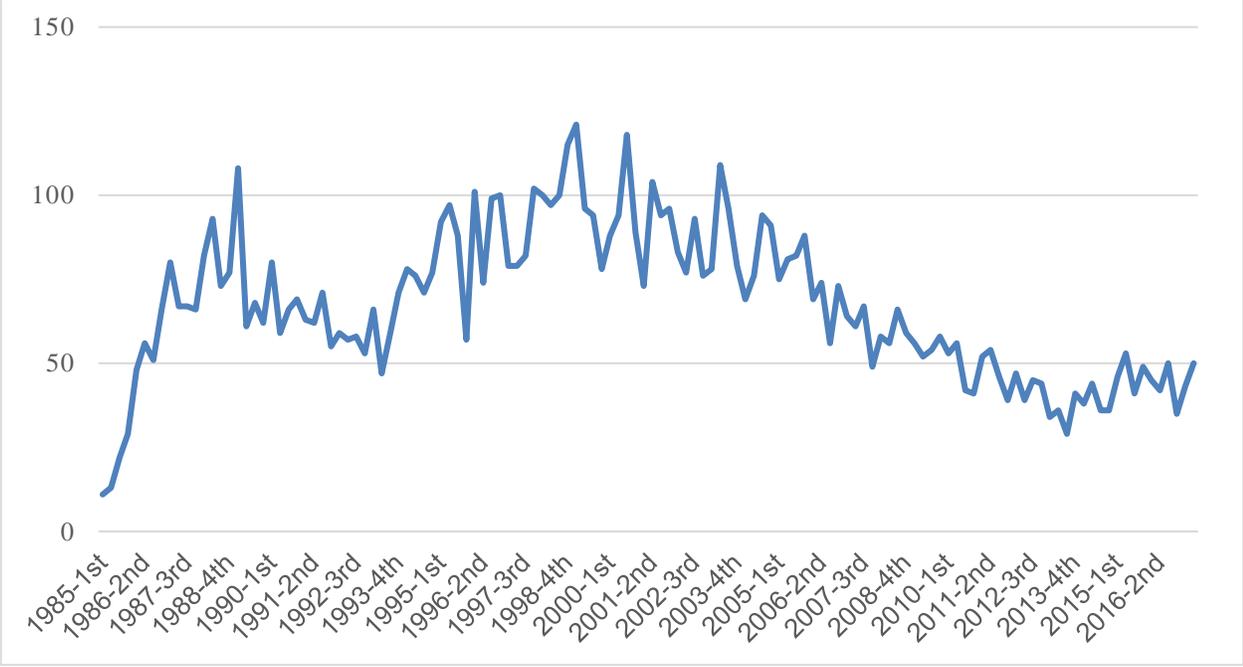
**Figure 92: Probation Violation Commitments, Drug Trafficking/Possession 1985-2017 (38,512)**



**Figure 93: Probation Violation Commitments, DUI 1985-2017 (5,402) (DUI data was almost 0 from 1985 till 1997)**



**Figure 94: Probation Violation Commitments, Other Offenses 1985-2017 (8,729)**



**Table 10: Admissions by Category, 1985-2017**

<b>Quarter</b>	<b>Direct Court Commitment</b>	<b>Probation Violator</b>	<b>Condition of Probation</b>	<b>ADC Release Violator</b>	<b>Other Admission</b>	<b>Grand Total</b>
1985-1st	750	62	10	91	24	937
1985-2nd	816	94	58	141	15	1,124
1985-3rd	754	100	83	131	34	1,102
1985-4th	796	151	56	116	19	1,138
1986-1st	660	244	74	139	23	1,140
1986-2nd	738	338	82	221	21	1,400
1986-3rd	541	264	93	176	17	1,091
1986-4th	682	329	163	193	12	1,379
1987-1st	902	427	173	178	19	1,699
1987-2nd	765	389	163	182	17	1,516
1987-3rd	650	366	126	188	12	1,342
1987-4th	621	334	151	164	11	1,281
1988-1st	720	422	186	195	11	1,534
1988-2nd	878	578	128	201	14	1,799
1988-3rd	602	411	104	199	15	1,331
1988-4th	828	612	112	193	21	1,766
1989-1st	932	674	105	222	16	1,949
1989-2nd	727	460	94	249	9	1,539
1989-3rd	857	670	101	236	13	1,877
1989-4th	846	551	122	224	8	1,751
1990-1st	930	607	109	248	15	1,909
1990-2nd	914	600	110	267	11	1,902
1990-3rd	939	622	127	267	12	1,967
1990-4th	932	546	118	253	7	1,856
1991-1st	932	567	135	281	9	1,924
1991-2nd	914	578	164	292	17	1,965
1991-3rd	837	595	134	279	11	1,856
1991-4th	918	637	199	255	10	2,019
1992-1st	861	569	230	225	15	1,900
1992-2nd	976	669	226	312	13	2,196
1992-3rd	978	637	171	315	18	2,119
1992-4th	1,014	655	205	287	9	2,170
1993-1st	1,008	682	239	295	13	2,237
1993-2nd	1,047	740	231	330	13	2,361
1993-3rd	1,067	760	215	358	11	2,411
1993-4th	1,102	781	212	306	19	2,420
1994-1st	1,131	821	269	450	15	2,686
1994-2nd	1,134	858	245	449	14	2,700
1994-3rd	1,090	921	218	491	19	2,739
1994-4th	1,107	840	208	459	17	2,631
1995-1st	1,041	876	273	518	11	2,719
1995-2nd	1,255	997	242	487	10	2,991
1995-3rd	1,124	964	222	522	21	2,853
1995-4th	1,097	736	222	474	16	2,545
1996-1st	1,281	838	285	580	20	3,004
1996-2nd	1,182	846	287	568	27	2,910
1996-3rd	1,253	910	305	588	19	3,075
1996-4th	1,250	944	290	505	17	3,006
1997-1st	1,263	871	300	544	12	2,990

<b>Quarter</b>	<b>Direct Court Commitment</b>	<b>Probation Violator</b>	<b>Condition of Probation</b>	<b>ADC Release</b>	<b>Other Admission</b>	<b>Grand Total</b>
1997-2nd	1,321	993	354	597	11	3,276
1997-3rd	1,314	992	325	609	16	3,256
1997-4th	1,470	956	306	593	19	3,344
1998-1st	1,402	910	363	728	21	3,424
1998-2nd	1,502	1,135	366	764	18	3,785
1998-3rd	1,325	1,145	347	774	12	3,603
1998-4th	1,554	1,284	310	642	21	3,811
1999-1st	1,279	1,062	353	722	61	3,477
1999-2nd	1,296	1,162	297	776	37	3,568
1999-3rd	1,104	1,147	327	770	28	3,376
1999-4th	1,207	1,088	216	735	32	3,278
2000-1st	1,095	989	279	848	29	3,240
2000-2nd	1,266	1,139	277	898	29	3,609
2000-3rd	1,206	1,202	263	895	27	3,593
2000-4th	1,415	962	265	761	20	3,423
2001-1st	1,312	1,030	298	769	24	3,433
2001-2nd	1,475	1,189	307	861	28	3,860
2001-3rd	1,352	1,149	297	766	23	3,587
2001-4th	1,674	1,211	303	756	21	3,965
2002-1st	1,427	1,117	316	819	32	3,711
2002-2nd	1,723	1,288	364	834	27	4,236
2002-3rd	1,555	1,357	346	876	19	4,153
2002-4th	1,757	1,229	336	842	31	4,195
2003-1st	1,650	1,525	306	911	29	4,421
2003-2nd	1,778	1,699	327	863	27	4,694
2003-3rd	1,686	1,477	301	774	30	4,268
2003-4th	1,731	1,321	306	703	20	4,081
2004-1st	1,650	1,268	338	753	31	4,040
2004-2nd	1,785	1,350	322	740	27	4,224
2004-3rd	1,831	1,500	373	794	25	4,523
2004-4th	2,045	1,443	269	720	17	4,494
2005-1st	1,757	1,366	277	742	20	4,162
2005-2nd	1,788	1,427	280	778	22	4,295
2005-3rd	1,865	1,654	341	828	16	4,704
2005-4th	2,137	1,639	299	914	24	5,013
2006-1st	1,976	1,698	368	917	27	4,986
2006-2nd	2,342	1,724	357	936	21	5,380
2006-3rd	2,181	1,641	374	979	19	5,194
2006-4th	2,393	1,557	310	907	15	5,182
2007-1st	2,192	1,682	300	947	21	5,142
2007-2nd	2,401	1,710	305	990	18	5,424
2007-3rd	2,518	1,655	331	879	18	5,401
2007-4th	2,960	1,243	250	653	5	5,111
2008-1st	2,857	1,494	271	720	21	5,363
2008-2nd	2,862	1,481	314	862	24	5,543
2008-3rd	2,820	1,519	369	869	37	5,614
2008-4th	3,013	1,455	247	761	32	5,508
2009-1st	2,845	1,379	344	848	65	5,481
2009-2nd	3,075	1,393	339	857	66	5,730

<b>Quarter</b>	<b>Direct Court Commitment</b>	<b>Probation Violator</b>	<b>Condition of Probation</b>	<b>ADC Release Violator</b>	<b>Other Admission</b>	<b>Grand Total</b>
2009-3rd	2,883	1,420	336	901	55	5,595
2009-4th	2,729	1,162	270	829	54	5,044
2010-1st	2,614	1,192	317	814	62	4,999
2010-2nd	2,616	1,123	270	906	57	4,972
2010-3rd	2,552	1,133	302	851	48	4,886
2010-4th	2,442	1,057	226	807	45	4,577
2011-1st	2,360	1,136	260	814	55	4,625
2011-2nd	2,440	1,126	230	832	60	4,688
2011-3rd	2,437	1,110	229	799	47	4,622
2011-4th	2,456	970	199	765	45	4,435
2012-1st	2,380	1,060	199	797	52	4,488
2012-2nd	2,466	1,030	185	786	57	4,524
2012-3rd	2,399	1,104	213	787	53	4,556
2012-4th	2,514	1,057	233	713	39	4,556
2013-1st	2,436	1,077	222	733	69	4,537
2013-2nd	2,887	1,081	191	849	39	5,047
2013-3rd	2,803	1,006	175	811	50	4,845
2013-4th	2,999	1,063	180	785	60	5,087
2014-1st	2,967	1,065	141	839	60	5,072
2014-2nd	3,063	1,067	158	917	55	5,260
2014-3rd	2,866	1,283	181	895	47	5,272
2014-4th	2,830	1,145	160	862	53	5,050
2015-1st	2,741	1,129	185	928	66	5,049
2015-2nd	2,834	1,265	144	1,084	66	5,393
2015-3rd	2,598	1,233	184	1,043	51	5,109
2015-4th	2,726	1,074	130	804	79	4,813
2016-1st	2,567	1,124	137	855	63	4,746
2016-2nd	2,559	1,122	120	917	79	4,797
2016-3rd	2,297	1,124	164	849	57	4,491
2016-4th	2,262	1,005	125	740	59	4,191
2017-1st	2,444	1,147	162	835	50	4,638
2017-2nd	2,389	1,184	164	970	33	4,740
<b>Total</b>	<b>219,367</b>	<b>130,053</b>	<b>30,200</b>	<b>81,241</b>	<b>3,780</b>	<b>464,641</b>

## **Chapter 4: Recidivism**

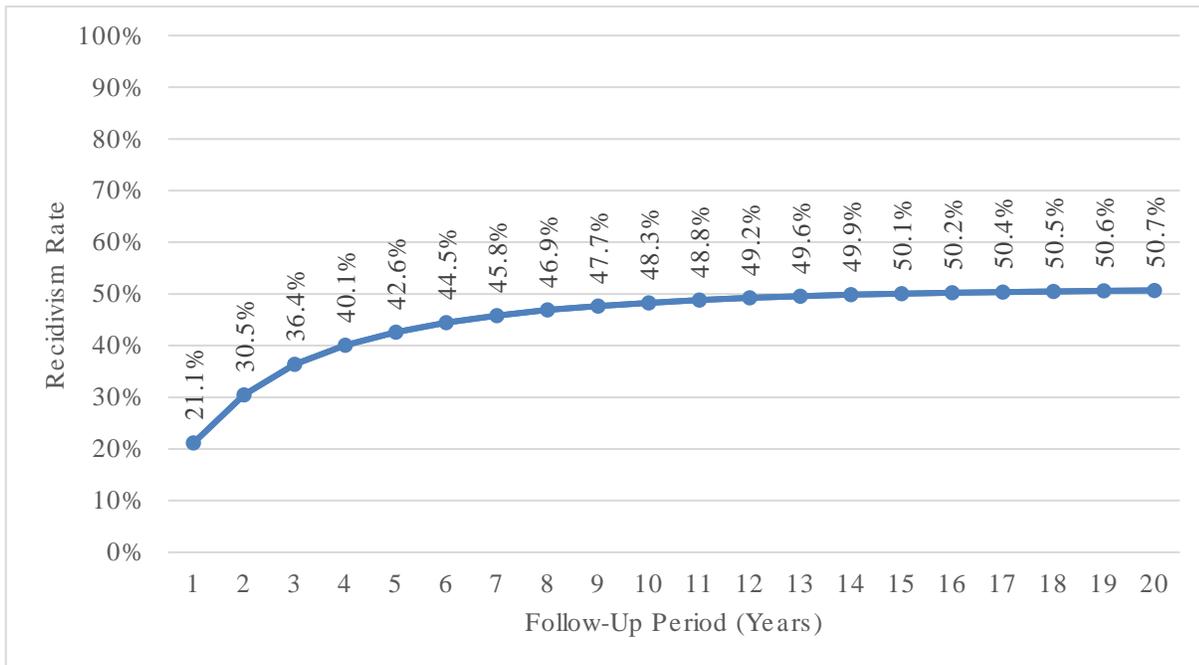
As an extension of the results presented in the previous report, an updated recidivism study was conducted as a major component of the present investigation. A total of 405,149 “normal” releases over the period from January 1, 1985 through June 30, 2017 were targeted for the new study. This provided a follow-up period varying from one to twenty years. As was the case with the previous study, a “triangular cohort” technique was used to follow inmate groups for variable lengths of time depending on when they were released from custody. Inmates released earlier in time were followed for longer periods, while inmates released later in time were followed for correspondingly shorter periods. In this study, time is measured in 1-year increments instead of the 6-month increments previously utilized. Although we have results at 3-month increments, it was determined that the large quantity of rates so-generated is not necessary to an understanding of recidivism patterns.

The recidivism target date was selected to be the date of first return to ADC for any reason. However, as in Dr. Fischer’s last report, recidivism rates are presented as a single graph that increases in magnitude as time progresses, i.e., as more and more releases get into trouble and return to custody. In this report, we introduce a revised methodology in which recidivism rates never decrease with the advance of time. Each recidivism rate (follow-up of x years) reflects the rate for the preceding time (x minus 1 year) plus the percentage of inmates who can be followed for x years and who recidivate during the 1-year period in question. The latter percentage is referred to as an “increment.” This technique generates a smoother curve without the ups and downs in many of the curves previously presented.

