

Coconino County Criminal Justice Coordinating Council

**Analysis of Flagstaff Police
Department Cite and Release Policy
and Practices**

Impact on Local Jail Population

Wendy White, CJCC Coordinator/Consultant
8/6/2007

Report Highlights

- Between June 1, 2005 and May 31, 2006 the Flagstaff Police Department (FPD) made 6,253 misdemeanor arrests.
- Twenty-two percent of those arrests were for failures to obey court orders.
- FPD issued citations in lieu of booking in 31.8% of the remaining misdemeanor cases.
- Disorderly conduct-fighting was the most often cited original misdemeanor offense.
- The appearance rate for citations issued to persons with a local (Flagstaff area) address and no history of failure to appear was 88%.
- The appearance rate for persons with a non-Flagstaff address and a history of failure to appear was 30%.
- The overall appearance rate for citation release cases was 72%.
- The use of citation release by the FPD has declined since 2002 by 11.05%.
- Citation release is moderately effective in reducing jail bed usage as currently applied and resulted in jail bed savings of 8.5 beds per day or \$219,177.00 in FY06.
- Releasing defendants with a history of failure to appear is counterproductive because when subsequently arrested these offenders stay an average of 3.3 days longer than if originally arrested.
- Modifications to the FPD General Order regarding citation release would help improve the quality of patrol decision making resulting in fewer failures to appear and potentially greater use of citation release in appropriate cases.

I. Executive Summary

This study was conducted for the Criminal Justice Coordinating Council and the Flagstaff Police Department in response to two recurring questions regarding the effectiveness of local misdemeanor arrest practices.¹ One suggestion has been made that citing and releasing misdemeanor offenders results in higher failure to appear rates which then increase the jail population when the offender is subsequently apprehended. The other question is whether patrol officers have sufficient guidelines to effectively implement their discretion in making the decision whether to take an arrestee into custody or issue a citation and release him².

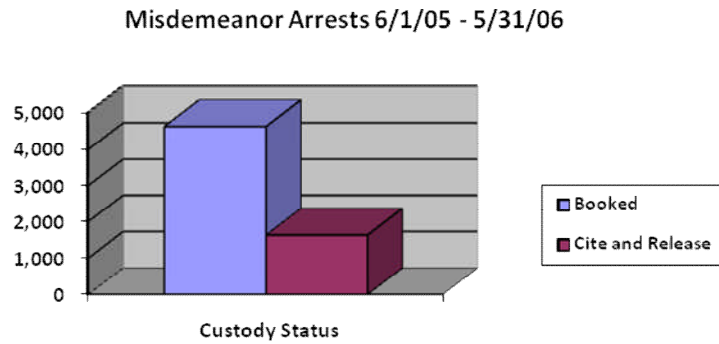
Between June 1, 2005 and May 31, 2006 the Flagstaff Police Department effectuated 7,973 adult arrests³. 1,679 of the arrests were for felony offenses and 6,253 were for misdemeanor offenses. Pursuant to departmental policy and statutory mandates⁴ 95.7% of all felony arrests were custodial and the arrestee was booked into jail. Of the 6,253 misdemeanor arrests, 26.04% were cited and released while 73.96% were booked into jail. (Chart A and Table 1).

¹ "An arrest is made by an actual restraint of the person to be arrested, or by his submission to the custody of the person making the arrest." A.R.S. §13-3881.

² A full custodial arrest occurs when the arresting officer takes an individual into custody, transports that person to and books him/her into jail. A "citation release" occurs when an individual is arrested by law enforcement and issued a citation for a misdemeanor or criminal traffic offense and a summons to appear for court but released without being booked into jail.

³ An additional 1,311 juvenile arrests were made during the same time period. This study does not analyze those cases and they are not included in any of the data reviewed for the report.

⁴ ARS §13-3903 provides the authority for citation release in misdemeanor cases. Law enforcement officers do not have authority, after arresting a person for a felony offense, to release the individual but must instead "take the person to the nearest" magistrate without unnecessary delay and file a complaint. ARS § 13-3898.



-Chart A-

	Misdemeanor			Felony			Unknown			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
Booked	4,625	73.96	74.20	1,607	95.71	25.78	1	2.44	0.02	6,233	78.18	100.00
Cite and Release	1,628	26.04	93.56	72	4.29	4.14	40	97.56	2.30	1,740	21.82	100.00
Total	6,253	100.00	78.43	1,679	100.00	21.06	41	100.00	0.51	7,973	100.00	100.00

-Table 1-

The two most predictive factors for the likelihood of appearance after a “citation release” are a Flagstaff area address and no history of failure to appear. Forty nine percent of all individuals cited and released fall into this category and these individuals appeared for their initial court hearing at a rate of 87.7%. Individuals least likely to appear pursuant to a citation release were those who had both a non-Flagstaff address and a history of failure to appear. Individuals falling into this category had an appearance rate of less than 30%.

The first part of this report looks at the differences between persons who are cited and released and those who are booked. Following the comparison of the two populations is a brief review of literature and statutory authority for the practice of cite and release. The report then compares the FPD’s written policy and actual practice to determine if there is congruence between the two. The

next section addresses the presenting question-what is the rate of appearance for individuals cited into court? Recommendations are then made to improve the implementation of departmental policy and reduce the rate of failures to appear. The report ends with an analysis of the impact of the current cite and release practices of the FPD on the local jail population.

II. Comparison of Characteristics: Cite and Release vs. Full Booking Arrests

A. Charge Characteristics

1. Failure to Obey Court Order

Misdemeanor “failure to obey court order” is in a different category than other misdemeanor offenses. Within this category are Failures to Appear, Failures to Comply, Contempt of Court, and Disobey Court. Arizona law creates separate criminal offenses and sanctions for persons who willfully fail to appear or comply with court orders.

Persons arrested and booked for these offenses have a longer average length of stay than those arrested on other misdemeanor offenses. For these offenses in the Flagstaff City Court the average length of stay is 6.7 days and the majority of offenders are in custody for 4 to 30 days. For other misdemeanor offenses, the average length of stay is 3.4 days and the majority of offenders stay in custody an average of only 1.5 days.

During the time period for this analysis, 22.20% (1,388) of all misdemeanor arrests by the Flagstaff Police Department were for failure to obey a court order. At the same time this category represented 29.95% of all full custody bookings by the same agency. These offenses were excluded from additional analysis because the arrest in the majority of these cases is based upon an arrest warrant. Less discretion is given to officers when making an arrest on a warrant than in making a

warrantless arrest. In fact, between June 1, 2005 and May 31, 2006, out of 1,403 arrests for misdemeanor failure to obey court order only 18 resulted in a citation release.

2. Original Offenses

Between June 1 2005 and May 31 2006, excluding arrests for failure to obey court order, 30.92% of all misdemeanor arrests were for public order violations. Within that category “Disorderly Conduct-Fighting” was cited as the most serious charge in 846 arrests representing 58.91% of *all* disorderly conduct arrests and was the most frequently charged of all misdemeanor offenses. DUIs were the second most frequent offense at 15.59%, followed by Shoplifting at 11.37%, Injury Assault at 6.48%, Underage Drinking at 5.38% and Drinking in Public at 4.8%.

When comparing citation release to full custody arrests by offense type, there are several differences. The differences show that although the statute does not differentiate between offense types in authorizing citation release, type of offense is one of factors used by officers in exercising their discretion.

While DUIs overall made up the *second* largest percentage of misdemeanor arrests, DUI offenses made up the *largest* percentage of citation releases (19.38%). Shoplifting offenses accounted for 13.99% of citation release cases followed by Disorderly Conduct-Fighting (10.9%) and Underage Drinking (9.02%). Of the full custody arrests, Disorderly Conduct-Fighting represented 22.24% of the total followed by DUI at 12.83%, Shoplifting at 8.92% and Injury Assault at 7.75% of the offenses. The following table shows misdemeanor booking rates by crime category excluding failures to obey court orders, warrants and holds, probation violations and unknown offenses.

Using the Coconino County Jail Population Analysis website (www.lgan.com\aplus\coconino) a slightly different view of the data is obtained. This view aggregates various offense types into

categories. It shows again that public order offenses make up the majority of the arrests by FPD and that 71.17% of all public order arrests result in a full custodial booking. (Table 2)

FPD misdemeanor adult arrests, June 2005 – May 2006
By Crime Category/Custody Status

	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	538	17.77	78.20	150	9.25	21.80	688	14.80	100.00
Property	425	14.04	57.59	313	19.30	42.41	738	15.87	100.00
Public Order	1,022	33.76	71.17	414	25.52	28.83	1,436	30.89	100.00
Drug Possession	228	7.53	76.00	72	4.44	24.00	300	6.45	100.00
Drug Sales	1	0.03	100.00	0	0.00	0.00	1	0.02	100.00
DUI	362	11.96	51.57	340	20.96	48.43	702	15.10	100.00
Other Alcohol	284	9.38	50.35	280	17.26	49.65	564	12.13	100.00
Weapons	22	0.73	88.00	3	0.18	12.00	25	0.54	100.00
Local Ordinance	12	0.40	92.31	1	0.06	7.69	13	0.28	100.00
Other Criminal	4	0.13	66.67	2	0.12	33.33	6	0.13	100.00
Criminal Traffic	129	4.26	73.30	47	2.90	26.70	176	3.79	100.00
Total	3,027	100.00	65.11	1,622	100.00	34.89	4,649	100.00	100.00

Based on records where the following conditions are met:

Crime Category is NOT Equal to Disobey Court Order or Warrant or Hold or Civil Traffic or Other Civil or Probation Violation or Federal Offenses or Juvenile Offenses or Unknown

Table 2

In addition to reviewing cite and release versus full bookings across crime types one can see a difference in type of arrest within various crime types. The following table shows that the nature of the crime has a likely impact on the decision to cite and release or book. The highest booking rate is for unlawful camping at 100%, followed by driving on a suspended license. Leaving the scene of a property accident had the lowest booking rate at 40%. (Table 3)

FPD misdemeanor adult arrests, June 2005 – May 2006
By Most Serious Charge/Custody Status

Offense Type	Cite and Release	In Custody Booking
<i>Unlawful Camping</i>	0	100%
<i>Driving on Suspended License</i>	9.2%	90.8%
<i>Non-Injury Assault</i>	10%	90%
<i>Disorderly Conduct Fighting</i>	21.55%	78.45%
<i>Loitering to Beg</i>	22.64%	77.36%
<i>Injury Assault</i>	23%	77%
<i>Drug Paraphernalia & Marijuana Possession</i>	24%	76%
<i>Third Degree Trespassing</i>	29.5%	70.5%
<i>Marijuana Possession Only</i>	42.86%	57.14%
<i>DUI</i>	45.45%	54.55%
<i>Shoplifting</i>	49.43%	50.57%
<i>Urinating in Public</i>	53.33%	46.67%
<i>Underage Drinking</i>	59.6%	40.4%
<i>Leaving Scene of Property Accident</i>	60%	40%

Table 3

3. Number of Charges

Another offense characteristic that appears to have a direct correlation to the decision to release or book is the number of charges an individual is cited with. The table below shows that as the number of charges goes up so does the likelihood of a full custodial arrest rather than a citation

release. Of individuals with only one charge 59.18% are booked, with two charges 72.9% of individuals are booked, with three or four charges 90.89% are booked and with five or more charges 100% are booked. Sixty-one percent of all misdemeanor arrests involve only one charge against the defendant.

FPD misdemeanor adult arrests, June 2005 – May 2006
By Number of Charges/Custody Status

	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
One	1,756	54.20	59.18	1,211	74.52	40.82	2,967	60.99	100.00
Two	998	30.80	72.90	371	22.83	27.10	1,369	28.14	100.00
Three or Four	429	13.24	90.89	43	2.65	9.11	472	9.70	100.00
Five or More	57	1.76	100.00	0	0.00	0.00	57	1.17	100.00
Missing	0	0.00	0	0	0.00	0	0	0.00	0
Total	3,240	100.00	66.60	1,625	100.00	33.40	4,865	100.00	100.00

Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Crime Category is NOT Equal to Disobey Court Order - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Table 4

B. Arrestee Characteristics

In addition to comparing offense characteristics, the available data was useful in comparing some demographic characteristics of misdemeanor arrestees. Again, failures to obey court orders were excluded from the analysis.

1. Race/Ethnicity

The overall makeup of the misdemeanor population during the time period of this study was 38.34% non-Hispanic White, 11.94% Hispanic, 46.47% Native American and 2.82% Black. Of the “cite and release” population, 46.46% were non-Hispanic White, 10.89% were Hispanic, 38.89% were Native American and 2.77% were Black. The booked population was 34.26% non-Hispanic White, 12.47%

Hispanic, 50.28% Native American and 2.84% Black. Non-Hispanic White arrestees were booked 59.52% of the time compared to booking rates for Hispanics (69.54%), Native Americans (72.05%) and Blacks (67.15%). (Table 5) Stated another way, in the decision to book or cite and release, white offenders are released at a rate 12.5% higher than minority offenders.

FPD misdemeanor adult arrests, June 2005 – May 2006
By Race-Ethnicity/Custody Status

	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
Race/Ethnicity									
White / non-Hispanic	1,110	34.26	59.52	755	46.46	40.48	1,865	38.34	100.00
White / Hispanic	404	12.47	69.54	177	10.89	30.46	581	11.94	100.00
Native American	1,629	50.28	72.05	632	38.89	27.95	2,261	46.47	100.00
Black	92	2.84	67.15	45	2.77	32.85	137	2.82	100.00
Other / Unknown	5	0.15	23.81	16	0.98	76.19	21	0.43	100.00
Total	3,240	100.00	66.60	1,625	100.00	33.40	4,865	100.00	100.00

Misdemeanors arrests by Flagstaff Police Department between June 05 and May 06, excluding all arrests for failure to obey a court order.

Table 5

2. Age, Residency and Gender

34% of the cite and release population is between the ages of 18 and 24 but 18-24 year olds are booked only 60% of the time compared with 71% for 25 – 44 year olds. Because underage drinking by definition is an offense that can only be committed by persons under the age of 21 some of the difference in booking rates between younger and older defendants could be accounted for because of the lower rate of booking for that specific offense.

Arizona residents make up 93% of the entire population of arrestees and are booked at a rate of 66% compared with a rate of 76% for out of state residents. Sixty-five percent of all misdemeanor arrestees have a Flagstaff address.