Figure 95 shows for normal releases the recidivism curve as described above. These are releases that are determined by the amount of time the inmate has served, i.e., release eligibility is satisfied. Normal releases encompass: earned credit release (TIS and pre-TIS), SB 1291 early release, expiration of sentence, release to probation, temporary release to eligible releases, mandatory release, provisional release, absolute discharge, parole, work furlough, and home arrest. Non-normal releases include escape, deportation, sentence commutation, execution, shock incarceration completion, death, transfer of custody, return to community supervision, pardon, release by the court (sentence overturned), discretionary release, and release on bond.

For inmates who can be followed for long enough, 50.7% return to custody within 20 years of release. After 3 years, the national standard follow-up for released offenders, we see from Figure 95 that 36.4% return to prison. Please keep in mind that at this stage we are dealing only with inmates both admitted and released from Arizona prisons on or after January 1, 1985. This means following one, large, multiple-decade group for variable lengths of time. In a bit, we will turn the tables and examine many single-year groups that were followed for a single length of time, namely three years.

**Figure 95: Recidivism Rates by Length of Follow-Up (Years) (405,149)**

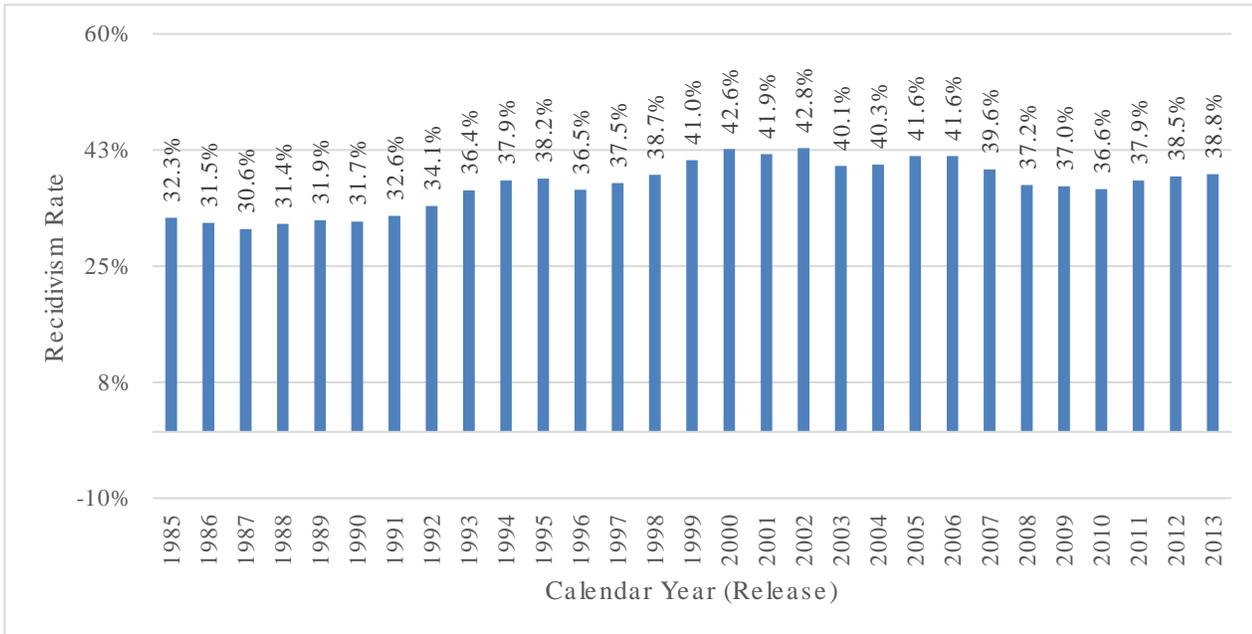


Three years was chosen as the national standard for measuring recidivism for two main reasons. First, it provides a long enough time to allow a high percentage of those who will eventually recidivate a realistic chance to do so. Second, any shorter period may not allow enough time for those who commit the worst new crimes, e.g., murder or sexual assault, to be processed by the criminal justice system and end up back in prison for those crimes. In any case, we highlight that length of follow-up in tracking recidivism rates as they vary over time, where “time” in this case refers to calendar years. Table 11 and Figure 96 provide just such a tracking of recidivism rates.

**Table 11: Recidivism Rates, 3-Year Follow-Up, Releases: 1985-2013 (340,569)**

<b>Release Year</b>	<b>Cases Followed</b>	<b>Recidivism Rates</b>
1985	839	32.3%
1986	2,374	31.5%
1987	3,103	30.6%
1988	4,128	31.4%
1989	5,149	31.9%
1990	5,865	31.7%
1991	5,902	32.6%
1992	6,747	34.1%
1993	7,737	36.4%
1994	8,413	37.9%
1995	9,200	38.2%
1996	10,162	36.5%
1997	11,346	37.5%
1998	12,140	38.7%
1999	12,900	41.0%
2000	13,179	42.6%
2001	13,239	41.9%
2002	14,620	42.8%
2003	15,344	40.1%
2004	15,719	40.3%
2005	16,670	41.6%
2006	17,808	41.6%
2007	18,213	39.6%
2008	19,085	37.2%
2009	19,684	37.0%
2010	18,584	36.6%
2011	17,628	37.9%
2012	17,249	38.5%
2013	17,542	38.8%
<b>Grand Total</b>	<b>340,569</b>	<b>38.5%</b>

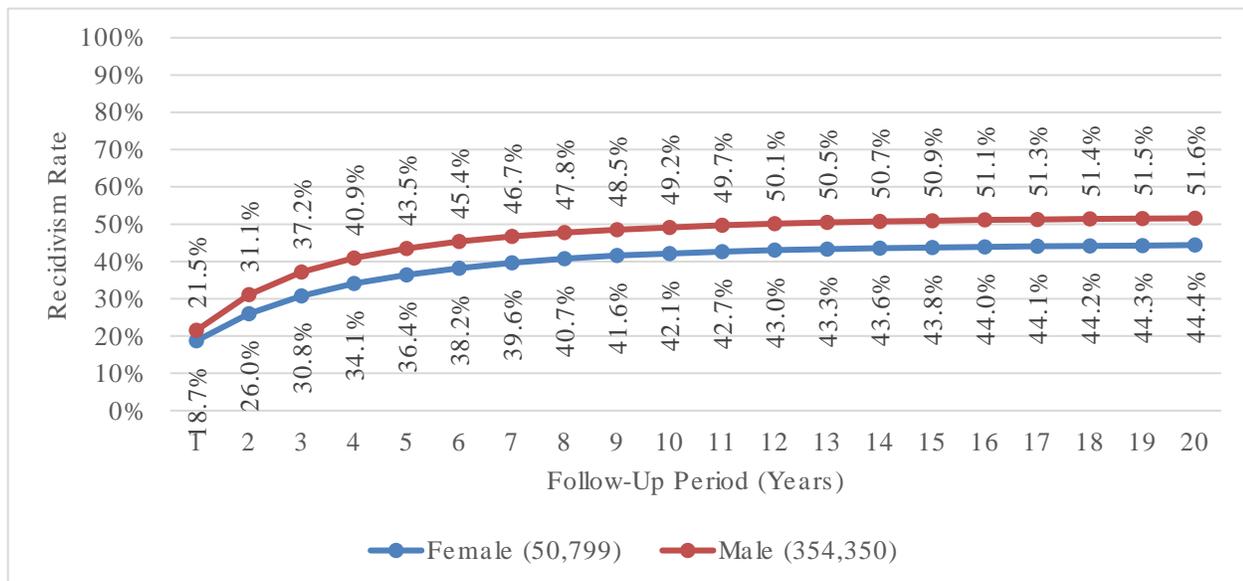
**Figure 96: 3-Year Recidivism Rate by Year of Release, 1985-2013 (340,569)**



A close inspection of Figure 96 reveals that the recidivism rates were falling from 2006 through 2010, and went up slightly from 2011 through 2013. With the 3-year follow-up in play, the trend we are noting carries through to the end of 2016. As the rates are lower overall, Arizona’s criminal justice system did experience some improvements from the standpoint of recidivism.

Figure 97 breaks down recidivism rates between male and female releases. As expected, males record higher recidivism rates than females in all three cases. After 3 years, 41.0% of males and 31.1% of females have returned to custody, 28.2% of males and 18.3% of females are recommitted. Again, as expected, males record much higher violent recommitment rates than females, 11.3% to 3.4% after 3 years.

**Figure 97: Recidivism Rate by Gender (405,149)**



**Table 12: Recidivism Rates by Most Serious Current Offense (405,149)**

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
Escape or Related Offense	25.2%	34.3%	39.7%	43.2%	45.4%	46.8%	14,579
Property Offense	25.6%	34.8%	40.0%	43.1%	45.2%	46.7%	125,716
Drug Possession	27.0%	35.1%	40.1%	43.2%	45.2%	46.6%	66,132
Violent Offense	20.0%	27.2%	31.6%	34.2%	36.1%	37.3%	83,258
Public Order/Morals Offense	16.2%	23.5%	28.7%	31.5%	33.4%	34.8%	784
Drug Trafficking	15.8%	21.4%	24.8%	27.1%	28.7%	29.8%	40,282
Sex Offense	16.1%	21.1%	24.3%	26.3%	27.9%	28.9%	12,987
DUI	9.9%	15.9%	20.4%	23.2%	25.1%	26.5%	38,928
Burglary	47.5%	57.5%	62.5%	65.0%	70.0%	70.0%	40
possess & sell inhalant	35.7%	49.0%	56.5%	59.6%	61.0%	62.7%	765
minor with firearm	28.6%	38.1%	57.1%	57.1%	61.9%	61.9%	21
taking identity of another	33.6%	46.1%	54.6%	56.6%	58.6%	60.5%	152
secure offense proceeds	17.8%	26.7%	40.0%	46.7%	51.1%	55.6%	45
escape third degree	30.8%	40.1%	47.3%	50.3%	51.8%	52.7%	461
prsnr asslt w/body fluids	39.4%	46.5%	50.5%	52.5%	52.5%	52.5%	99
prostitution	34.5%	44.8%	48.3%	51.7%	51.7%	52.4%	145
narcotic possess-transport	14.3%	28.6%	38.1%	42.9%	47.6%	52.4%	21
domestic violence	30.7%	41.3%	44.0%	48.0%	50.0%	52.0%	150
shoplifting	32.0%	40.6%	45.5%	48.2%	50.0%	51.2%	4,072
burglary 3rd degree	28.7%	38.8%	44.5%	47.7%	49.7%	51.1%	16,515
escape second degree	26.6%	37.2%	43.5%	47.0%	49.3%	50.9%	2,168
resisting arrest	27.4%	37.2%	42.9%	46.9%	49.2%	50.9%	4,508
unlaw use of means of turns	27.5%	37.0%	42.8%	46.1%	48.3%	49.9%	7,965
burglary 2nd degree	28.4%	38.4%	43.6%	46.5%	48.3%	49.5%	11,881
discharging a firearm at a structure	27.1%	36.7%	42.3%	45.5%	47.6%	49.3%	5,803
theft means of transportation	29.7%	39.3%	43.7%	46.5%	48.1%	49.1%	8,866
Robbery	28.0%	36.7%	42.1%	45.0%	47.2%	48.7%	4,197
Theft	24.5%	34.2%	39.9%	43.5%	46.0%	47.9%	33,187
burglary tools possession	28.0%	37.4%	42.4%	45.3%	46.7%	47.8%	3,290
receive prostit earnings	32.5%	35.0%	37.5%	42.5%	45.0%	47.5%	40
flight from law vehicle	23.6%	33.3%	39.0%	43.1%	45.8%	47.4%	3,860
sex offender reg viol	29.7%	37.8%	41.7%	44.2%	46.1%	47.3%	1,335
aggravate. domestic violence	29.0%	37.7%	42.2%	44.9%	46.5%	47.3%	2,251
narcotic drug violation	27.1%	35.4%	40.2%	43.3%	45.4%	46.8%	28,748
aggravated robbery	26.1%	34.6%	38.9%	41.2%	44.3%	45.6%	1,760
trafficking in stolen prop	26.0%	34.2%	38.7%	41.5%	43.5%	45.0%	5,897
add/name chg. sex offender	29.2%	36.3%	41.2%	43.2%	44.2%	45.0%	391
Riot	21.8%	29.9%	32.2%	39.1%	42.5%	44.8%	87

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
drug paraphernalia violate	26.5%	33.9%	38.5%	41.3%	43.2%	44.5%	23,751
Rape	18.5%	22.2%	33.3%	37.0%	40.7%	44.4%	27
fail to reg as sex offender	30.4%	36.4%	40.2%	41.9%	43.3%	44.0%	968
impersonate peace officer	24.0%	36.0%	40.0%	44.0%	44.0%	44.0%	25
criminal damage	22.5%	31.2%	36.0%	39.5%	42.1%	43.8%	3,868
theft credit card obt fraud	23.4%	31.9%	37.7%	40.8%	42.6%	43.7%	2,197
forgery	22.5%	31.0%	36.4%	39.8%	42.0%	43.7%	10,262
welfare fraud/prog disqualify	20.3%	27.1%	36.1%	38.3%	41.4%	43.6%	133
possession & sale dangerous drug	18.7%	27.5%	33.5%	37.8%	40.2%	43.3%	418
destruction of public jail	26.5%	34.6%	39.5%	42.0%	42.6%	43.2%	162
possession & sale narcotic	17.4%	26.7%	33.3%	37.3%	40.9%	43.2%	1,984
fail to give info/aid acci	15.2%	21.5%	30.4%	36.7%	39.2%	43.0%	79
arson of occupy jail/prison	23.8%	38.1%	42.9%	42.9%	42.9%	42.9%	21
Murder	19.6%	28.4%	32.4%	36.3%	40.2%	42.2%	102
escape first degree	29.8%	35.1%	35.1%	40.4%	40.4%	42.1%	57
tamper w physical evidence	23.5%	33.6%	37.0%	41.2%	41.2%	42.0%	119
crim poss forgery device	22.2%	30.6%	35.3%	38.4%	40.3%	41.9%	2,919
Assault	25.7%	32.4%	36.5%	40.5%	40.5%	41.9%	74
Harassment	25.8%	30.9%	37.1%	39.2%	40.2%	41.2%	97
unlaw fail return rentd prop	16.5%	23.5%	33.9%	38.3%	40.9%	40.9%	115
unsworn falsification	11.1%	25.9%	33.3%	37.0%	40.7%	40.7%	27
promote prison contraband	25.4%	32.4%	36.4%	38.5%	39.8%	40.7%	2,327
misconduct involving weapon	22.0%	30.0%	34.7%	37.6%	39.3%	40.6%	8,804
possess,sell,marijuana	16.3%	25.2%	31.7%	35.5%	37.9%	40.5%	808
sale of precursor or regulated chemicals	12.8%	25.5%	29.8%	31.9%	34.0%	40.4%	47
drug free school zone viol	15.0%	30.0%	35.0%	35.0%	40.0%	40.0%	20
disorderly conduct	21.4%	28.8%	33.6%	36.5%	38.3%	39.9%	3,331
influence a witness	18.6%	25.4%	32.2%	35.6%	35.6%	39.0%	59
arson of structure/property	20.0%	26.4%	29.5%	32.8%	35.4%	38.2%	421
unlawful imprisonment	20.0%	26.1%	32.2%	35.5%	36.7%	38.1%	640
tampering w witness	19.0%	23.8%	33.3%	33.3%	38.1%	38.1%	21
forgery of credit cards	20.9%	28.5%	31.0%	34.8%	36.1%	38.0%	158
aggravated assault	20.0%	27.3%	32.0%	34.7%	36.6%	38.0%	32,728
indecent exposure	21.7%	27.7%	32.6%	35.0%	36.9%	38.0%	469
armed robbery	21.2%	28.7%	32.5%	34.9%	36.7%	37.8%	8,057
fraud scheme/prac-conceal	19.5%	25.0%	31.1%	33.5%	36.0%	37.2%	164
failure parent provide child	8.6%	20.0%	22.9%	28.6%	34.3%	37.1%	35