Seventy-two percent of the “cite and release” population is male and 28% is female. In the booked population 80% are male and 20% are female. 69% of all men arrested are booked into jail but only 59% of woman arrestees are booked. When comparing co-variables of race and gender the highest rate of booking is for Hispanic males (65.16%) and the lowest rate is for non-Hispanic White females (38.63%).

3. Repeat Offenders

Of the 7,973 adult arrests there were 4,122 (51.7%) unique individuals. In the “cite and release” category, repeat offenders made up 8.9% (113 persons) of the arrests. Of the repeat offenders, 96 individuals were cited twice and released; 11 individuals were cited three times and released; and 6 individuals had 4 or more citation releases.

In addition to multiple citation releases, within this population were individuals who had been subjected to full custodial arrests during the same time period. 74 of the 113 individuals who received more than one citation release during the year also accounted for 355 full custody arrests. This group of 74 people has a high impact on the criminal justice system, accounting for over 500 arrests within a one year period of time.

B. Other Local Agencies

Arrest data was obtained for 3 other local law enforcement agencies for the same time period for purposes of comparison. The agencies were Coconino County Sheriff’s Office, NAU Police Department and the Williams Police Department. Data from all agencies excludes arrests for failure to obey court orders. The rates of citation release vary from agency to agency, reflecting agency policy and differing conditions. While the Flagstaff Police Department books 66.6% of all non-FTA arrests

while the Sheriff’s Department books only 41.8% of its misdemeanor arrests, NAU books 28.3% and Williams PD books 30.7%.

Some of the differences in rates can be attributed to NAUs strong policy of deferring prosecution for students and referring matters to student life, distance from jail and small number of deputies on patrol for the Sheriff’s department and smaller sized and more closely knit community in Williams. Flagstaff Police Department expresses the community’s low tolerance for public order offenses and has easier access to the jail.

Comparison of Booking Rates amongst Four Local Law Enforcement Agencies

	Booked		Cite and Release		Total	
	N	Row %	N	Row %	N	Row %
Arresting Agency						
Coconino County Sheriff	401	41.81	558	58.19	959	100.00
Flagstaff Police Dept	3,240	66.60	1,625	33.40	4,865	100.00
NAU Police Dept	102	28.33	258	71.67	360	100.00
Williams Police Dept	96	30.67	217	69.33	313	100.00
Total	3,839	59.09	2,658	40.91	6,497	100.00

Table 6

The use of citation release has diminished over the past five years by the Flagstaff Police Department but has increased for the Coconino County Sheriff’s Department. (Table 7). Excluding failures to obey court orders and warrants and holds, in 2002 the CCSO issued citation releases in 46.11% of all misdemeanor arrests while the FPD issued citations in 42.79% of arrests. To date in 2007 the CCSO has issued citation releases in 61.22% of its misdemeanor arrests and the FPD has issued citations in 31.44% of cases. In 2006, the last full year of data, the percentages were 62.8% for the CCSO and 33.54% for the FPD.

The reason for the decline in the citation release rates is not readily apparent from the data. The data does not show any increases in any crime category over time that would account for the decline in the use of citation release. Public order offenses consistently represent approximately 25% of the overall misdemeanor arrests by the Flagstaff Police Department. Offenses against persons have remained relatively constant hovering around 13% of the total bookings and other alcohol offenses continue to represent 13 to 14%.

**Booking versus Cite and Release Over Time:
Flagstaff Police Department and Coconino County Sheriff's Department Compared**

		Booked		Cite and Release		Total	
		N	Row %	N	Row %	N	Row %
Arresting Agency	Arrest Year						
Coconino County Sheriff	2002	291	53.89	249	46.11	540	100.00
	2003	325	55.56	260	44.44	585	100.00
	2004	331	49.40	339	50.60	670	100.00
	2005	314	38.39	504	61.61	818	100.00
	2006	330	37.20	557	62.80	887	100.00
	2007	159	38.78	251	61.22	410	100.00
Flagstaff Police Dept	2002	2,810	57.21	2,102	42.79	4,912	100.00
	2003	2,582	55.18	2,097	44.82	4,679	100.00
	2004	2,636	57.62	1,939	42.38	4,575	100.00
	2005	2,653	61.50	1,661	38.50	4,314	100.00
	2006	3,156	66.46	1,593	33.54	4,749	100.00
	2007	1,170	68.26	544	31.74	1,714	100.00

Arrest Date between January 2002 and May 2007

By Custody Status of Arrest, Arresting Agency and Arrest Year (Calendar)

Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Crime Category is NOT Equal to Disobey Court Order or Warrant or Hold - AND - Juvenile is Equal to No

Table 7

III. References

A. Authority for Citation Release

A.R.S. §13-3903 provides law enforcement with the discretion to determine whether to issue a citation and summons to a criminal suspect or to take the individual into custody. It states:

A. In any case in which a person is arrested for an offense that is a misdemeanor or a petty offense, the arresting officer may release the arrested person from custody in lieu of taking such person to the police station by use of the procedure prescribed in this section.

B. At any time after taking a person arrested for an offense that is a misdemeanor or a petty offense to the police station, the arresting officer may, instead of taking such person to a magistrate, release such person from further custody by use of the procedure prescribed in this section.

The above statute gives sole discretion whether to release a suspect in a misdemeanor case or take him into full custody to the arresting officer. *State ex rel. Baumert v. Superior Court*, 132 Ariz. 399, 400 646 P.2d 284, 285 (1982) (whether suspect is released solely within discretion of the arresting officer); *State v. Pickett*, 126 Ariz. 173, 174, 613 P.2d 837, 838 (App. 1980) (citation procedure is optional).

While the statute provides no real guidance in the exercise of this discretionary action the Flagstaff Police Department has adopted a General Order establishing cite and release procedures. Flagstaff Police Department General Order 6.1 Arrest/ Booking/ Cite & Release Procedures). The text of the relevant portion⁵ of the General Order is:

III. PROCEDURE: CITE AND RELEASE

A. Residents living within the state will not be booked or required to post bonds on traffic violations except as follows:

⁵ The Order is set out in full in Appendix A.

1. Any traffic felony.
2. When a person refuses to sign after the procedure has been followed as stated in the Traffic Enforcement Policy General Order and the traffic offense is a criminal violation.
3. Out-of-state residents will be processed the same as in-state unless the officer feels there is reason to believe the violator will not appear. An out-of-state resident may be required to post bond on any criminal traffic violation when authorized by a supervisor.

B. Misdemeanor DUI: It will be the policy of this department, whenever possible, to cite and release persons who are cooperative and display good ID, following this listed procedure:

** * **

C. Misdemeanor criminal arrests will be handled as follows:

1. Cite and release, or full arrest and bookings.
2. A cite and release will normally be used if the crime is nonviolent, and the suspect is cooperative and has good ID.
3. Full custody arrests will normally be made on all incidents of domestic violence.

** * **

F. Misdemeanor Warrants:

Persons arrested on misdemeanor warrants will be booked or allowed to post a bond, whichever is appropriate under the circumstances.

The General Order does provide some guidance to patrol officers creating a preference for cite and release in criminal traffic cases, DUIs and non-violent misdemeanors however it fails to define important terms.

B. Literature Review

Cite and release policies exist in law enforcement agencies around the country. They may be referred to as 'citation release', 'field release', 'summons and release', 'serve and release' and other such descriptors. While such policies are quite common there has been little research conducted to determine the efficacy of the policies or to determine the factors that are considered in deciding whether to book or cite and release. The following works were referred to for this study:

- Kelling, George, "*Broken Windows*" and *Police Discretion*, NIJ Research Report (Oct. 1999)
- Whitcomb, D, Lewin, B, & Levine, M, "*Citation Release*", NIJ (Mar. 1984)
- Baumer, Terry L., & Adams, Kenneth, "*Controlling a Jail Population by Partially Closing the Front Door: An Evaluation of a 'Summons in Lieu of Arrest' Policy*", *The Prison Journal*, Vol. 86, No. 3, 386-402, (Sage Publications, 2006)

- Orrick, Chief W. Dwayne, “*Developing a Police Department Policy-Procedure Manual*”, IACP Best Practices Guide.

Because laws differ between states regarding custodial and non-custodial arrests, the practices in other jurisdictions may not be appropriate in Arizona. For example, in both Ohio and California, there is a statutory preference for citation release in misdemeanor cases and an officer who **doesn't** release an eligible arrestee must provide written justification for the decision in his report. The Arizona statute does not create a preference for citation release, leaving the decision solely to the discretion of the arresting officer. Some jurisdictions also specify by statute the offenses that are eligible for release. In Arizona any misdemeanor or petty offense is eligible for citation release except for domestic violence offenses. [A.R.S. §§13-3601(B) and 13-3903].

Despite the fact that there are some differences between jurisdictions regarding the use of citation release, there are also certain general principles regarding the purpose of using citation release, effective policy making, and the exercise of police discretion that are helpful to the review of policy and practice at the Flagstaff Police Department.

Discretion is “the power of a public official or employee to act and make decisions based on his or her own judgment or conscience within the bounds of reason and the law.” Law enforcement officers exercise discretion on a daily, even hourly, basis. In the legal context discretion cannot be exercised in a manner that would violate Constitutional or statutory proscriptions. For example, in exercising the discretion to cite and release or book, neither gender nor race should be considered as a factor in the decision making process. Using such factors without more, would undoubtedly violate the Equal Protection clause of the constitution.

George Kelling states that “good policy statements prescribe not what an officer should do-this is impossible in the real world; rather, they prescribe how an officer should think about a problem and choose among alternative solutions. Good policy statements should say: ‘There are the factors you must consider when you approach a situation. There are the values that should guide you. These are the choices you have at your disposal.’”

Evaluating the FPD General Order against this guideline, the General Order could be improved by defining certain terms, expressing departmental policy in a clearer manner and by identifying factors to consider in making the arrest decision with more specificity.

IV. Comparison of Policy and Actual Practice

General Order 6.1 provides some guidance to officers in the exercise of their discretion to arrest or cite and release. The Order states a preference for “cite and release” if the crime is a non-violent misdemeanor, the suspect is cooperative and has good ID. The policy of the Department is to cite and release misdemeanor DUI suspects if a responsible party can be located to pick up the arrestee after processing. Criminal traffic offenders will not be booked unless they refuse to sign the citation and summons. If the crime is a DV offense, the preference is for a full custody arrest.

Neither the term non-violent or “good ID” is defined in the order. While some offenses could by definition be deemed “violent” such as intentional injury assaults others, such as disorderly conduct (fighting) may be more dependent on situational factors. Yet disorderly conduct fighting is both the most frequently cited offense and has one of the highest rates of booking versus citation release.

Based on the policies stated in the General Order it appears that actual practice at the street level may not align well with those policies. On one hand, the practice of citation release appears to be

underused. While the policy states with respect to misdemeanor criminal arrest that “cite and release will normally be used if the crime is non-violent, and the suspect is cooperative and has good ID”, the data shows that full custodial booking is the norm and that the type of offense and number of charges are the most significant factors in determining whether to book or release even in non-violent offenses. As shown in Table 8, 55% of all non-violent (excluding all offenses against people) single charge arrests result in full booking. When cases involving more than one charge on arrest are included then the booking rate is 65%.

Comparison of Booking Rates for Non-Violent Offenses By Number of Offenses Charged

	Booked		Cite and Release		Total	
	N	Row %	N	Row %	N	Row %
One	1,210	55.08	987	44.92	2,197	100.00
Two	498	85.71	83	14.29	581	100.00
Three or Four	258	94.51	15	5.49	273	100.00
Five or More	32	100.00	0	0.00	32	100.00
Total	1,998	64.81	1,085	35.19	3,083	100.00

Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND -Crime Category is Equal to Property or Public Order or Drug Possession or Drug Sales or Other Alcohol or Weapons or Local Ordinance or Other Criminal

Table 8

Misdemeanor drug cases are booked in at a rate of 76% which is virtually identical to the 78% rate of booking for arguably violent offenses against persons. See Table 2, supra.

Although the General Order clearly states that in-state residents “will not be booked on traffic violations” unless the person “refuses to sign” the citation, criminal traffic offenses are booked in at a rate of 73%; only 27% of those arrestees are cited and released. These numbers seem to indicate a lack of adherence to written Departmental policy. DUIs show a somewhat greater alignment with Departmental policy with a booking rate of 51.57%.

With respect to misdemeanor warrants it does not appear that the option of posting bond without booking that is set out in GO 6.1 (F) is ever used. From January 2004 to May 2007 FPD made 791 arrests on misdemeanor warrants or holds. Of those, only 3 are listed as citation release.

In addition to the apparent underuse of cite and release there appear to be a significant number of decisions to cite and release that may be inconsistent with the concept of “good ID”. In reviewing court records for the cite and release population I found that 9% of the population were repeat offenders with a significant prior history of both offenses and failures to appear. In reviewing their court records, the city of address often changed with each arrest, even when those arrests occur within weeks or days of each other. Some show different dates of birth for different arrests and for some even the spelling of the name is different at different times. If good ID includes a designated residence address, DOB, and correctly spelled name then it would appear that this criterion is being inconsistently followed. The impact of this is the increase in failures to appear of the cite and release population and discontent with the practice overall.

There are several possible explanations for the apparent variance between written policy and practice at the street level. One would be that the written policy does not reflect the actual values of the Department and that unwritten policies have more weight than the written policies. This may have occurred if the written policies have been deemed ineffective or inappropriate over time but have not yet been updated to reflect actual experience. Another possibility is that in practice, a much larger number of individuals than would be expected, do not have “good ID” or are not “cooperative” and therefore are not eligible for release. A third possibility is that patrol officers are unsure of the meaning of the term violent or “good ID” and are conservative in their decision to release when confronted with a situation that is unclear to them. With respect to DUI offenders specifically, the procedure involved in

facilitating a ride home for the suspect may be too cumbersome or time consuming in some cases and therefore not adhered to. Finally, it may be that the policy as written simply doesn't provide sufficient guidance to assist patrol officers in the exercise of their discretion.

V. Appearance Rates

By reviewing court records of 348 misdemeanor cases that were initiated by citation release, the following information was obtained. First, the overall appearance rate for citation release cases is 72%, meaning that 28% of all persons issued a citation and summons fail to appear for their first court hearing.⁶ Despite this 28% failure to appear rate, 93% of all arrests made between June 05 and May 06 had been resolved by court action by April of 2007. Of those, 81% resulted in a change of plea, 8% were dismissed and less than 3% went to trial (with a 75% conviction rate). As of April 2007 only 7% of all citation releases issued between June 05 and May 06 were still showing an outstanding failure to appear and had not been resolved.