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
aggravated harassment	19.7%	29.2%	32.6%	34.7%	36.3%	37.1%	757
fraudulent use credit card	18.6%	26.4%	29.7%	33.6%	35.1%	36.6%	333
criminal simulation	16.7%	21.9%	26.5%	30.1%	33.8%	36.5%	438
dwi license suspend-revoke	10.3%	19.3%	26.1%	30.1%	33.4%	36.4%	7,510
dangerous drug violation	20.2%	26.8%	30.7%	33.3%	35.0%	36.2%	26,327
Stalking	20.7%	27.9%	31.6%	34.0%	35.0%	36.1%	294
crimnl littering/polluting	28.0%	36.0%	36.0%	36.0%	36.0%	36.0%	25
aggravated driving/dwi	12.7%	20.6%	26.7%	31.0%	34.0%	36.0%	10,399
conducting a chop shop	22.4%	25.4%	29.9%	32.8%	34.3%	35.8%	67
public sexual indecency	17.6%	23.8%	31.2%	33.6%	34.7%	35.8%	369
threat-intimidate	19.2%	28.0%	32.3%	34.1%	35.2%	35.7%	375
child prostitution	22.9%	28.6%	31.4%	32.9%	35.7%	35.7%	70
false swearing	12.9%	19.4%	25.8%	25.8%	32.3%	35.5%	31
obstruct crim invest/prosc	13.3%	16.7%	25.0%	30.0%	33.3%	35.0%	60
driving while intoxicated	8.3%	18.4%	25.7%	30.0%	32.5%	34.9%	1,395
arson of occupd structure	19.1%	23.9%	28.0%	30.1%	33.3%	34.7%	372
assist crim synd/lead gang	18.7%	26.1%	28.0%	31.3%	33.5%	34.6%	364
endangerment	15.4%	22.1%	27.0%	30.3%	32.9%	34.5%	6,463
fail to appear first deg	18.6%	26.3%	30.1%	32.7%	33.3%	34.2%	339
conspiracy	17.9%	25.5%	28.3%	30.1%	32.1%	33.6%	396
aggravated criminal damage	21.2%	26.3%	27.9%	31.3%	33.0%	33.5%	179
prescription-only drug viol	15.4%	18.5%	21.5%	25.4%	30.0%	33.1%	130
hinder prosecution 1st deg	16.1%	23.3%	27.5%	30.2%	30.8%	32.8%	305
hindering prosecution	16.2%	19.0%	24.8%	29.5%	32.4%	32.4%	105
custodial interference	17.4%	23.9%	26.5%	30.3%	31.6%	32.3%	155
leave accident death injry	15.9%	22.4%	26.0%	28.6%	30.4%	32.3%	496
solicitation	13.6%	18.2%	29.5%	31.8%	31.8%	31.8%	44
contin sexual abuse child	13.6%	22.7%	27.3%	27.3%	31.8%	31.8%	22
marijuana violation	16.7%	22.7%	26.4%	29.0%	30.6%	31.7%	23,944
fraudulent schems artifics	16.8%	23.4%	26.5%	28.8%	30.2%	31.7%	2,413
burglary 1st degree	17.5%	24.5%	27.4%	29.9%	31.2%	31.6%	1,182
criminal impersonation	16.9%	23.5%	27.9%	29.6%	30.9%	31.5%	857
dang/deadly aslt by prsnr	25.0%	29.2%	31.3%	31.3%	31.3%	31.3%	48
awol ccc furlough	6.3%	18.8%	21.9%	21.9%	21.9%	31.3%	32
dschrg firearm in city lm	16.9%	23.1%	26.5%	29.2%	29.6%	30.8%	415
keep/reside hse prostitutn	11.5%	11.5%	19.2%	26.9%	30.8%	30.8%	26
false stmt to obtain bnfts	16.5%	20.7%	23.8%	25.6%	29.3%	30.5%	164

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
prcrsr/regultd chem viol	13.0%	17.4%	26.1%	26.1%	30.4%	30.4%	23
dui liquor/drugs/vprs/combo	13.5%	20.6%	24.5%	25.8%	27.7%	30.3%	155
inlv/use mnr in drug offn	15.6%	17.7%	24.0%	27.1%	29.2%	30.2%	96
taking identity of another	16.8%	22.3%	25.7%	28.1%	29.2%	30.1%	1,576
child/adult abuse	16.1%	21.7%	25.2%	27.2%	29.0%	30.1%	2,516
parent fails to support	17.5%	27.5%	27.5%	30.0%	30.0%	30.0%	40
rec item obt by frd crded	16.2%	21.6%	27.0%	27.0%	27.0%	29.7%	37
theft by extortion	19.2%	21.8%	25.6%	29.5%	29.5%	29.5%	78
furnish obsc mtrl to minor	10.8%	15.7%	20.6%	22.5%	26.5%	29.4%	102
computer fraud	18.3%	24.4%	26.8%	26.8%	29.3%	29.3%	82
drive by shooting	15.4%	20.9%	24.1%	25.8%	27.1%	28.6%	532
sexual assault	13.3%	18.6%	22.0%	24.4%	26.3%	27.6%	1,222
sexual conduct w minor	14.1%	19.3%	22.5%	24.4%	26.2%	27.2%	2,900
facilitation	13.5%	15.4%	21.2%	23.1%	26.9%	26.9%	52
aggravated dui	9.9%	15.9%	20.3%	23.2%	25.1%	26.4%	38,773
causing serious physical injury by use of a vehicle	6.1%	12.0%	16.5%	20.9%	23.4%	25.9%	526
sexual abuse	13.5%	17.0%	20.6%	22.7%	24.4%	25.8%	1,757
organized retail theft	19.9%	23.3%	25.0%	25.3%	25.7%	25.7%	703
tamper w public record	9.1%	16.4%	21.8%	21.8%	25.5%	25.5%	55
pandering	16.4%	22.4%	23.9%	23.9%	25.4%	25.4%	67
cruelty to animals/poultry	8.5%	16.9%	19.7%	22.5%	25.4%	25.4%	71
unlawful use of food stamp	11.2%	16.8%	20.6%	22.4%	23.4%	25.2%	107
discharge firearm at a structure	12.3%	17.3%	20.0%	21.8%	24.1%	25.0%	220
obtain utility svcs. fraud	15.0%	15.0%	25.0%	25.0%	25.0%	25.0%	20
murder 1st degree	12.5%	19.1%	22.0%	24.1%	24.3%	24.6%	345
use elec comm drug trans	14.0%	18.4%	20.7%	22.3%	24.0%	24.6%	179
unlawful use theft det. dv	20.0%	22.2%	24.4%	24.4%	24.4%	24.4%	45
trafficking identity	17.3%	22.0%	22.7%	22.7%	24.0%	24.0%	150
bribe pub serv/party ofcr	9.5%	9.5%	14.3%	19.0%	19.0%	23.8%	21
negligent homicide	11.0%	16.1%	18.7%	20.9%	22.4%	23.4%	684
kidnapping	12.8%	17.9%	20.2%	21.7%	22.6%	23.2%	2,193
interference with monitoring devices	20.0%	22.0%	22.0%	22.0%	22.0%	22.0%	50
participating in or assisting a criminal street gang	10.1%	17.1%	18.4%	20.3%	20.9%	21.5%	158
manslaughter	10.8%	15.0%	17.4%	18.5%	19.7%	20.4%	2,111
perjury	8.6%	11.4%	11.4%	14.3%	17.1%	20.0%	35
murder 2nd degree	8.1%	12.3%	14.8%	16.8%	17.3%	17.9%	805
incest	13.0%	13.0%	13.0%	13.0%	17.4%	17.4%	23

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
molestation of child	8.2%	11.7%	13.7%	15.5%	16.6%	17.3%	2,837
lure minor for sex exploit	14.5%	14.5%	14.5%	16.9%	16.9%	16.9%	83
aggravated taking identity	10.8%	14.2%	15.8%	16.1%	16.4%	16.7%	323
attempt to commit	4.2%	12.5%	12.5%	12.5%	16.7%	16.7%	24
illegal control enterprise	6.9%	11.5%	13.6%	14.1%	15.3%	15.8%	418
interstate corr.compact	4.3%	8.5%	8.5%	10.6%	10.6%	12.8%	47
money laundering	6.5%	8.9%	10.7%	10.7%	12.1%	12.1%	214
surrept record	4.0%	12.0%	12.0%	12.0%	12.0%	12.0%	25
voyeurism	8.3%	8.3%	8.3%	11.1%	11.1%	11.1%	36
sex exploit of minor	5.9%	9.2%	9.5%	10.2%	10.2%	10.2%	305
smuggling	3.7%	5.3%	7.4%	9.0%	9.6%	9.6%	188
unlawful use sales receipt	4.5%	4.5%	4.5%	4.5%	9.1%	9.1%	22

## Recidivism Rates by Offense and Offender Categories

In this section, we present detailed information on recidivism as a function of several critical offender variables, including: 1) the common classification of the most serious offense for which the offender was originally committed, including the general category of the offense and the specific A.R.S. reference, 2) the criminal history of the offender, 3) age at release, 4) gang affiliation status, and 5) other variables related to the risk of recidivism. Due to the large number of categories involved, we limit most of the presentation to a tabular format. Furthermore, in each case, the categories are ordered according to the magnitude of the 6-year recidivism rate.

Results for the entire sample from January 1, 1985 through June 30, 2017 are presented in Table 12. Among the eight general offense categories, escape and related offenses record the highest recidivism rates after six years. Property and drug offenses are next in line, with sex offenses and DUIs having the lowest rates. The differences are quite large, with the recidivism rate for property offenses being almost twice as high as the rate for DUIs.

Tables 13 and 14 shows very clearly the importance of prior criminal histories, gang status, and age in determining the recidivism rate. While those with no prior felonies have a 34.3% probability of recidivating within 6 years, having one prior felony raises that rate to 42.3% and having a second raises it to 50%. Gang members are about 25 percentage points more likely to recidivate than non-gang members. For example, on age, 19-year-olds who are released from prison are 15 percentage points more likely to recidivate than 35 to 39-year olds.

While the entire period of data available has been examined in the past, there are possible biases that might exist because some criminals may only have been released for very short periods of time before the end of the sample period. What helps predict recidivism rates in the 1980s might also differ dramatically from what factors matter today.

To do this, we looked at everyone whose release date occurred from 2005 through 2010 (Table 15). A couple of factors immediately stand out. First, the recidivism rate for the most serious offenses was consistently higher at the end of the time frame that we are examining than over the entire period. The increase varies from about 7% for sex offense to 3% for DUIs.

One drawback of looking at this shorter period is that for some offense categories there are very few criminals to track over time. But there is a fair amount of changes from Table 11a. Take the top three categories in Table 11a in the more detailed breakdown. For example, while the recidivism rate for burglary rose by 11 percentage points, the rate for a minor possessing a gun fell by 12 percentage points and the possession and selling an inhalant fell by 4 percentage points.

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
drug paraphernalia violate	26.5%	33.9%	38.5%	41.3%	43.2%	44.5%	23,751
Rape	18.5%	22.2%	33.3%	37.0%	40.7%	44.4%	27
fail to reg as sex offender	30.4%	36.4%	40.2%	41.9%	43.3%	44.0%	968
impersonate peace officer	24.0%	36.0%	40.0%	44.0%	44.0%	44.0%	25
criminal damage	22.5%	31.2%	36.0%	39.5%	42.1%	43.8%	3,868
theft credit card obt fraud	23.4%	31.9%	37.7%	40.8%	42.6%	43.7%	2,197
forgery	22.5%	31.0%	36.4%	39.8%	42.0%	43.7%	10,262
welfare fraud/prog disqualify	20.3%	27.1%	36.1%	38.3%	41.4%	43.6%	133
possession & sale dangerous drug	18.7%	27.5%	33.5%	37.8%	40.2%	43.3%	418
destruction of public jail	26.5%	34.6%	39.5%	42.0%	42.6%	43.2%	162
possession & sale narcotic	17.4%	26.7%	33.3%	37.3%	40.9%	43.2%	1,984
fail to give info/aid acci	15.2%	21.5%	30.4%	36.7%	39.2%	43.0%	79
arson of occupy jail/prison	23.8%	38.1%	42.9%	42.9%	42.9%	42.9%	21
Murder	19.6%	28.4%	32.4%	36.3%	40.2%	42.2%	102
escape first degree	29.8%	35.1%	35.1%	40.4%	40.4%	42.1%	57
tamper w physical evidence	23.5%	33.6%	37.0%	41.2%	41.2%	42.0%	119
crim poss forgery device	22.2%	30.6%	35.3%	38.4%	40.3%	41.9%	2,919
Assault	25.7%	32.4%	36.5%	40.5%	40.5%	41.9%	74
Harassment	25.8%	30.9%	37.1%	39.2%	40.2%	41.2%	97
unlaw fail return rentd prop	16.5%	23.5%	33.9%	38.3%	40.9%	40.9%	115
unsworn falsification	11.1%	25.9%	33.3%	37.0%	40.7%	40.7%	27
promote prison contraband	25.4%	32.4%	36.4%	38.5%	39.8%	40.7%	2,327
misconduct involving weapon	22.0%	30.0%	34.7%	37.6%	39.3%	40.6%	8,804
possess,sell,marijuana	16.3%	25.2%	31.7%	35.5%	37.9%	40.5%	808
sale of precursor or regulated chemicals	12.8%	25.5%	29.8%	31.9%	34.0%	40.4%	47
drug free school zone viol	15.0%	30.0%	35.0%	35.0%	40.0%	40.0%	20
disorderly conduct	21.4%	28.8%	33.6%	36.5%	38.3%	39.9%	3,331
influence a witness	18.6%	25.4%	32.2%	35.6%	35.6%	39.0%	59
arson of structure/property	20.0%	26.4%	29.5%	32.8%	35.4%	38.2%	421
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forgery of credit cards	20.9%	28.5%	31.0%	34.8%	36.1%	38.0%	158
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indecent exposure	21.7%	27.7%	32.6%	35.0%	36.9%	38.0%	469
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fraud scheme/prac-conceal	19.5%	25.0%	31.1%	33.5%	36.0%	37.2%	164
failure parent provide child	8.6%	20.0%	22.9%	28.6%	34.3%	37.1%	35