The majority of persons arrested for misdemeanors by the FPD were residents of Flagstaff or at least had a Flagstaff address. Almost all arrestees (93%) were residents of Arizona. Individuals who didn't have a Flagstaff address were less likely to appear pursuant to the summons issued with the citation than were persons with a local address. Overall, individuals with a Flagstaff address had an 80% appearance rate. Individuals with a non-Flagstaff address had a 52% appearance rate.

The most important factor that predicts appearance however, is not residence address but whether the individual has a prior history of failures to appear. For persons with a Flagstaff address

⁶ Because the presenting question for this study is the effectiveness of issuing a citation and summons on court attendance I only considered appearance for the first court hearing. Only those individuals for whom a failure to appear warrant was issued at the initial appearance were deemed to have failed to appear.

and no history of FTAs the appearance rate was 88%. For persons with a non-Flagstaff address and no history of FTAs the appearance rate was 74%. In contrast individuals with a Flagstaff address and a history of failures to appear had an appearance rate of only 55% and individuals with a non-Flagstaff address and a history of failures to appear only appeared 30% of the time.

With respect to prior criminal histories, individuals with a history of 1-3 prior criminal convictions but no history of failures to appear had the *highest* appearance rate, appearing in 91.7% of cases. The majority of cite and release defendants had no prior history of criminal convictions or failures to appear. These individuals represented 54% of the cite and release population and appeared at a rate of 81.9%. For persons with a history of 4 or more prior convictions and a history of FTAs the likelihood of appearance on the current case was remote. These individuals voluntarily appeared at a rate of only 35%.

There was a slightly higher appearance rate among females than males however it was so marginal that it offers little predictive value. Because it has little predictive value, gender alone should not be considered in deciding whether to book or cite and release.

The age of an arrestee is slightly more predictive than gender with the highest appearance rates amongst 18-25 year olds and those over 56 years of age. For the older arrestees the appearance rate was 93% and for the younger arrestees the appearance rate was 78%. The appearance rate dropped progressively for each 10 year age increment between 25 and 56 with the lowest rate for persons in the 46-55 year age bracket (46% appearance rate).

In approximately 27% of the cases coming before the City Court, the court mails a summons or other notice to the defendant prior to the first court hearing. In those cases, if the notice is delivered (ie: not returned with a bad address) the appearance rate is 83.3%. This is higher than the appearance

rate in cases in which no notice is sent (75%) and much higher than in cases where a notice is sent but returned as a “bad address” (34%). This information is supported by the call notification pilot project initiated in the Flagstaff Justice Court in which it was shown that receipt of a reminder by the court to appear at a scheduled hearing reduces the failure to appear rate by an average of 12%. It also shows the value of obtaining accurate and up to date address information at the time of making an arrest.

Individuals who are represented by an attorney (both appointed and retained) had almost a perfect appearance rate (98%). Those who were not represented by counsel had only a 67.6% appearance rate. Since representation by counsel occurs after the arrest, this factor would not be useful to the arresting officer in deciding whether to cite and release or take into custody but might be useful for a post arrest decision to release. In addition attorneys are appointed or retained in only 15.5% of all misdemeanor cases. Of those, the majority appear in DUI cases with slightly more than half (54%) of all DUI defendants being represented by counsel.

With respect to appearance rates for various types of offenses there are some notable differences. Individuals who are cited and released on a DUI have a 93% appearance rate. Those arrested for underage drinking had an 82% appearance rate and those arrested for possession of marijuana or shoplifting offenses had a 74% appearance rate. Persons arrested for disorderly conduct (fighting) had an appearance rate of 68% but those arrested for disorderly conduct (noise/language) appeared 85% of the time.

VI. Conclusion

The appearance rate for Flagstaff residents with no history of failure to appear in response to the issuance of a citation and summons is close to 90%. Non-Flagstaff residents with no history of

failure to appear have an appearance rate of 75%. Appearance rates improve even within this population, when the Court issues a summons or other notice prior to the first court hearing. For this group of misdemeanants issuance of a citation in lieu of arrest provides an effective means of assuring court appearances.

In contrast, issuance of a citation in lieu of arrest to persons who have a history of failure to appear is counterproductive and ineffective. Such offenders rarely appear in response to the summons. The majority of these offenders are rearrested within one year and the initial case is satisfied. However, as a consequence of their non-appearance they face additional sanctions for failure to appear and a longer period in custody than other persons charged with similar offenses. Additionally, persons in this category are generally repeat offenders who often have multiple cases pending at any given time. The number of open cases may be a cause of confusion that contributes to the individuals failure to appear in some of them.

In order to improve the appearance rates for the cite and release population, a method for checking failure to appear history in the field should be implemented followed by the adoption of a court reminder system for those who are cited into court. For chronic offenders the courts might consider a process that would allow all cases to be reviewed at each court hearing in order to assure that the offender clearly understands the status of each pending case.

Clarification of the Flagstaff Police Department cite and release policy so that the written policy and verbal policies align would also help patrol officers to better utilize their discretion in the field. Finally, further review may be appropriate to determine if the high rates of booking for DOSL, criminal Traffic Offenses, POM and PODP are a result of unanticipated factors that officers face in the field or are a manifestation of other, unwritten policies.

A. Citation Release as Currently Practiced is Mildly Effective in Reducing Jail Bed Usage

One of the questions raised by law enforcement has been whether the practice of citation release is effective in reducing jail bed usage or if it is counter productive because of an increase in failures to appear. As put in practice by the Flagstaff Police Department the use of citation in lieu of booking is mildly effective in reducing jail bed usage.

In FY 2006 FPD issued 1628 citations in lieu of booking. Seventy-two percent (1172) appeared as ordered. Had those 1172 individuals be booked into jail they would have used an estimated 4,219 bed days based on the average length of stay of 3.6 days. Four-hundred-fifty-six people issued a citation did not appear for court. Of those, 113 have never been arrested or appeared in court. Three hundred-forty-three were later arrested. The average length of stay on charges of failure to comply with a court order is twice that of other misdemeanants so these 343 individuals used an estimated additional 1132 bed days over what they would have used if originally arrested.

Using these figures, we can conclude that the Flagstaff Police Department practice of issuing citations in lieu of booking had an annual net savings in jail bed days of approximately 3,087 days. This is equivalent to 8.5 beds per calendar day. The dollar savings, using a \$72 per day cost of incarceration, was therefore \$219,177.

The practice of citation release could be improved to enhance the bed day savings in a number of ways. First, the practice of releasing known repeat offenders with a history of failures to appear should be eliminated. These individuals represented the majority of persons who failed to appear in response to a citation. Since their subsequent arrest for failure to appear nets them time in custody double that of their arrest on the original offense release of these individuals is counterproductive.

Second, modifications to the written cite and release policy could improve the exercise of discretion by patrol officers by providing more guidance concerning the appropriateness of citation in lieu of booking. Currently FPD uses the citation release option in approximately one third of all legally eligible cases. By providing more objective criteria for patrol officers to rely on, the quality of the decision making would be enhanced and release decisions would be better aligned with departmental policy.

B. Recommendations

General Order 6.1 should be revised to assure that the policies set out in the Order accurately reflect the actual policies of the Department. In the revision any terms used that are subject to interpretation should be defined. For example, the term “good ID” could be interpreted as meaning a current valid license or other current unexpired form of identification. It could also be interpreted as any form of identification, whether current or expired, that has not been altered, bearing a photographic likeness and physical description that matches the arrestee and is signed by the arrestee.⁷

For the Flagstaff community, the most predictive factors for appearance are a valid local address and no history of failures to appear. Taking guidance from the policies in place in other jurisdictions⁸ the Flagstaff Police Department may want to consider incorporating the following list of factors as relevant for a determination of whether to conduct a full custodial arrest or issue a citation and summons.

⁷ The Oakland Police Department general orders provide that citation release will be denied to a person who cannot provide “satisfactory evidence of personal identification” and defines that term in the order. It is defined as “identification that bears the physical likeness or signature of the offender. The (officer) shall compare the likeness or signature on the identification to the offender or his/her signature on the citation before releasing him/her.”

⁸ See Appendix A.

CITATION RELEASE FOR MISDEMEANOR CRIMINAL ARRESTS

Under Arizona law the arresting officer of a misdemeanor offense has discretion whether to conduct a full custodial arrest or issue a citation and summons to appear. When deciding whether to book or cite and release factors that must **not** be considered are the person's race, ethnicity, national origin or gender. It is the policy of this Department that a citation release will be issued whenever possible, however, in the following circumstances the officer should normally take the arrestee into custody for full booking.

1. The offense for which the person is arrested is a violent offense such as an injury assault, threat of an injury assault or disorderly conduct-fighting.
2. The offense for which the person is arrested is a domestic violence offense.
3. The person arrested is so intoxicated that he or she could be a danger to himself or herself or to others and the person refuses transport to the ITU.
4. The person arrested requires medical examination or medical care or is otherwise unable to care for his or her own safety and there is no responsible party to release him or her to.
5. There are one or more outstanding arrest warrants for the person.
6. The person refuses or fails to provide satisfactory evidence of personal identification or a verifiable address. Satisfactory evidence of personal identification means documentary evidence bearing a likeness and name of the person, date of birth and physical description matching the individual issued by a governmental agency. An expired or suspended driver's license may be sufficient evidence of personal identification if the ID otherwise contains sufficient information to identify the individual arrested.
7. The prosecution of the offense or offenses for which the person is arrested would be jeopardized by immediate release of the person arrested.
8. There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by release of the person arrested.
9. The person arrested refuses to sign the notice to appear or demands to be taken before a magistrate.
10. The person arrested is in this country illegally.
11. There is reason to believe that the person would not appear at the time and place specified in the notice. The most important factor in predicting the likelihood of appearance is a prior history of failures to appear. Individuals who do not have a history of failure to appear, even if they have a criminal history or non-local address have a high appearance rate. In determining whether the person is likely to appear the following factors may be considered:
 - a. The person's ties to the community including valid local address, length of time in the community, employment history, family ties.
 - b. The person's history of failure to appear in other court cases.
 - c. Other relevant factors.

Even if a citation is issued, the officer may take the cited person to an appropriate medical facility including the ITU if it reasonably appears that the person needs medical care or meets the criteria for admission into the ITU.

Methodology

A. Source of Data

The Flagstaff Police Department provided records of all adult arrests occurring between June 1, 2005 and May 31, 2006. The data was first divided by felony and misdemeanor charges. The misdemeanor arrests were further divided into custodial and non-custodial arrests. The information provided by the Flagstaff Police Department included name, DOB, date of arrest and most serious charge.

Using the data provided, I was able to access appearance data, limited criminal history (Arizona court filings only), and residence address (city and state only) from public records available on the Arizona Public Access to Court Information website.⁹ Gender and age were extrapolated from the arrest and court records.

In addition to the records provided by the Police Department I referred to the Coconino County Jail Population Analysis website to obtain additional characteristics of both the cite and release and booked populations as well as trends over time. The data from the JPAS cite provided the information regarding the differences in rates for racial/ethnic groups, comparative rates between the local arresting agencies, the decline in use of citation release over time and the differences in length of stay between failure to appear offenses and original offenses.

B. Method

The population of interest was cite and release population. Arrests for failure to appear or comply were automatically excluded from the sample because they did not fall into the released

⁹ <http://www.supreme.state.az.us/publicaccess/notification/search.asp>

category. Using a standard sample size calculator to obtain a 95% confidence level and 4.7 confidence interval, 348 arrest records were randomly selected (using a random numbers generator) out of the “cite and release” records provided by the Flagstaff Police Department. Data from these records was input into an Access database and coded according to variables of interest.

All of the sampled cases were then followed up by reference to the Courts website to determine appearance, residency and prior FTA and criminal history. All of the records, both sampled and not were manually reviewed to determine the rates of booking for each offense type as well as the rates of arrest for the cited offenses. The records were also cross checked internally to find repeat offenders.