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
aggravated harassment	19.7%	29.2%	32.6%	34.7%	36.3%	37.1%	757
fraudulent use credit card	18.6%	26.4%	29.7%	33.6%	35.1%	36.6%	333
criminal simulation	16.7%	21.9%	26.5%	30.1%	33.8%	36.5%	438
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Stalking	20.7%	27.9%	31.6%	34.0%	35.0%	36.1%	294
crimnl littering/polluting	28.0%	36.0%	36.0%	36.0%	36.0%	36.0%	25
aggravated driving/dwi	12.7%	20.6%	26.7%	31.0%	34.0%	36.0%	10,399
conducting a chop shop	22.4%	25.4%	29.9%	32.8%	34.3%	35.8%	67
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threat-intimidate	19.2%	28.0%	32.3%	34.1%	35.2%	35.7%	375
child prostitution	22.9%	28.6%	31.4%	32.9%	35.7%	35.7%	70
false swearing	12.9%	19.4%	25.8%	25.8%	32.3%	35.5%	31
obstruct crim invest/prosc	13.3%	16.7%	25.0%	30.0%	33.3%	35.0%	60
driving while intoxicated	8.3%	18.4%	25.7%	30.0%	32.5%	34.9%	1,395
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conspiracy	17.9%	25.5%	28.3%	30.1%	32.1%	33.6%	396
aggravated criminal damage	21.2%	26.3%	27.9%	31.3%	33.0%	33.5%	179
prescription-only drug viol	15.4%	18.5%	21.5%	25.4%	30.0%	33.1%	130
hinder prosecution 1st deg	16.1%	23.3%	27.5%	30.2%	30.8%	32.8%	305
hindering prosecution	16.2%	19.0%	24.8%	29.5%	32.4%	32.4%	105
custodial interference	17.4%	23.9%	26.5%	30.3%	31.6%	32.3%	155
leave accident death injry	15.9%	22.4%	26.0%	28.6%	30.4%	32.3%	496
solicitation	13.6%	18.2%	29.5%	31.8%	31.8%	31.8%	44
contin sexual abuse child	13.6%	22.7%	27.3%	27.3%	31.8%	31.8%	22
marijuana violation	16.7%	22.7%	26.4%	29.0%	30.6%	31.7%	23,944
fraudulent schems artifics	16.8%	23.4%	26.5%	28.8%	30.2%	31.7%	2,413
burglary 1st degree	17.5%	24.5%	27.4%	29.9%	31.2%	31.6%	1,182
criminal impersonation	16.9%	23.5%	27.9%	29.6%	30.9%	31.5%	857
dang/deadly aslt by prsnr	25.0%	29.2%	31.3%	31.3%	31.3%	31.3%	48
awol ccc furlough	6.3%	18.8%	21.9%	21.9%	21.9%	31.3%	32
dschrg firearm in city lm	16.9%	23.1%	26.5%	29.2%	29.6%	30.8%	415
keep/reside hse prostitutn	11.5%	11.5%	19.2%	26.9%	30.8%	30.8%	26
false stmt to obtain bnfts	16.5%	20.7%	23.8%	25.6%	29.3%	30.5%	164

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
prcrsr/regultd chem viol	13.0%	17.4%	26.1%	26.1%	30.4%	30.4%	23
dui liquor/drugs/vprs/combo	13.5%	20.6%	24.5%	25.8%	27.7%	30.3%	155
inlv/use mnr in drug offn	15.6%	17.7%	24.0%	27.1%	29.2%	30.2%	96
taking identity of another	16.8%	22.3%	25.7%	28.1%	29.2%	30.1%	1,576
child/adult abuse	16.1%	21.7%	25.2%	27.2%	29.0%	30.1%	2,516
parent fails to support	17.5%	27.5%	27.5%	30.0%	30.0%	30.0%	40
rec item obt by frd crded	16.2%	21.6%	27.0%	27.0%	27.0%	29.7%	37
theft by extortion	19.2%	21.8%	25.6%	29.5%	29.5%	29.5%	78
furnish obsc mtrl to minor	10.8%	15.7%	20.6%	22.5%	26.5%	29.4%	102
computer fraud	18.3%	24.4%	26.8%	26.8%	29.3%	29.3%	82
drive by shooting	15.4%	20.9%	24.1%	25.8%	27.1%	28.6%	532
sexual assault	13.3%	18.6%	22.0%	24.4%	26.3%	27.6%	1,222
sexual conduct w minor	14.1%	19.3%	22.5%	24.4%	26.2%	27.2%	2,900
facilitation	13.5%	15.4%	21.2%	23.1%	26.9%	26.9%	52
aggravated dui	9.9%	15.9%	20.3%	23.2%	25.1%	26.4%	38,773
causing serious physical injury by use of a vehicle	6.1%	12.0%	16.5%	20.9%	23.4%	25.9%	526
sexual abuse	13.5%	17.0%	20.6%	22.7%	24.4%	25.8%	1,757
organized retail theft	19.9%	23.3%	25.0%	25.3%	25.7%	25.7%	703
tamper w public record	9.1%	16.4%	21.8%	21.8%	25.5%	25.5%	55
pandering	16.4%	22.4%	23.9%	23.9%	25.4%	25.4%	67
cruelty to animals/poultry	8.5%	16.9%	19.7%	22.5%	25.4%	25.4%	71
unlawful use of food stamp	11.2%	16.8%	20.6%	22.4%	23.4%	25.2%	107
discharge firearm at a structure	12.3%	17.3%	20.0%	21.8%	24.1%	25.0%	220
obtain utility svcs. fraud	15.0%	15.0%	25.0%	25.0%	25.0%	25.0%	20
murder 1st degree	12.5%	19.1%	22.0%	24.1%	24.3%	24.6%	345
use elec comm drug trans	14.0%	18.4%	20.7%	22.3%	24.0%	24.6%	179
unlawful use theft det. dv	20.0%	22.2%	24.4%	24.4%	24.4%	24.4%	45
trafficking identity	17.3%	22.0%	22.7%	22.7%	24.0%	24.0%	150
bribe pub serv/party ofcr	9.5%	9.5%	14.3%	19.0%	19.0%	23.8%	21
negligent homicide	11.0%	16.1%	18.7%	20.9%	22.4%	23.4%	684
kidnapping	12.8%	17.9%	20.2%	21.7%	22.6%	23.2%	2,193
interference with monitoring devices	20.0%	22.0%	22.0%	22.0%	22.0%	22.0%	50
participating in or assisting a criminal street gang	10.1%	17.1%	18.4%	20.3%	20.9%	21.5%	158
manslaughter	10.8%	15.0%	17.4%	18.5%	19.7%	20.4%	2,111
perjury	8.6%	11.4%	11.4%	14.3%	17.1%	20.0%	35
murder 2nd degree	8.1%	12.3%	14.8%	16.8%	17.3%	17.9%	805
incest	13.0%	13.0%	13.0%	13.0%	17.4%	17.4%	23

<b>Most Serious Current Offense</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
molestation of child	8.2%	11.7%	13.7%	15.5%	16.6%	17.3%	2,837
lure minor for sex exploit	14.5%	14.5%	14.5%	16.9%	16.9%	16.9%	83
aggravated taking identity	10.8%	14.2%	15.8%	16.1%	16.4%	16.7%	323
attempt to commit	4.2%	12.5%	12.5%	12.5%	16.7%	16.7%	24
illegal control enterprise	6.9%	11.5%	13.6%	14.1%	15.3%	15.8%	418
interstate corr.compact	4.3%	8.5%	8.5%	10.6%	10.6%	12.8%	47
money laundering	6.5%	8.9%	10.7%	10.7%	12.1%	12.1%	214
surrept record	4.0%	12.0%	12.0%	12.0%	12.0%	12.0%	25
voyeurism	8.3%	8.3%	8.3%	11.1%	11.1%	11.1%	36
sex exploit of minor	5.9%	9.2%	9.5%	10.2%	10.2%	10.2%	305
smuggling	3.7%	5.3%	7.4%	9.0%	9.6%	9.6%	188
unlawful use sales receipt	4.5%	4.5%	4.5%	4.5%	9.1%	9.1%	22

**Table 13: Recidivism Rates by Most Serious Criminal History (405,149)**

<b>Criminal History</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
Seven+ Prior Felonies	34.8%	43.4%	47.7%	49.7%	50.6%	50.9%	4,356
Six Prior Felonies	33.5%	43.2%	47.9%	50.7%	52.3%	53.0%	3,836
Five Prior Felonies	32.3%	42.4%	47.6%	50.0%	51.4%	52.4%	7,052
Four Prior Felonies	31.9%	42.4%	47.7%	50.6%	52.4%	53.2%	12,639
Three Prior Felonies	28.8%	39.3%	44.8%	48.0%	50.0%	51.3%	23,103
Two Prior Felonies	28.1%	37.5%	43.1%	46.4%	48.5%	50.0%	42,588
One Prior Felony	21.0%	29.7%	35.1%	38.4%	40.7%	42.3%	89,118
No Prior Felony	17.5%	24.1%	28.2%	31.0%	32.9%	34.3%	222,457
Non-Violent Repeat Offender	25.8%	35.1%	40.6%	43.8%	45.9%	47.3%	147,826
Violent Repeat Offender	24.0%	33.1%	38.3%	41.2%	43.1%	44.4%	34,866
Non-Violent First Offender	17.7%	24.4%	28.7%	31.5%	33.5%	34.9%	174,065
Violent First Offender	17.1%	23.0%	26.7%	29.2%	31.0%	32.2%	48,392
Community Supervision Revocation	31.3%	43.1%	50.2%	53.9%	55.9%	57.8%	843
Recommitment-Probation Revocation	34.0%	41.3%	46.0%	48.9%	50.9%	52.3%	28,256
Temporary Placement-- Violation of community supervision	19.2%	32.4%	40.2%	44.7%	47.7%	49.8%	45,430
Recommitment	31.0%	38.5%	42.7%	45.3%	47.0%	48.1%	74,699
Return from Escape	25.7%	33.9%	38.7%	41.4%	42.8%	44.2%	292
First Commitment--Probation Revocation	24.7%	32.0%	36.6%	39.8%	41.9%	43.6%	91,567
Return from Community Supervision	16.5%	27.2%	33.3%	36.6%	38.7%	40.1%	24,000
Absconder from Community Supervision	13.4%	23.9%	30.3%	33.9%	36.1%	37.3%	6,621
Release Error Return	16.7%	27.4%	33.3%	34.5%	34.5%	36.9%	84
Violation of Drug Transition Program Supervision	24.8%	27.3%	28.3%	29.1%	29.1%	29.1%	399
Sentenced to State Prison as a Condition of Probation	6.5%	14.3%	20.2%	23.7%	26.0%	27.8%	29,891
First Commitment	13.9%	19.1%	22.3%	24.4%	25.9%	27.0%	100,718
RTRN CUSTDY ITP	25.0%	25.0%	25.0%	25.0%	25.0%	25.0%	4
Transfer from another institution	11.8%	14.3%	16.2%	17.7%	18.8%	20.1%	1,520
Return from Deportation	1.1%	2.1%	2.2%	2.2%	2.2%	2.3%	824

**Table 14: Recidivism Rates by Miscellaneous Risk Factors (405,149)**

<b>Criminal History</b>	<b>1 Year</b>	<b>2 Years</b>	<b>3 Years</b>	<b>4 Years</b>	<b>5 Years</b>	<b>6 Years</b>	<b>Grand Total</b>
<u>Gang Affiliation Status</u>							
Debriefed	38.9%	51.9%	59.4%	62.5%	64.2%	65.6%	1,802
Gang Member Suspect	33.0%	45.1%	51.7%	55.5%	57.7%	59.3%	73,173
Validated STG Member	32.2%	43.9%	50.1%	52.9%	54.9%	55.9%	1,721
Non-Gang Member	18.2%	24.9%	29.2%	31.9%	33.8%	35.2%	328,453
<u>Age at Release</u>							
0-18	27.2%	38.5%	45.9%	49.8%	52.1%	53.5%	1,266
19	29.6%	41.9%	48.5%	52.4%	54.5%	55.9%	2,862
20-21	26.7%	37.7%	44.0%	47.8%	50.2%	51.9%	16,829
22-24	23.6%	33.1%	38.8%	42.3%	44.7%	46.4%	42,774
25-29	21.4%	30.1%	35.3%	38.6%	40.8%	42.4%	80,332
30-34	21.4%	29.6%	34.4%	37.5%	39.6%	41.1%	75,519
35-39	21.5%	28.9%	33.8%	36.8%	39.0%	40.5%	64,104
40-44	20.7%	27.6%	32.1%	34.9%	36.9%	38.3%	50,319
45-49	19.3%	25.3%	28.9%	31.3%	32.8%	33.9%	34,678
50-54	16.8%	21.9%	24.6%	26.2%	27.4%	28.1%	20,272
55-59	14.8%	18.6%	20.8%	22.0%	22.8%	23.5%	9,605
60-64	11.6%	14.0%	15.7%	16.5%	17.4%	17.8%	3,964
65-69	9.9%	12.4%	13.6%	14.3%	14.4%	14.6%	1,674
70+	6.8%	8.1%	8.8%	9.6%	10.1%	10.3%	951
<u>History of Sentence Enhancement</u>							
NOT DANGEROUS (ND)/ NOT REPETITIVE (NR)	20.8%	28.5%	33.3%	36.3%	38.4%	39.8%	357,757
DANGEROUS (D)/NR	14.2%	19.6%	22.2%	23.7%	25.0%	25.7%	11,272
D/REPETITIVE (R)	25.4%	32.2%	36.6%	38.8%	41.2%	42.5%	497
ND/R	27.0%	35.8%	40.2%	42.9%	44.6%	45.7%	34,801
N/A	16.4%	23.8%	29.7%	33.2%	34.7%	36.0%	822

**Table 15: Recidivism Rates by Most Serious Current Offenses: sample limited to releases where there are at least 5 similar cases**

	1 Year	2 Years	3 Years	4 Years	5 Years	6 Years	Grand Total
<b><u>Age at Release</u></b>							
0-18	27.9%	42.6%	50.8%	54.2%	58.3%	59.6%	319
19	31.1%	44.8%	51.9%	56.0%	58.1%	58.9%	730
20-21	28.8%	40.9%	47.8%	51.8%	54.5%	56.5%	4,343
22-24	25.1%	36.1%	42.6%	46.6%	49.5%	51.2%	11,429
25-29	22.3%	32.3%	38.4%	42.4%	44.8%	46.6%	21,694
30-34	22.5%	31.5%	37.1%	40.7%	42.9%	44.4%	18,364
35-39	22.9%	31.4%	37.0%	40.5%	43.0%	44.7%	16,460
40-44	22.7%	30.5%	35.8%	39.4%	41.9%	43.6%	14,953
45-49	21.1%	28.5%	33.2%	36.4%	38.4%	39.8%	11,286
50-54	19.3%	25.7%	29.5%	31.8%	33.8%	34.8%	6,294
55-59	16.1%	20.9%	24.0%	26.1%	27.3%	28.6%	2,575
60-64	11.3%	13.4%	16.3%	18.1%	18.9%	19.6%	978
65-69	9.7%	12.4%	13.4%	14.7%	14.7%	14.7%	402
70+	7.4%	9.7%	10.1%	10.6%	10.6%	11.1%	217
<b><u>Most Serious Current Offense</u></b>							
Escape or Related Offense	27.8%	38.7%	45.0%	48.8%	51.5%	53.3%	4,292
Property Offense	26.3%	36.5%	42.3%	45.9%	48.3%	50.0%	33,924
Drug Offense	25.3%	33.8%	39.4%	43.0%	45.2%	46.8%	29,463
Violent Offense	20.9%	29.6%	35.2%	38.7%	41.1%	42.7%	22,706
Public Order/Morals Offense	17.2%	28.8%	33.1%	38.0%	39.9%	40.5%	163
Sex Offense	18.3%	25.0%	29.5%	32.2%	34.4%	35.6%	3,554
DUI	10.6%	17.2%	22.0%	25.4%	27.7%	29.3%	15,417
<b><u>Arizona Revised Statutes</u></b>							
child prostitution	54.5%	72.7%	81.8%	81.8%	81.8%	81.8%	11
burglary	40.0%	60.0%	60.0%	60.0%	80.0%	80.0%	5
aslt-inct/prticipate-riot	57.9%	68.4%	68.4%	68.4%	68.4%	73.7%	19
criminal trespass 3rd degr	42.9%	57.1%	71.4%	71.4%	71.4%	71.4%	7
impersonate peace officer	28.6%	57.1%	57.1%	71.4%	71.4%	71.4%	7
use bldg for drug sale/mfg	50.0%	66.7%	66.7%	66.7%	66.7%	66.7%	6
secure offense proceeds	12.5%	25.0%	50.0%	62.5%	62.5%	62.5%	8
escape third degree	35.6%	47.1%	55.8%	59.6%	59.6%	62.5%	104
prsnr asslt w/body fluids	46.2%	57.7%	61.5%	61.5%	61.5%	61.5%	26
prostitution	35.3%	48.5%	54.4%	58.8%	58.8%	60.3%	68
arson of occupd jail/prsn	60.0%	60.0%	60.0%	60.0%	60.0%	60.0%	5
interfere w/educ institute	20.0%	60.0%	60.0%	60.0%	60.0%	60.0%	5
aggrav. domestic violence	32.5%	43.9%	50.7%	55.2%	58.1%	59.8%	893
shoplifting	34.6%	44.8%	51.2%	54.9%	57.5%	59.5%	924
possess & sell inhalant	36.6%	48.8%	52.4%	54.9%	58.5%	58.5%	82
theft means of trnsprtation	32.7%	44.6%	50.2%	53.7%	55.9%	57.4%	4455
escape second degree	30.2%	41.7%	47.2%	51.4%	54.3%	56.4%	619
burglary 3rd degree	31.7%	42.8%	49.0%	52.8%	55.2%	56.3%	3464
domestic violence	26.9%	38.5%	42.3%	51.9%	53.8%	55.8%	52
resisting arrest	29.7%	41.0%	47.1%	50.9%	53.9%	55.7%	1281
fail to reg as sex offndr	30.5%	41.8%	48.4%	50.9%	54.2%	55.3%	275
sex offender reg viol	31.8%	41.1%	46.9%	50.6%	53.4%	55.2%	603
burglary tools possession	29.9%	41.4%	47.5%	51.4%	53.7%	55.2%	1182
promote prison contraband	32.6%	42.2%	49.5%	52.7%	54.2%	55.0%	638
obstruct crim invest/prosc	36.4%	36.4%	36.4%	45.5%	54.5%	54.5%	11

discharging a firearm at a structure	28.3%	39.2%	45.5%	49.2%	51.9%	54.2%	1545
burglary 2nd degree	29.4%	41.1%	47.3%	50.7%	53.0%	53.9%	2343
destruction of public jail	28.2%	35.9%	51.3%	51.3%	51.3%	53.8%	39
unlaw use of means of trns	28.3%	38.7%	45.2%	48.8%	51.7%	53.7%	2868
flight from law vehicle	24.6%	36.4%	43.2%	47.5%	50.9%	52.7%	1272
taking identity of another	30.4%	39.1%	47.8%	47.8%	47.8%	52.2%	23
unlawful imprisonment	24.4%	35.4%	43.3%	48.8%	50.0%	51.8%	164
misconduct involving weapon	24.7%	35.5%	43.0%	47.4%	50.0%	51.7%	2792
drug paraphernalia violat	27.8%	37.0%	43.3%	47.2%	49.7%	51.7%	7905
aggravated robbery	27.1%	36.7%	42.8%	46.2%	49.9%	51.3%	409
narcotic drug violation	30.1%	38.6%	43.9%	47.4%	49.5%	50.7%	7606
organized retail theft	33.3%	50.0%	50.0%	50.0%	50.0%	50.0%	6
drug free school zone viol	25.0%	25.0%	37.5%	37.5%	50.0%	50.0%	8
escape first degree	41.7%	41.7%	41.7%	50.0%	50.0%	50.0%	12
robbery	28.7%	37.6%	43.3%	46.6%	48.3%	49.9%	920
theft crdt crd obt fraud	24.0%	34.2%	40.7%	45.1%	47.6%	49.6%	720
add/name change sex offender	26.9%	32.7%	39.4%	44.2%	47.1%	49.0%	104
forgery of credit cards	18.9%	35.1%	37.8%	43.2%	45.9%	48.6%	37
trafficking in stolen prop	25.3%	35.5%	41.2%	44.2%	46.3%	48.3%	1173
tamper w physical evidence	24.0%	44.0%	44.0%	48.0%	48.0%	48.0%	25
threat-intimidate	25.4%	38.0%	40.8%	45.1%	46.5%	47.9%	71
criminal damage	25.3%	36.0%	41.1%	43.6%	46.5%	47.6%	1102
theft	23.3%	33.3%	39.2%	42.6%	45.2%	47.2%	7061
imit ctrl sbst/mfg/distrib	13.3%	26.7%	33.3%	40.0%	40.0%	46.7%	15
influence a witness	23.1%	30.8%	38.5%	46.2%	46.2%	46.2%	13
fail to appear first deg	21.3%	32.4%	38.0%	41.7%	42.6%	45.4%	108
disorderly conduct	22.0%	30.3%	36.4%	39.4%	42.2%	44.6%	1089
forgery	22.1%	30.8%	36.5%	40.5%	42.7%	44.6%	3263
aggravated harassment	20.5%	33.1%	38.8%	41.6%	43.8%	44.5%	317
dangerous drug violation	22.1%	30.8%	36.2%	40.1%	42.5%	44.2%	7551
crim poss forgery device	20.5%	29.8%	35.2%	38.9%	41.4%	43.5%	1371
aggravated assault	20.2%	29.1%	35.0%	38.7%	41.2%	42.8%	8594
armed robbery	22.4%	30.7%	35.4%	38.1%	40.4%	41.8%	2104
participating in or assisting a criminal street gang	8.3%	16.7%	33.3%	41.7%	41.7%	41.7%	12
pandering	25.0%	41.7%	41.7%	41.7%	41.7%	41.7%	12
false swearing	20.0%	40.0%	40.0%	40.0%	40.0%	40.0%	5
tampering w witness	0.0%	20.0%	40.0%	40.0%	40.0%	40.0%	5
failure parnt provide chld	13.3%	26.7%	26.7%	33.3%	40.0%	40.0%	15
indecent exposure	22.1%	29.4%	32.4%	33.8%	39.7%	39.7%	68
dschrg firearm in city lm	19.2%	29.6%	33.5%	36.5%	37.4%	39.4%	203
riot	33.3%	33.3%	33.3%	38.9%	38.9%	38.9%	18
marijuana violation	20.3%	27.5%	32.6%	35.9%	37.6%	38.9%	6163
taking identity of another	18.5%	26.8%	31.3%	35.0%	36.8%	38.8%	665
prcrsr/regultd chem viol	15.4%	23.1%	30.8%	30.8%	38.5%	38.5%	13
conducting a chop shop	26.9%	30.8%	34.6%	34.6%	38.5%	38.5%	26
dschg firearm at a strctre	19.2%	26.0%	27.4%	31.5%	38.4%	38.4%	73
fraudulent use credit card	12.2%	22.4%	28.6%	33.7%	36.7%	37.8%	98
assist crim synd/lead gang	17.2%	26.9%	28.0%	33.3%	37.6%	37.6%	93
contin sexual abuse child	0.0%	12.5%	25.0%	25.0%	37.5%	37.5%	8
crimnl littering/polluting	25.0%	37.5%	37.5%	37.5%	37.5%	37.5%	8
criminal simulation	15.9%	23.0%	25.7%	30.1%	32.7%	37.2%	113
cruelty to anmls/poultry	11.4%	22.9%	28.6%	34.3%	37.1%	37.1%	35

hinder prosecution 1st deg	20.7%	25.0%	28.3%	32.6%	34.8%	37.0%	92
trafficking identity	20.0%	26.7%	30.0%	30.0%	36.7%	36.7%	30
arson of structure/property	16.5%	22.4%	25.9%	30.6%	34.1%	36.5%	85
public sexual indecency	13.4%	20.9%	28.4%	31.3%	32.8%	35.8%	67
arson of occupd structure	21.2%	24.7%	29.4%	31.8%	34.1%	35.3%	85
burglary 1st degree	19.7%	26.1%	29.9%	32.6%	34.5%	34.8%	264
computer fraud	21.7%	26.1%	30.4%	30.4%	34.8%	34.8%	23
child/adult abuse	15.6%	22.2%	26.8%	29.2%	32.5%	34.2%	699
endangerment	14.1%	20.9%	25.9%	29.9%	32.8%	34.2%	1774
criminal impersonation	14.8%	21.9%	27.4%	30.7%	32.9%	34.0%	365
aggravated driving/dwi	16.0%	23.3%	26.7%	30.5%	32.1%	33.6%	262
fail to give info/aid acci	16.7%	16.7%	33.3%	33.3%	33.3%	33.3%	6
cntrfeit marks eff 8-21-98	16.7%	33.3%	33.3%	33.3%	33.3%	33.3%	6
prscrption-only drug viol	33.3%	33.3%	33.3%	33.3%	33.3%	33.3%	9
theft by extortion	20.0%	26.7%	26.7%	33.3%	33.3%	33.3%	15
murder	16.7%	22.2%	27.8%	27.8%	33.3%	33.3%	18
assault	12.5%	20.8%	29.2%	33.3%	33.3%	33.3%	24
invlv/use mnr in drug offn	20.5%	25.6%	30.8%	30.8%	33.3%	33.3%	39
sexual conduct w minor	15.8%	23.0%	26.3%	29.2%	32.0%	33.3%	878
hindering prosecution	17.6%	20.6%	23.5%	29.4%	32.4%	32.4%	34
dui							
lquor/drugs/vprs/combo	17.0%	23.4%	27.7%	27.7%	27.7%	31.9%	47
murder 1st degree	11.4%	22.8%	25.3%	29.1%	30.4%	31.6%	79
lure minor for sex exploit	21.1%	21.1%	21.1%	31.6%	31.6%	31.6%	19
kidnapping	16.4%	22.7%	26.4%	28.8%	30.3%	31.1%	511
harassment	23.1%	23.1%	30.8%	30.8%	30.8%	30.8%	13
illegal control enterprise	8.7%	20.7%	25.0%	27.2%	30.4%	30.4%	92
leave accident death injry	15.4%	21.0%	25.2%	26.6%	27.3%	30.1%	143
parent fails to support	15.0%	25.0%	25.0%	30.0%	30.0%	30.0%	20
use elec comm drug trans	14.8%	22.2%	27.8%	27.8%	29.6%	29.6%	54
dang/deadly aslt by prsnr	17.6%	23.5%	29.4%	29.4%	29.4%	29.4%	17
aggravated dui	10.5%	17.1%	22.0%	25.4%	27.7%	29.3%	15370
sexual assault	11.7%	16.7%	21.7%	25.4%	26.7%	28.8%	240
tamper w public record	14.3%	21.4%	21.4%	21.4%	28.6%	28.6%	14
unlawful use of food stamp	9.5%	9.5%	9.5%	19.0%	23.8%	28.6%	21
negligent homicide	12.6%	20.2%	22.7%	24.7%	26.8%	27.8%	198
rec item obt by frd crdcd	18.2%	27.3%	27.3%	27.3%	27.3%	27.3%	11
fraudulent schems artifics	12.2%	18.3%	21.4%	24.0%	25.1%	27.2%	574
drive by shooting	12.6%	16.8%	21.6%	23.4%	25.1%	26.9%	167
sexual abuse	14.0%	17.2%	23.3%	24.8%	26.1%	26.7%	464
aggravated criminal damage	17.6%	23.5%	23.5%	23.5%	26.5%	26.5%	34
stalking	9.5%	14.3%	19.0%	22.2%	23.8%	25.4%	63
perjury	0.0%	12.5%	12.5%	25.0%	25.0%	25.0%	8
unlaw fail rtn rental prop	18.8%	18.8%	18.8%	18.8%	25.0%	25.0%	16
false statement to obtain benefits	14.6%	16.7%	18.8%	22.9%	22.9%	25.0%	48
furnish obsc mtrl to minor	3.0%	12.1%	18.2%	18.2%	24.2%	24.2%	33
surrept record	7.7%	23.1%	23.1%	23.1%	23.1%	23.1%	13
molestation of child	10.8%	15.9%	18.6%	20.4%	21.5%	22.4%	692
manslaughter	11.4%	15.8%	18.4%	19.6%	21.2%	21.8%	499
unlawful poss. access dev.	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	5
possession & sale narcotic	0.0%	0.0%	0.0%	20.0%	20.0%	20.0%	5
controlled substance viol	0.0%	20.0%	20.0%	20.0%	20.0%	20.0%	5
welfare fraud/prog disqualify	0.0%	20.0%	20.0%	20.0%	20.0%	20.0%	5
custodial interference	10.0%	20.0%	20.0%	20.0%	20.0%	20.0%	30
aggravtd taking identity	8.1%	9.7%	14.5%	16.1%	17.7%	19.4%	62

conspiracy	19.0%	19.0%	19.0%	19.0%	19.0%	19.0%	21
murder 2nd degree	6.9%	12.5%	13.8%	16.8%	18.1%	19.0%	232
causing serious physical injury by use of a vehicle	0.0%	5.9%	5.9%	17.6%	17.6%	17.6%	17
solicitation	0.0%	16.7%	16.7%	16.7%	16.7%	16.7%	6
sale of precursor or regulated chemicals	16.7%	16.7%	16.7%	16.7%	16.7%	16.7%	6
unlaw copy/sle snds/imes	0.0%	0.0%	0.0%	14.3%	14.3%	14.3%	7
sex exploit of minor	5.3%	9.3%	10.7%	12.0%	12.0%	12.0%	75
fraud scheme/prac-conceal	5.9%	5.9%	11.8%	11.8%	11.8%	11.8%	17
money laundering	4.7%	7.0%	11.6%	11.6%	11.6%	11.6%	43
smuggling	1.9%	4.8%	7.6%	9.5%	9.5%	9.5%	105

## Chapter 5: Drug Enforcement: Trafficking versus Possession, Marijuana versus Dangerous Drugs

One concern is that prison is being used to incarcerate “low-level” drug users. That simple marijuana possession is being punished as severely as more dangerous drug possession or as those involved in trafficking. Yet, a couple of simple tables show that these concerns simply are not borne out. The differences are large. For trafficking, other drug cases carry an average prison term that is 59% longer than for marijuana (Table 16). For possession, dangerous drugs have a prison term that is 50% longer. All drug trafficking cases together face an 87% longer prison term than for drug possession (Table 17).