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2002	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	249	10.34	69.55	109	11.71	30.45	358	10.72	100.00
Property	198	8.23	62.07	121	13.00	37.93	319	9.56	100.00
Public Order	704	29.25	75.21	232	24.92	24.79	936	28.04	100.00
Drug Possession	67	2.78	95.71	3	0.32	4.29	70	2.10	100.00
Drug Sales	0	0.00	0.00	2	0.21	100.00	2	0.06	100.00
DUI	72	2.99	64.86	39	4.19	35.14	111	3.33	100.00
Other Alcohol	141	5.86	36.62	244	26.21	63.38	385	11.53	100.00
Weapons	5	0.21	62.50	3	0.32	37.50	8	0.24	100.00
Local Ordinance	12	0.50	16.90	59	6.34	83.10	71	2.13	100.00
Disobey Court Order	726	30.16	99.05	7	0.75	0.95	733	21.96	100.00
Warrant or Hold	148	6.15	100.00	0	0.00	0.00	148	4.43	100.00
Other Criminal	3	0.12	75.00	1	0.11	25.00	4	0.12	100.00
Criminal Traffic (Non-DUI)	70	2.91	41.42	99	10.63	58.58	169	5.06	100.00
Civil Traffic	3	0.12	37.50	5	0.54	62.50	8	0.24	100.00
Other Civil	0	0.00	0	0	0.00	0	0	0.00	0
Probation Violation	3	0.12	100.00	0	0.00	0.00	3	0.09	100.00
Federal Offenses	2	0.08	50.00	2	0.21	50.00	4	0.12	100.00
Juvenile Offenses	0	0.00	0.00	3	0.32	100.00	3	0.09	100.00
Unknown	4	0.17	66.67	2	0.21	33.33	6	0.18	100.00
Total	2,407	100.00	72.11	931	100.00	27.89	3,338	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2003	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	223	8.41	63.35	129	8.92	36.65	352	8.59	100.00
Property	212	7.99	44.54	264	18.26	55.46	476	11.62	100.00
Public Order	636	23.98	61.04	406	28.08	38.96	1,042	25.43	100.00
Drug Possession	63	2.38	73.26	23	1.59	26.74	86	2.10	100.00
Drug Sales	2	0.08	25.00	6	0.41	75.00	8	0.20	100.00
DUI	59	2.22	54.13	50	3.46	45.87	109	2.66	100.00
Other Alcohol	108	4.07	25.00	324	22.41	75.00	432	10.54	100.00
Weapons	2	0.08	16.67	10	0.69	83.33	12	0.29	100.00
Local Ordinance	10	0.38	13.16	66	4.56	86.84	76	1.85	100.00
Disobey Court Order	1,183	44.61	99.50	6	0.41	0.50	1,189	29.01	100.00
Warrant or Hold	27	1.02	96.43	1	0.07	3.57	28	0.68	100.00
Other Criminal	1	0.04	33.33	2	0.14	66.67	3	0.07	100.00
Criminal Traffic (Non-DUI)	115	4.34	43.56	149	10.30	56.44	264	6.44	100.00
Civil Traffic	1	0.04	16.67	5	0.35	83.33	6	0.15	100.00
Other Civil	1	0.04	100.00	0	0.00	0.00	1	0.02	100.00
Probation Violation	5	0.19	100.00	0	0.00	0.00	5	0.12	100.00
Federal Offenses	0	0.00	0.00	2	0.14	100.00	2	0.05	100.00
Juvenile Offenses	0	0.00	0.00	1	0.07	100.00	1	0.02	100.00
Unknown	4	0.15	66.67	2	0.14	33.33	6	0.15	100.00
Total	2,652	100.00	64.71	1,446	100.00	35.29	4,098	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2004	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	214	5.37	55.30	173	11.41	44.70	387	7.03	100.00
Property	233	5.85	41.61	327	21.57	58.39	560	10.18	100.00
Public Order	644	16.16	62.71	383	25.26	37.29	1,027	18.67	100.00
Drug Possession	61	1.53	81.33	14	0.92	18.67	75	1.36	100.00
Drug Sales	2	0.05	50.00	2	0.13	50.00	4	0.07	100.00
DUI	79	1.98	53.38	69	4.55	46.62	148	2.69	100.00
Other Alcohol	101	2.53	23.33	332	21.90	76.67	433	7.87	100.00
Weapons	6	0.15	37.50	10	0.66	62.50	16	0.29	100.00
Local Ordinance	25	0.63	43.86	32	2.11	56.14	57	1.04	100.00
Disobey Court Order	2,286	57.35	99.39	14	0.92	0.61	2,300	41.80	100.00
Warrant or Hold	181	4.54	100.00	0	0.00	0.00	181	3.29	100.00
Other Criminal	1	0.03	25.00	3	0.20	75.00	4	0.07	100.00
Criminal Traffic (Non-DUI)	114	2.86	43.85	146	9.63	56.15	260	4.73	100.00
Civil Traffic	0	0.00	0.00	3	0.20	100.00	3	0.05	100.00
Other Civil	1	0.03	100.00	0	0.00	0.00	1	0.02	100.00
Probation Violation	17	0.43	100.00	0	0.00	0.00	17	0.31	100.00
Federal Offenses	1	0.03	100.00	0	0.00	0.00	1	0.02	100.00
Juvenile Offenses	0	0.00	0.00	5	0.33	100.00	5	0.09	100.00
Unknown	20	0.50	86.96	3	0.20	13.04	23	0.42	100.00
Total	3,986	100.00	72.45	1,516	100.00	27.55	5,502	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2005	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	158	5.24	67.23	77	6.35	32.77	235	5.56	100.00
Property	188	6.23	39.92	283	23.33	60.08	471	11.13	100.00
Public Order	548	18.16	53.83	470	38.75	46.17	1,018	24.07	100.00
Drug Possession	47	1.56	52.22	43	3.54	47.78	90	2.13	100.00
Drug Sales	0	0.00	0	0	0.00	0	0	0.00	0
DUI	66	2.19	53.66	57	4.70	46.34	123	2.91	100.00
Other Alcohol	90	2.98	30.93	201	16.57	69.07	291	6.88	100.00
Weapons	4	0.13	66.67	2	0.16	33.33	6	0.14	100.00
Local Ordinance	18	0.60	56.25	14	1.15	43.75	32	0.76	100.00
Disobey Court Order	1,537	50.94	99.42	9	0.74	0.58	1,546	36.55	100.00
Warrant or Hold	243	8.05	100.00	0	0.00	0.00	243	5.74	100.00
Other Criminal	0	0.00	0.00	1	0.08	100.00	1	0.02	100.00
Criminal Traffic (Non-DUI)	105	3.48	65.22	56	4.62	34.78	161	3.81	100.00
Civil Traffic	0	0.00	0	0	0.00	0	0	0.00	0
Other Civil	0	0.00	0	0	0.00	0	0	0.00	0
Probation Violation	2	0.07	100.00	0	0.00	0.00	2	0.05	100.00
Federal Offenses	0	0.00	0	0	0.00	0	0	0.00	0
Juvenile Offenses	0	0.00	0	0	0.00	0	0	0.00	0
Unknown	11	0.36	100.00	0	0.00	0.00	11	0.26	100.00
Total	3,017	100.00	71.32	1,213	100.00	28.68	4,230	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2006	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	173	6.19	62.91	102	8.42	37.09	275	6.86	100.00
Property	222	7.94	43.61	287	23.70	56.39	509	12.71	100.00
Public Order	780	27.91	67.13	382	31.54	32.87	1,162	29.01	100.00
Drug Possession	48	1.72	49.48	49	4.05	50.52	97	2.42	100.00
Drug Sales	0	0.00	0	0	0.00	0	0	0.00	0
DUI	61	2.18	45.19	74	6.11	54.81	135	3.37	100.00
Other Alcohol	161	5.76	37.62	267	22.05	62.38	428	10.68	100.00
Weapons	10	0.36	83.33	2	0.17	16.67	12	0.30	100.00
Local Ordinance	12	0.43	92.31	1	0.08	7.69	13	0.32	100.00
Disobey Court Order	1,003	35.89	99.50	5	0.41	0.50	1,008	25.16	100.00
Warrant or Hold	204	7.30	100.00	0	0.00	0.00	204	5.09	100.00
Other Criminal	3	0.11	75.00	1	0.08	25.00	4	0.10	100.00
Criminal Traffic (Non-DUI)	94	3.36	71.21	38	3.14	28.79	132	3.30	100.00
Civil Traffic	0	0.00	0.00	2	0.17	100.00	2	0.05	100.00
Other Civil	1	0.04	100.00	0	0.00	0.00	1	0.02	100.00
Probation Violation	5	0.18	100.00	0	0.00	0.00	5	0.12	100.00