The number of prisoners in the ADC for marijuana possession is very small compared to the number of arrests. While there were 21,727 arrests for marijuana possession in just one year, 2007,<sup>1</sup> over the entire 32.5 years from 1985 to 2017 period that we studied there were only 12,100 prisoners entering the ADC for that charge. Being arrested for marijuana possession is exceedingly unlikely to result in a prison sentence.

**Table 16: Comparing prison sentences by trafficking and possession by type of drug**

	Drug trafficking		Drug possession		
	Marijuana trafficking	Other trafficking	Marijuana possession	Dangerous drugs possession	Other drugs possession
Average number of days in prison	528	842	339	508	353
Percent of all prisoners	4.1%	7.2%	2.6%	4.1%	9.1%
Percent of prisoners in drug trafficking/possession	36.4%	63.6%	16.5%	25.9%	57.6%
Number of prisoners	19,111	33,384	12,100	18,916	42,104

**Table 17: Comparing prison sentences by all trafficking and all possession**

	Drug trafficking	Drug possession	Total
Average number of days in prison	726	388	603
Percent of prisoners	11.3%	15.7%	27.0%
Number of prisoners	52,495	73,120	464,641

<sup>1</sup> Jon Gettman, “Marijuana in Arizona: Arrests, Usage, and Related Data,” The Bulletin of Cannabis Reform, October 19, 2009 (<http://www.drugscience.org/States/AZ/AZ.pdf>).

## Appendix: Data Collection and Categorization

In order to undertake an analysis of the Arizona prison population, an extensive array of data were requested from and provided by the Arizona Department of Corrections (ADC). The data provided by the department consisted of Excel files containing records sorted by inmate number, and consisted of data loosely partitioned into the following categories:

- 1) ADC Offense Data: Information regarding each specific offense for which the inmate was ever committed to the department, including statute violated, felony class, sentence imposed, sentence enhancements, offense and sentencing dates, a probation revocation indicator, and other offense-specific information. Most of the determinants of offense severity were obtained from this file, as well as some determinants of repetitiveness.
- 2) ADC Movement Data: Data regarding the inmate's movements to and from the custody of the department, including dates of admission and release and the specific nature of those movements (court commitment, return to custody as release violator, Truth-in-Sentencing release, expiration of sentence, etc.). This file provided some determinants of repetitiveness, e.g., recommitments to the department and returns to custody of ADC release violators with new felony convictions.
- 3) ADC Sentencing Data: Sentence-begin dates, projected release dates, and other data related to an inmate's release eligibility. This data provided an accurate assessment of a) total time-to-be-served, b) time-served as of September 30, 2009, and c) time yet-to-be served. This file addressed the issue of offense severity.
- 4) ADC Custody Classification Data: The inmate's assigned custody level, as well as the data utilized to arrive at an appropriate custody level classification. This file provided some data regarding both offense severity and repetitiveness.
- 5) Personal History Data: Demographic and other personal history data on the inmate. This data, along with risk and needs data, gang affiliation data, time computation data, and selected excerpts from other files, appeared in a single "combined file" utilized by the department for a variety of purposes. This file provided the inmate identifiers that served as links between files.
- 6) ADC Risk and Needs Assessments: Data regarding the inmate's recidivism risk and need for programming in various areas, e.g., substance abuse, medical, mental health, etc. This data appeared in the original "combined" file.
- 7) Criminal History Data: Information regarding the documented prior criminal activity of the inmate, including the number of prior adult felony convictions, the number of juvenile felony adjudications, and other available indicators of past criminal behavior. This data provided obvious indicators of repetitiveness.

- 8) ADC Disciplinary Data: Data on major disciplinary violations committed by the inmate, including indicators of violence during the period of incarceration. The data from this file served to augment the record on the inmate's history of disruptiveness and violent behavior. In each case of an incident identified in this file, the inmate was found culpable by a due process mechanism utilized by the department.
- 9) Gang Affiliation Data: Data regarding the inmate's affiliation with a prison or street gang, including the inmate's status as a member of a Security Threat Group (STG). This data was judged to provide an additional indicator of future violence based on known gang associations with violent activities both on the street and in prison.<sup>1</sup>
- 10) Sex Offender Data: Classification data kept by the department regarding current or prior sex or sex-related offenses, including both felony and misdemeanor convictions.

For purposes of this study, felonies were partitioned into the following categories:

- 1) Violent Offenses: Violations of Chapter 11: Homicide; Chapter 12: Assault and Related Offenses; Chapter 13: Kidnapping and Related Offenses (except for A.R.S. §13-1307: Sex Trafficking); A.R.S. §13-1508: Burglary in the First Degree; Chapter 17: Arson;<sup>2</sup> A.R.S. §13-1804: Theft by Extortion; Chapter 19: Robbery; A.R.S. §13-2308: Participating in or Assisting a Criminal Syndicate; A.R.S. §13-2308.01: Terrorism; A.R.S. §13-2321: Participating in or Assisting a Criminal Street Gang; A.R.S. §13-2504: Escape in the First Degree; A.R.S. §13-2903: Riot; A.R.S. §13-2904: Disorderly Conduct (reckless use of a deadly weapon or dangerous instrument); A.R.S. §13-2912: Unlawful Introduction of Disease or Parasite; A.R.S. §13-2921: Harassment & Aggravated Harassment; A.R.S. §13-2923: Stalking; Chapter 31: Weapons and Explosives; A.R.S. §13-3601.02: Aggravated Domestic Violence; A.R.S. §13-3623: Child or Vulnerable Adult Abuse; A.R.S. §13-3704: Adding Poison or Other Harmful Substance to Food, Drink or Medicine; and A.R.S. §31-130: Destruction or Injury to Public Jail.
- 2) Sex Offenses: Violations of A.R.S. §13-1307: Sex Trafficking; Chapter 14: Sexual Offenses; A.R.S. §13-3206: Taking a Child for Purpose of Prostitution; A.R.S. §13-3212: Child Prostitution; Chapter 35: Obscenity; Chapter 35.1: Sexual Exploitation of Children; A.R.S. §13-3608: Incest; and Chapter 38, Article 3: Registration of Sex Offenders and Offender Monitoring (considered a sex offense because the offender must be a convicted sex offender to be prosecuted under this statute).
- 3) Property Offenses: Violations of Chapter 15: Criminal Trespass and Burglary (except for A.R.S. §13-1508); Chapter 16: Criminal Damage to Property; Chapter 18: Theft (except for A.R.S. §13-

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<sup>1</sup> The department has determined from statistical studies that members of prison and street gangs record much higher than average rates of violence in custody and much higher than average rates of violence while in the community.

<sup>2</sup> While arson is considered a property crime by the FBI, it is classified as violent for this study since it may and often does endanger persons either directly or by spreading away from the structure or area where it was set.

1804); Chapter 20: Forgery and Related Offenses; Chapter 21: Credit Card Fraud; Chapter 22: Business and Commercial Frauds; Chapter 23: Organized Crime, Fraud, and Terrorism (except for A.R.S. §13-2308, A.R.S. §13-2308.01, and A.R.S. §13-2321); Chapter 37: Miscellaneous Offenses (except for A.R.S. §13-3704); A.R.S. §13-4702: Conducting a Chop Shop; A.R.S. §23-785: False Statement, Misrepresentation or Nondisclosure of Material Fact to Obtain Benefits; A.R.S. §44-1841: Sale of Unregistered Securities; A.R.S. §44-1842: Transactions by Unregistered Dealers and Salesmen; and A.R.S. §44-1991: Fraud in Purchase or Sale of Securities.

- 4) Drug Trafficking: Violations of Chapter 34: Drug Offenses that involve the sale, possession for sale, acquisition, manufacture, production (marijuana), transport, or administration of dangerous drugs, narcotic drugs, marijuana, or precursor or regulated chemicals; A.R.S. §13-3409: Involving or Using Minors in Drug Offenses; A.R.S. §13-3411: Drug-Free School Zone Violation; A.R.S. §13-3417: Use of Wire Communication or Electronic Communication in Drug Related Transactions; A.R.S. §13-3421: Using Building for Sale or Manufacture of Dangerous or Narcotic Drugs; and Chapter 34.1: Imitation Substance or Drug Offenses.
- 5) Drug Possession: Violations of Chapter 34: Drug Offenses that involve the possession or use of dangerous drugs, narcotic drugs, or marijuana; A.R.S. §13-3403: Possession and Sale of a Vapor Releasing Substance Containing a Toxic Substance; and A.R.S. §13-3415: Possession, Manufacture, Delivery, and Advertisement of Drug Paraphernalia.
- 6) DUI: Felony violations of Article 3: Driving Under the Influence of Title 28: Transportation.
- 7) Escape and Related Offenses: Violations of Chapter 25: Escape and Related Offenses (except for A.R.S. §13-2504); A.R.S. §28-622.01: Unlawful Flight from Pursuing Law Enforcement Vehicle; and A.R.S. §28-661: Accidents Involving Death or Personal Injuries-Failure to Stop.
- 8) Public Order/Morals Offenses: Violations of Chapter 24: Obstruction of Public Administration; Chapter 26: Bribery; Chapter 27: Perjury and Related Offenses; Chapter 28: Interference with Judicial and Other Proceedings; Chapter 29: Offenses Against Public Order (except for A.R.S. §13-2903, A.R.S. §13-2904, A.R.S. §13-2912, A.R.S. §13-2921.01, and A.R.S. §13-2923); Chapter 30: Eavesdropping and Communications; Chapter 32: Prostitution (except for A.R.S. §13-3206 & A.R.S. §13-3212); and Chapter 36: Family Offenses (except for A.R.S. §13-3601.02, A.R.S. §13-3608, and A.R.S. §13-3623).

Criminal history variables from the ADC database that were used to determine repetitiveness include the following:

- 1) Number of Prior Adult Felony Convictions (0, 1, 2, etc.) as coded at intake.
- 2) Number of Prior Adult Felony Probations (0, 1, 2, etc.) as coded at intake.
- 3) Number of Juvenile Felony Adjudications (0, 1, 2, etc.) as coded at intake.
- 4) Number of Juvenile Commitments (0, 1, 2, etc.) as coded at intake.
- 5) Prior Felony Confinements (0, 1, 2+) as coded by ADC classification staff (partial data availability due to change in classification system).
- 6) Prior ADC Commitments (0, 1, 2, etc.) as determined from movement records.
- 7) Prior ADC Sentences (0, 1, 2, etc.) as determined from offense records.
- 8) Prior Felony Conviction for Sex or Sex-Related Offense as coded by ADC classification staff.
- 9) Status of Inmate as a Probation or ADC Release Violator with a New Felony Conviction as Sentencing pursuant to A.R.S. §13-703: Repetitive Offenders, as determined from offense records (coded as non-repetitive, repetitive one, or repetitive two).
- 10) Sentencing pursuant to A.R.S. §13-708: Offenses Committed While Released from Confinement, as determined from offense records (yes or no).
- 11) Most serious prior adult felony conviction or juvenile felony adjudication as coded by ADC classification staff (A.R.S. reference given).
- 12) Post-commitment felony conviction as determined from movement and offense records.
- 13) Determined from offense and movement records.

Several of these items were coded at reception centers in conjunction with inmate admissions to the department. These are identified with the word “intake.” Reception staff utilize all available source documents to obtain criminal history information, however, comprehensive sources may not have been available at the time, in which case these items were coded as missing. This is a major reason why the intake variables do not provide a complete assessment of criminal history. Items 5, 8, and 12 are coded by ADC classification staff. Since the new inmate classification system was installed in 2005, classification staff members have been coding item #12, which records the most serious prior felony. This is coded as a specific A.R.S. reference without qualification as to the length or nature of the sentence imposed or the applicability of a sentence enhancement.

Prior to the installation of the new classification system, a variable was coded to indicate a prior felony confinement history (#5). Where available, this variable was also utilized for the study. Finally, inmate classification staff is responsible for coding an item dealing with the offender’s status as a sex offender. This item (#8) indicates the fact of a current conviction for a felony sex or sex-related offense, or, if there is no such conviction, a prior felony of either type if such is documented in the offender’s record. The remaining six items are self-explanatory and were obtained by review of the movement and offense records provided for this study.

Based on a review of these records, an inmate was assigned the status of either:

- 1) Repeat Offender: Repetitive as determined by the presence of one or more priors in any one or more of the 13 criminal history categories.
- 2) First Offender: Non-repetitive as determined by a lack of priors in all the 13 criminal history categories.

In addition, a new variable was coded to measure the total number of prior felonies by means of cross comparisons of all 13 criminal history source variables.

Repeat offenders were further coded according to the presence or absence of prior violent offenses, prior sex offenses, prior dangerous offenses pursuant to A.R.S. §13-704: Dangerous Offenders, and prior crimes against children pursuant to A.R.S. §13-705: Dangerous Crimes against Children, all based on ADC offense data. This data was used to identify and classify offenders with a history of prior felony violence or sex crime.

The combination of all the above was judged to provide a relatively complete and comprehensive view of an inmate’s prior record.

In addition to new criminal history variables, two variables were coded that addressed how the inmate entered the custody of the department. They are as follows:

- 1) Admission Category: A variable describing the specific nature of the inmate's most recent admission to the department, including:
  - a. New Commitment by the Court
  - b. Recommitment by the Court
  - c. Admission as an ADC Release Violator
  - d. Return from Deportation at ½ Sentence
  - e. Return from Escape
  - f. Interstate Compact Placement (out-of-state inmate),
  - g. Return from Interstate Compact Placement (Arizona inmate)
  
- 2) Commitment Category: A variable describing the specific nature of the inmate's most recent commitment, including:
  - a. Direct Court Commitment
  - b. Probation Revocation with a New Felony Conviction
  - c. Probation Revocation for a Technical Violation
  - d. Commitment as a Condition of Probation
  - e. Commitment of an ADC Release Violator with a New Felony Conviction.

Current and Prior Offenses: To serve the purposes of the study, it was necessary to formulate exact criteria as to which ADC offenses would be considered "current offenses" and which would be considered "prior offenses." Obviously, one must know which offenses are current before current offenses can be assigned to categories. In addition, there is utility in selecting one current offense for status as "most serious current offense." For the purposes of this study, an ADC committing offense was counted as a current offense if either: 1) the sentence imposed for the offense has not expired (as of September 30, 2009), or 2) the sentencing date for the offense coincides with the most recent sentencing date among all offenses for which the offender has ever been committed to the department.

The reason criterion #1 is important is that some inmates receive new sentences while old ones are still running. In our opinion, this should not negate the status of the original (older) offense as a current offense. However, when the sentence for that older offense does expire, it is appropriate to call it a prior offense. The reason criterion #1 was not selected to stand alone is that the sentence for one offense may expire before the sentence for another offense associated with the same incident expires. For instance, for one incident, an offender is sentenced to 5 years for Class 3 Theft and 4 years concurrent for Class 4 Robbery. In this situation, the sentence for Robbery would expire while the sentence for Theft was still running. In such a situation, it would not be appropriate to call the Theft a current offense and the Robbery a prior offense. If the Robbery were to be labeled as a prior offense only, then, even though the incident was a violent one, the offender would nonetheless be classified as a current non-violent offender. Obviously, this would be inappropriate.

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Senior Research Scientist, University of Maryland Foundation, University of Maryland at College Park -- July 2007 to June 2009.  
The Dean's Visiting Professor, State University of New York at Binghamton -- August 2006 to July 2007.  
Resident Scholar, American Enterprise Institute — September 2001 to July 2006.  
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The John M. Olin Law and Economics Fellow, School of Law, University of Chicago — September 1995 to August 1999.

The John M. Olin Visiting Assistant Professor, The George J. Stigler Center for the Study of the Economy and the State, Graduate School of Business, University of Chicago — July 1994 to August 1995.

The John M. Olin Visiting Fellow, Cornell University Law School, March 1994.

Winner of the Duncan Black Award presented by the Public Choice Society for the best Public Choice paper of the year for 1992.

The John M. Olin National Fellow, Hoover Institution, Stanford University — September 1986 to August 1987.

Honorable Mention, Outstanding Doctoral Dissertation Contest in Government Finance and Taxation sponsored by the National Tax Association and the Tax Institute of America, 1984.

Weaver Fellowship, Intercollegiate Studies Institute, 1980-1981.

## **Editorial Activity and Other Professional Positions:**

Coeditor, *Economic Inquiry*, November 1996 to August 1998.

Editorial Board, *Regulation*, July 1989 to 2006.

Editorial Board, *Public Choice*, March 1994 to December 2003.

Editorial Board, *Managerial and Decision Economics*, January 1994 to July 1998.

Co-editor, Special Issue of *Journal of Law and Economics* on Penalties: Public and Private, 1999.

Co-editor, Special Issue of *Economic Inquiry* in Honor of Armen Alchian's 80th Birthday, July 1996.

Special Editor, *Managerial and Decision Economics*, special issue on "The Economics of Corporate Crime," July-August 1996.

Nominating Committee for Presidency and Board of Directors of Western Economic Association, Western Economic Association, 1996.

## **Other activities (Unpaid):**

Board of Advisers, Business & Media Institute, May 2008 to present.

Wrote the Statistical Report for the Minority members of the U.S. Commission on Civil Rights on the "Probe of Election Practices in Florida During the 2000 Presidential Election."

Served as a Statistical expert for *USA Today* in evaluating the precinct level data that they had put together after the Florida Presidential Election in 2000.

Advisor to the Allied Pilots Association and the Airline Pilots Security Alliance on the issue of arming pilots in the cockpit: January 2002 to present.

Served as the statistical expert for the challenge by Senator Mitch McConnell against McCain-Feingold campaign finance regulations.

## Books:

Uncertainty and Economic Evolution: Essays in Honor of Armen Alchian, edited volume, Routledge Press: New York (1997).

More Guns, Less Crime: Analyzing Crime and Gun Control Laws, University of Chicago Press: Chicago, Illinois (1998), translated into Portuguese (1999) and Russian (2004). Second edition published 2000, third edition published May 2010.

Are Predatory Commitments Credible?: Who Should the Courts Believe?, University of Chicago Press: Chicago, Illinois (1999).

The Bias Against Guns: Why Almost Everything You've Heard About Gun Control Is Wrong, Regnery Press, Washington, DC (2003).

Freedomnomics: Why the Free Market Works and Other Half-Baked Theories Don't, Regnery Press, Washington, DC (2007), translated into Portuguese (Brazil and Portugal), Chinese, and Korean.

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Dumbing Down the Courts: How Politics Keeps the Smartest Judges Off the Bench, Hillcrest Media: Minneapolis, MN (September 2013).

## Publications:

Law and Economics:

- (1) "Licensing and Nontransferable Rents," *American Economic Review*, Vol. 77, no. 3, June 1987: 453-455; "Licensing and Nontransferable Rents: Reply," *American Economic Review*, Vol. 79, no. 4, September 1989: 910-912.
- (2) "Juvenile Delinquency and Education: A Comparison of Public and Private Provision," *International Review of Law and Economics*, Vol.7, no. 2, December 1987: 163-175.
- (3) "Should the Wealthy Be Able to 'Buy Justice'?" *Journal of Political Economy*, Vol. 95, no. 6, December 1987: 1307-1316.
- (4) "Why Comply: The One-Sided Enforcement of Price Controls and Victimless Crime Laws," co-authored with Russell Roberts, *Journal of Legal Studies*, Vol. 18, no. 2, June 1989: 403-414, reprinted in *The Economics of Corruption and Illegal Markets*, edited by Gianluca Fiorentini and Stefano Zamagni, Cheltenham, U.K.: Edward Elgar Publishing Limited, forthcoming.

- (5) "A Transaction Costs Explanation For Why the Poor are More Likely to Commit Crime," *Journal of Legal Studies*, Vol. 19, no. 1, January 1990: 243-245.
- (6) "Optimal Penalties Versus Minimizing the Level of Crime: Does it Matter Who is Correct?" *Boston University Law Review*, invited conference volume on the United States Sentencing Commission's proposed Organizational Sanctions, March 1991: 439-446.
- (7) "An Attempt at Measuring the Total Monetary Penalty from Drug Convictions: The Importance of an Individual's Reputation," *Journal of Legal Studies*, Vol. 21, no. 1, January 1992: 159-187, reprinted in *The Economics of Corruption and Illegal Markets*, edited by Gianluca Fiorentini and Stefano Zamagni, Cheltenham, U.K.: Edward Elgar Publishing Limited, forthcoming.
- (8) "Low-Probability-High-Penalty Enforcement Strategies and the Efficient Operation of the Plea Bargaining System," co-authored with Bruce H. Kobayashi, *International Review of Law and Economics*, Vol. 12, no. 1, March 1992: 69-77.
- (9) "Do We Punish High Income Criminals Too Heavily?" *Economic Inquiry*, Vol. 30, no. 4, October 1992: 583-608.
- (10) "The Reputational Penalty Firms Bear for Committing Fraud," co-authored with Jonathan M. Karpoff, *Journal of Law and Economics*, Vol. 36, no. 2, October 1993: 757-803, closely related version reprinted in *The Economics of Organized Crime*, edited by Gianluca Fiorentini and Sam Peltzman, London: Cambridge University Press, 1995: 199-246.
- (11) "The Expected Penalty for Committing a Crime: An Analysis of Minimum Wage Violations," co-authored with Russell Roberts, *Journal of Human Resources*, Vol. 30, no. 2, Spring 1995: 397-408.
- (12) "Should Criminal Penalties Include Third-Party Avoidance Costs?" co-authored with Kermit Daniel, *Journal of Legal Studies*, Vol. 24, no. 2, June 1995: 523-534.
- (13) "The Optimal Level of Criminal Fines in the Presence of Reputation," *Managerial and Decision Economics*, invited conference volume, Vol. 17, no. 4, July-August 1996: 363-380.
- (14) "In Defense of Criminal Defense Expenditures and Plea Bargaining," co-authored with Bruce Kobayashi, *International Review of Law and Economics*, Vol. 16, no. 4, December 1996: 397-416.
- (15) "Crime, Deterrence, and Right-to-Carry Concealed Handguns," co-authored with David Mustard, *Journal of Legal Studies*, Vol. 26, no. 1, January 1997: 1-68; portion reprinted in *The Gun Control Debate: A Documentary History*, edited by Marjolin Bijlefeld, Westport, CT.: Greenwood Publishing (1997): 88-91; single authored summary reprinted in the *Valparasio University Law Review*, Vol. 31, no. 2 Spring 1997: 355-364; Reprinted in *Guns in America: a reader*. 1999. edited by Jan E. Dizard, Robert M. Muth, Stephen P. Andrews, NYU Press. Reprinted in *The Economics of Crime*. 2005.

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- (16) "The Concealed Handgun Debate," *Journal of Legal Studies*, Vol. 27, no. 1, January 1998: 221-243.
- (17) "Deterrence, Right-to-Carry Concealed Handgun Laws, and the Geographic Displacement of Crime," co-authored with Stephen G. Bronars, *American Economic Review*, Vol. 88, no. 2 (May 1998): 475-479.
- (18) "Do Concealed Handgun Laws Save Lives?" *American Journal of Public Health*, Vol. 88, no. 6 (June 1988): 980-982.
- (19) "Punitive Damages: Their Determinants, Effects on Firm Value, and the Impact of Supreme Court and Congressional Attempts to Limit Awards," co-authored with Jonathan M. Karpoff, *Journal of Law and Economics*, Vol. 42, no. 1 (part 2) (April 1999): 527-573.
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- (21) "Does a Helping Hand Put Others at Risk?: Affirmative Action, Police Departments, and Crime," *Economic Inquiry*, Vol. 38, no. 2 (April 2000): 239-277; republished in *The Economics of Affirmative Action*, edited by Harry J. Holzer, Edward Elgar Publishing Ltd.: Surrey, UK (2004).
- (22) "The American Bar Association, Judicial Ratings, and Political Bias," *Journal of Law & Politics*, (Winter 2001): 41-61.
- (23) "Safe Storage Gun Laws: Accidental Deaths, Suicides, and Crime," co-authored with John Whitley, *Journal of Law and Economics*, Vol. 44, no. 2, part 2, (October 2001): 659-689.
- (24) "Non-Voted Ballots and Discrimination in Florida." *Journal of Legal Studies*, Vol. 32, no. 1 (January 2003): 181-220.
- (25) "Measurement Error in County-Level UCR Data," with John Whitley, *Journal of Quantitative Criminology*, Vol. 19, No. 2 (June 2003): 185-198.
- (26) "The Judicial Confirmation Process: The Difficulty in Being Smart," *Journal of Empirical Law and Economics*, Vol. 2, no. 3, 2005: 407-447 (Lead article).
- (27) "The Reputational Penalties for Environmental Violations: Empirical Evidence," with Jonathan Karpoff and Eric Wehrly, *Journal of Law and Economics*, Vol., no. 2 (October 2005): 653-675.
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- (2) "Political Cheating," *Public Choice*, Vol. 52, no. 2, 1987: 169-186.
- (3) "The Effect of Nontransferable Property Rights on the Efficiency of Political Markets: Some Evidence," *Journal of Public Economics*, Vol. 32, no. 2, March 1987: 231-246.
- (4) "The Institutional Arrangement of Public Education: The Puzzle of Exclusive Territories," *Public Choice*, Vol. 54, no. 1, 1987: 89-96.
- (5) "Why is Education Publicly Provided?: A Critical Survey," *Cato Journal*, Vol. 7, no. 2, Fall 1987: 475-501, reprinted in *The Economic Value of Education*, edited by Mark Blaug, Cheltenham, U.K.: Edward Elgar Publishing Limited, 1992, Chapter 27.
- (6) "Explaining Challengers' Campaign Expenditures: The Importance of Sunk Nontransferable Brand Name," *Public Finance Quarterly*, Vol. 17, no. 1, January 1989: 108-118.
- (7) "Deadweight Losses and the Saving Response to a Deficit," co-authored with Gertrud Fremling, *Economic Inquiry*, Vol. 27, no. 1, January 1989: 117-129.
- (8) "Shirking and Sorting in a Political Market with Finite-Lived Politicians," co-authored with W. Robert Reed, *Public Choice*, Vol. 61, no. 1, April 1989: 75-96.
- (9) "Time Dependent Information Costs, Price Controls, and Successive Government Intervention," co-authored with Gertrud Fremling, *Journal of Law, Economics, and Organization*, Vol. 5, no. 2, Fall 1989: 293-306.
- (10) "Attendance Rates, Political Shirking, and the Effect of Post-Elective Office Employment," *Economic Inquiry*, Vol. 28, no. 1, January 1990: 133-150.
- (11) "An Explanation for Public Provision of Schooling: The Importance of Indoctrination," *Journal of Law and Economics*, Vol. 33, no.1, April 1990: 199-231.
- (12) "Predation by Public Enterprises," *Journal of Public Economics*, Vol. 43, no. 2, November 1990: 237-251.
- (13) "Does Additional Campaign Spending Really Hurt Incumbents?: The Theoretical Importance of Past Investments in Political Brand Name," *Public Choice*, Vol. 72, October 1991: 87-92.

- (14) "A Critical Review and An Extension of the Political Shirking Literature," co-authored with Michael L. Davis, *Public Choice*, Vol. 74, no. 4, December 1992: 461-484, winner of the Duncan Black Award presented by the Public Choice Society for the best Public Choice paper of the year.
- (15) "Reconciling Voters' Behavior with Legislative Term Limits," co-authored with Andrew R. Dick, *Journal of Public Economics*, Vol. 50, no. 1, January 1993: 1-14, reprinted in *Term Limits: A Public Choice Perspective*, edited by Bernard Grofman, Dordrecht, Netherlands: Kluwer Academic Publishers, forthcoming 1996.
- (16) "Time Series Evidence on Shirking by Members of the U.S. House of Representatives," coauthored with Stephen G. Bronars, *Public Choice*, invited conference volume, Vol. 76, no. 1-2, June 1993: 125-149, reprinted in *Foundations of Regulatory Economics*, edited by Robert B. Ekelund, Jr., London: Edward Elgar Publishing Limited, 2000.
- (17) "An Explanation for Why Senators from the Same State Vote Differently So Frequently," coauthored with Gi-Ryong Jung and Lawrence W. Kenny, *Journal of Public Economics*, Vol. 54, no. 1, May 1994: 65-96.
- (18) "Do Deficits Affect the Level of Insurance?" co-authored with Gertrud M. Fremling, *Journal of Money, Credit, and Banking*, Vol. 26, no. 4, November 1994: 934-940.
- (19) "Are Government or Private Enterprises More Likely to Engage in Dumping?: Some International Evidence," *Managerial and Decision Economics*, Vol. 16, no. 3, May-June 1995: 185-204.
- (20) "Legislator Voting and Shirking: A Critical Review of the Literature," co-authored with Bruce Bender, *Public Choice*, Vol. 87, nos. 1 and 2, April 1996: 67-100.
- (21) "Term Limits and Electoral Competitiveness: Evidence from California's State Legislative Races," co-authored with Kermit Daniel, *Public Choice*, Vol. 90, nos. 1-4, March 1997: 165-184, reprinted in *Constitutional Political Economy in a Public Choice Perspective*, edited by Charles K. Rowley, Kluwer Academic Publishers: Boston, 1997, Chapter 7, pp. 165-184.
- (22) "Does Political Reform Increase Wealth?: Or, Why the Difference Between the Chicago and Virginia Schools is Really an Elasticity Question," *Public Choice*, Vol. 91, nos. 3-4, June 1997: 219-227.
- (23) "A Review Article on Donald Wittman's The Myth of Democratic Failure," *Public Choice*, Vol. 92, no. 1-2, July 1997: 1-13 (Lead article).
- (24) "How Term Limits Enhance the Expression of Democratic Preferences," coauthored with Einer Elhauge and Richard Manning, *Supreme Court Economic Review*, Vol. 5, 1997: 59-81.
- (25) "Do Campaign Donations Alter How a Politician Votes?," coauthored with Steve Bronars, *Journal of Law and Economics*, Vol. 40, no. 2, October 1997: 317-350.

- (26) “Did Women’s Suffrage Change the Size and Scope of Government?,” co-authored with Larry Kenny, *Journal of Political Economy*, Vol. 107, no. 6, part 1, December 1999: 1163-1198.
- (27) “Public Schooling, Indoctrination, and Totalitarianism,” *Journal of Political Economy*, Vol. 107, no. 6, part 2, December 1999: S127-S157.
- (28) “A Simple Explanation for Why Campaign Donations are Increasing: The Government is Getting Bigger,” *Journal of Law and Economics*., Vol. 42, no. 2, October 2000: 359-393.
- (29) “Documenting Unusual Declines in Republican Voting Rates in Florida’s Western Panhandle Counties in 2000,” *Public Choice*, Vol. 123, June 2005: 349-361.
- (30) “Campaign Finance Reform and Electoral Competition,” *Public Choice*: Vol. 129 (3-4), 2006: 263-300.
- (31) "Non-voted Ballots, The Cost of Voting, and Race," *Public Choice*, Vol. 138, no. 1, (January 2009): 171-197.
- (32) “What Does the American Bar Association Judicial Rating Really Measure?” *Public Choice*, 2013.
- (33) “Is Newspaper Coverage of Economic Events Politically Biased?” co-authored with Kevin Hassett, *Public Choice*, forthcoming.

**Industrial Organization:**

- (1) “Brand Names, Ignorance, and Quality Guaranteeing Premiums,” *Applied Economics*, Vol. 20, no. 2, February 1988: 165-176.
- (2) “Qualitative Information, Reputation, and Monopolistic Competition,” co-authored with Michael Darby, *International Review of Law and Economics*, Vol. 9, no. 1, June 1989: 87-103.
- (3) “A Guide to the Pitfalls of Identifying Price Discrimination,” co-authored with Russell D. Roberts, *Economic Inquiry*, Vol. 29, no. 1, January 1991: 14-23, reprinted in *Who Sets Prices?*, Pittsburgh, PA.: Enterprise & Education Foundation, 1991.
- (4) “Do Some Firms Rely on Preferences Instead of Sunk Investments to Guarantee Performance?” coauthored with Andrew R. Dick, *Managerial and Decision Economics*, invited conference volume, Vol. 14, no. 2, March-April 1993: 109-118.
- (5) “Profiting from Induced Changes in Competitors’ Market Values: The Case of Entry and Entry Deterrence,” co-authored with Robert G. Hansen, *Journal of Industrial Economics*, Vol. 43, no. 3, September 1995: 261-276.
- (6) “Externalities and Corporate Objectives in a World with Diversified Shareholder/Consumers,” co-authored with Robert G. Hansen, *Journal of Financial and Quantitative Analysis*, Vol. 31, no. 1, March 1996: 43-68.
- (7) “Testing Whether Predatory Commitments are Credible,” co-authored with Tim Opler, *Journal of Business*, Vol. 69, no. 3, July 1996: 339-382.

## Other Areas:

- (1) "Why Do Workers Join Unions?: The Importance of Rent-Seeking," co-authored with Stephen G. Bronars, *Economic Inquiry*, Vol. 27, no. 4, April 1989: 305-324.
- (2) "The Winner's Curse and Public Information in Common Value Auctions: Comment," co-authored with Robert G. Hansen, *American Economic Review*, Vol. 81, no. 1, March 1991: 347-361, reprinted in *Recent Developments in Experimental Economics*, Vol. II, edited by John D. Hey and Graham Loomes, Cheltenham, U.K.: Edward Elgar Publishing Limited, 1993, Chapter 9, pp. 154-168.
- (3) "The Bias Towards Zero in Aggregate Perceptions: An Explanation Based on Rationally Calculating Individuals," co-authored with Gertrud Fremling, *Economic Inquiry*, Vol. 34, no. 2, April 1996: 276-295; "The Bias Towards Zero in Identifying Relationships: Reply to Kennedy," co-authored with Gertrud Fremling, *Economic Inquiry*, Vol. 37, no. 2, April 1999: 385-386.
- (4) "The Effect of Macroeconomic News on Stock Returns: New Evidence from Newspaper Coverage," co-authored with Gene Birz, *Journal of Banking and Finance*, Vol. 35, November 2011: 2791-2800 (Semifinalist for Best Paper in Investments Award at 2009 FMA Annual Meetings).

## Shorter Papers, Book Chapters, and Book Reviews:

- (1) "A Note on Law, Property Rights, and Air Pollution," *Cato Journal*, Vol. 3, no. 3, Winter 1983/1984: 875-878.
- (2) "Education," Economics Research Directory, New York: Manhattan Institute, 1984: Chp. 7.
- (3) "Rates of Return Promised by Social Security to Today's Young Workers," co-authored with Peter Ferrara, in Social Security: The Prospects for Real Reform, Peter Ferrara ed., Washington: Cato Institute, 1985: Chp. 1.
- (4) Review of Unnatural Monopolies, edited by Robert Poole, *Southern Economic Journal*, Vol. 53, no. 1, July 1986: 287-288.
- (5) "On Nationalizing Private Property and the Present Value of Dictators," co-authored with David Reiffen, *Public Choice*, Vol. 48, no. 1, 1986: 81-87.
- (6) "Externalities, Agency Structure, and the Level of Transfers," *Public Choice*, Vol. 53, no. 3, 1987: 285-287.
- (7) "Televising Legislatures: Some Thoughts on Whether Politicians are Search Goods," co-authored with Gertrud Fremling, *Public Choice*, Vol. 58, no. 1, July 1988: 73-78.
- (8) "Some Thoughts on Tullock's New Definition of Rent-Seeking," *Contemporary Policy Issues*, Vol. 6, no. 4, October 1988: 48-49.

- (9) "Racial Employment and Earnings Differentials: The Impact of the Reagan Administration: Comment," *The Review of Black Political Economy*, Vol. 17, no. 4, Spring 1989: 83-84.
- (10) "Production Costs and Deregulation," co-authored with Morgan Reynolds, *Public Choice*, Vol. 61, no. 2, May 1989: 183-186.
- (11) Review of Televised Legislatures: Political Information, Technology, and Public Choice by W. Mark Crain and Brian Goff, *American Political Science Review*, Vol. 83, December 1989: 1377-1378.
- (12) "Getting Tough on White-Collar Crime," *Regulation*, Vol. 13, no. 1, Winter 1990: 18-19.
- (13) "A Comment on 'The Role of Potential Competition in Industrial Organization,'" co-authored with Andrew Dick, *Journal of Economic Perspectives*, Vol. 4, no. 2, Spring 1990: 213-215.
- (14) "Why is Education Publicly Provided?: Some Further Thoughts," *Cato Journal*, Vol. 10, no. 1, Summer 1990: 293-297.
- (15) "Nontransferable Rents and an Unrecognized Social Cost of Minimum Wage Laws," *Journal of Labor Research*, Vol. 11, no. 4, Fall 1990: 453-460.
- (16) "The Effect of Conviction on the Legitimate Income of Criminals," *Economics Letters*, Vol. 34, no. 12, December 1990: 381-385.
- (17) "Why the Commission's Corporate Guidelines May Create Disparity," *Federal Sentencing Reporter*, co-authored with Jonathan Karpoff, November/December 1990: 140-141.
- (18) Review of Institutions, Institutional Change, and Economic Performance, by Douglas C. North, *Journal of Policy Analysis and Management*, Vol. 11, no. 1, 1992: 156-159.
- (19) "Goring the U.S. Economy," Review of Earth in the Balance: Ecology and the Human Spirit, by Senator Albert Gore, Jr., *Regulation*, Vol. 15, no. 3, Summer 1992: 76-80.
- (20) Review of Reforming Products Liability, by W. Kip Viscusi, *Journal of Policy Analysis and Management*, Vol. 11, no. 4, 1992: 726-728.
- (21) Review of The Future of Economics, by John D. Hey (ed.), *Public Choice*, Vol. 75, no. 4 (April 1993): 389-394.
- (22) "Regulatory Common Sense vs. Environmental Nonsense," Reviews of Environmental Overkill: Whatever Happened to Common Sense? by Dixy Lee Ray with Lou Guzo and Science Under Siege: Balancing Technology and the Environment by Michael Fumento, *Regulation*, Vol. 16, no. 1, Fall 1993: 80-82.
- (23) "Regulating Indoor Air Quality: The Economist's View," coauthored with Robert G. Hansen, *The EPA Journal*, Vol. 19, no. 4 (October-December 1993): 30-31.

- (24) "Environmental Economics: Fallacies and Market Incentives," Chapter 3 in Balancing the Earth's Economy and Ecology: Analysis and Constructive Alternatives to Earth in the Balance, John Baden (ed.), San Francisco: Pacific Research Institute, 1994: 77-89.
- (25) "The Regulatory Quest for Safety at Any Cost," Review of Collision Course: The Truth About Airline Safety by Ralph Nader and Wesley J. Smith, *Regulation*, Vol. 17, no. 1, Winter 1994: 80-81.
- (26) "Armen A. Alchian's Influence on Economics," *Economic Inquiry*, Vol. 34, no. 3, July 1996: 409-411, reprinted in Uncertainty and Economic Evolution: Essays in Honor of Armen Alchian, John R. Lott, Jr. (ed.), Routledge Press: New York (1997): 1-3.
- (27) Moderated and Participated in "Roundtable discussion in Celebration of Armen Alchian's 80th Birthday," *Economic Inquiry* Vol. 34, no. 3 (July 1996): 412-426.
- (28) "Corporate Criminal Penalties," *Managerial and Decision Economics* Vol. 17, no. 4 (July-August 1996): 349-350.
- (29) "In Praise of Lost Mail and \$900 Toilet Seats?" Review of The Myth of Democratic Failure: Why Political Institutions are Efficient, by Donald Wittman, *Regulation*, no. 1, 1996: 85-89.
- (30) "Concealed Handguns Can Save Lives," *Agenda*, Vol. 3, no. 4, 1996: 499-502.
- (31) "Freedom, Wealth, and Coercion," co-authored with Gertrud Fremling, in Uncertainty and Economic Evolution: Essays in Honor of Armen Alchian, John R. Lott, Jr. (ed.), Routledge Press: New York (1997): 151-164.
- (32) "Survey of the Economics of Corporate Crime," *Encyclopedia of Law and Economics*, Boudewijn Bouckaert and Gerrit De Geest, editors, forthcoming.
- (33) "The Reputational Penalty Imposed on Criminals," *The New Palgrave Dictionary of Economics and Law*, Peter Newman, editor, 1998.
- (34) "Do Concealed Handgun Laws Save Lives?," *Spectrum: The Journal of State Government*, Vol. 70 (Spring 1997): 28 and 29.
- (35) "Who is Really Hurt by Affirmative Action?," *Police Executive Research Forum*, Vol. 12, No. 5, May 1998: 1 and 3.
- (36) "How to Stop Mass Shootings," *The American Enterprise*, Vol. 9, no.4, July/August 1998: 66-67.
- (37) "More Guns, Less Crime," Letter to the Editor, *The New England Journal of Medicine*, May 20, 1999.
- (38) "Refusing to Let Facts Get in The Way of a Good Story," *The American Enterprise*, Vol. 10, No. 3 (May/June 1999): p. 68.

- (39) "Public and Private Penalties: Introduction," *Journal of Law and Economics*, Vol. 42, June 1999: 239-243.
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- (42) "When Gun Control Costs Lives," *Phi Kappa Phi Journal*, Vol. 80, Fall 2000: 29-32.
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- (47) "The Surprising Finding that 'Cultural Worldviews' Don't Explain People's Views on Gun Control," co-authored with Gertrud M. Fremling, *University of Pennsylvania Law Review*, Vol. 151, no. 4 (April 2003): 1341-1348.
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- (51) "An Unsatisfying Change?: Canadians' satisfaction with their health care isn't much different from uninsured Americans," *Regulation*, Summer 2009: 38-44.
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- (55) "The Cost-Benefit Analysis of Crime," in *Developing Standards for Benefit-Cost Analysis*, Richard Zerbe, editor, the University of Washington Benefit-Cost Center (2011).
- (56) "How do Multiple Victim Public Shooters Decide Where to Attack?" *Academy of Criminal Justice Sciences Today*, September 2012: 14-17.
- (57) "Did John Lott Provide Bad Data to the NRC?: A Note on Aneja, Donohue, and Zhang," co-authored with Carlisle E. Moody and Thomas Marvell, *Econ Journal Watch*, forthcoming January 2013.