Federal Offenses	1	0.04	100.00	0	0.00	0.00	1	0.02	100.00
Juvenile Offenses	0	0.00	0	0	0.00	0	0	0.00	0
Unknown	17	0.61	94.44	1	0.08	5.56	18	0.45	100.00
Total	2,795	100.00	69.77	1,211	100.00	30.23	4,006	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2007	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	77	3.48	49.36	79	9.21	50.64	156	5.08	100.00
Property	169	7.63	43.90	216	25.17	56.10	385	12.53	100.00
Public Order	657	29.67	74.91	220	25.64	25.09	877	28.55	100.00
Drug Possession	32	1.45	47.06	36	4.20	52.94	68	2.21	100.00
Drug Sales	0	0.00	0	0	0.00	0	0	0.00	0
DUI	46	2.08	62.16	28	3.26	37.84	74	2.41	100.00
Other Alcohol	139	6.28	36.97	237	27.62	63.03	376	12.24	100.00
Weapons	1	0.05	50.00	1	0.12	50.00	2	0.07	100.00
Local Ordinance	6	0.27	66.67	3	0.35	33.33	9	0.29	100.00
Disobey Court Order	780	35.23	99.49	4	0.47	0.51	784	25.52	100.00
Warrant or Hold	165	7.45	100.00	0	0.00	0.00	165	5.37	100.00
Other Criminal	2	0.09	66.67	1	0.12	33.33	3	0.10	100.00
Criminal Traffic (Non-DUI)	85	3.84	73.28	31	3.61	26.72	116	3.78	100.00
Civil Traffic	0	0.00	0	0	0.00	0	0	0.00	0
Other Civil	1	0.05	100.00	0	0.00	0.00	1	0.03	100.00
Probation Violation	11	0.50	100.00	0	0.00	0.00	11	0.36	100.00
Federal Offenses	1	0.05	100.00	0	0.00	0.00	1	0.03	100.00
Juvenile Offenses	0	0.00	0	0	0.00	0	0	0.00	0
Unknown	42	1.90	95.45	2	0.23	4.55	44	1.43	100.00
Total	2,214	100.00	72.07	858	100.00	27.93	3,072	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2002	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	249	16.37	69.55	109	11.95	30.45	358	14.71	100.00
Property	198	13.02	62.07	121	13.27	37.93	319	13.11	100.00
Public Order	704	46.29	75.21	232	25.44	24.79	936	38.47	100.00
Drug Possession	67	4.40	95.71	3	0.33	4.29	70	2.88	100.00
Drug Sales	0	0.00	0.00	2	0.22	100.00	2	0.08	100.00
DUI	72	4.73	64.86	39	4.28	35.14	111	4.56	100.00
Other Alcohol	141	9.27	36.62	244	26.75	63.38	385	15.82	100.00
Weapons	5	0.33	62.50	3	0.33	37.50	8	0.33	100.00
Local Ordinance	12	0.79	16.90	59	6.47	83.10	71	2.92	100.00
Other Criminal	3	0.20	75.00	1	0.11	25.00	4	0.16	100.00
Criminal Traffic (Non-DUI)	70	4.60	41.42	99	10.86	58.58	169	6.95	100.00
Total	1,521	100.00	62.52	912	100.00	37.48	2,433	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2003	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	223	15.58	63.35	129	9.03	36.65	352	12.31	100.00
Property	212	14.81	44.54	264	18.47	55.46	476	16.64	100.00
Public Order	636	44.44	61.04	406	28.41	38.96	1,042	36.43	100.00
Drug Possession	63	4.40	73.26	23	1.61	26.74	86	3.01	100.00
Drug Sales	2	0.14	25.00	6	0.42	75.00	8	0.28	100.00
DUI	59	4.12	54.13	50	3.50	45.87	109	3.81	100.00
Other Alcohol	108	7.55	25.00	324	22.67	75.00	432	15.10	100.00
Weapons	2	0.14	16.67	10	0.70	83.33	12	0.42	100.00
Local Ordinance	10	0.70	13.16	66	4.62	86.84	76	2.66	100.00
Other Criminal	1	0.07	33.33	2	0.14	66.67	3	0.10	100.00
Criminal Traffic (Non-DUI)	115	8.04	43.56	149	10.43	56.44	264	9.23	100.00
Total	1,431	100.00	50.03	1,429	100.00	49.97	2,860	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2004	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	214	14.46	55.30	173	11.60	44.70	387	13.03	100.00
Property	233	15.74	41.61	327	21.93	58.39	560	18.85	100.00
Public Order	644	43.51	62.71	383	25.69	37.29	1,027	34.57	100.00
Drug Possession	61	4.12	81.33	14	0.94	18.67	75	2.52	100.00
Drug Sales	2	0.14	50.00	2	0.13	50.00	4	0.13	100.00
DUI	79	5.34	53.38	69	4.63	46.62	148	4.98	100.00
Other Alcohol	101	6.82	23.33	332	22.27	76.67	433	14.57	100.00
Weapons	6	0.41	37.50	10	0.67	62.50	16	0.54	100.00
Local Ordinance	25	1.69	43.86	32	2.15	56.14	57	1.92	100.00
Other Criminal	1	0.07	25.00	3	0.20	75.00	4	0.13	100.00
Criminal Traffic (Non-DUI)	114	7.70	43.85	146	9.79	56.15	260	8.75	100.00
Total	1,480	100.00	49.81	1,491	100.00	50.19	2,971	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2005	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	158	12.91	67.23	77	6.40	32.77	235	9.68	100.00
Property	188	15.36	39.92	283	23.50	60.08	471	19.40	100.00
Public Order	548	44.77	53.83	470	39.04	46.17	1,018	41.93	100.00
Drug Possession	47	3.84	52.22	43	3.57	47.78	90	3.71	100.00
Drug Sales	0	0.00	0	0	0.00	0	0	0.00	0
DUI	66	5.39	53.66	57	4.73	46.34	123	5.07	100.00
Other Alcohol	90	7.35	30.93	201	16.69	69.07	291	11.99	100.00
Weapons	4	0.33	66.67	2	0.17	33.33	6	0.25	100.00
Local Ordinance	18	1.47	56.25	14	1.16	43.75	32	1.32	100.00
Other Criminal	0	0.00	0.00	1	0.08	100.00	1	0.04	100.00
Criminal Traffic (Non-DUI)	105	8.58	65.22	56	4.65	34.78	161	6.63	100.00
Total	1,224	100.00	50.41	1,204	100.00	49.59	2,428	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2006	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	173	11.06	62.91	102	8.48	37.09	275	9.94	100.00
Property	222	14.19	43.61	287	23.86	56.39	509	18.40	100.00
Public Order	780	49.87	67.13	382	31.75	32.87	1,162	41.99	100.00
Drug Possession	48	3.07	49.48	49	4.07	50.52	97	3.51	100.00
Drug Sales	0	0.00	0	0	0.00	0	0	0.00	0
DUI	61	3.90	45.19	74	6.15	54.81	135	4.88	100.00
Other Alcohol	161	10.29	37.62	267	22.19	62.38	428	15.47	100.00
Weapons	10	0.64	83.33	2	0.17	16.67	12	0.43	100.00
Local Ordinance	12	0.77	92.31	1	0.08	7.69	13	0.47	100.00
Other Criminal	3	0.19	75.00	1	0.08	25.00	4	0.14	100.00
Criminal Traffic (Non-DUI)	94	6.01	71.21	38	3.16	28.79	132	4.77	100.00
Total	1,564	100.00	56.52	1,203	100.00	43.48	2,767	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Flagstaff Police Department
Count of Misdemeanor Adult Arrests
 By Arrest Year (Fiscal), Custody Status of Arrest and Crime Category

Arrest Year (Fiscal) 2007	Booked			Cite and Release			Total		
	N	Col %	Row %	N	Col %	Row %	N	Col %	Row %
People	77	6.34	49.36	79	9.27	50.64	156	7.55	100.00
Property	169	13.92	43.90	216	25.35	56.10	385	18.64	100.00
Public Order	657	54.12	74.91	220	25.82	25.09	877	42.45	100.00
Drug Possession	32	2.64	47.06	36	4.23	52.94	68	3.29	100.00
Drug Sales	0	0.00	0	0	0.00	0	0	0.00	0
DUI	46	3.79	62.16	28	3.29	37.84	74	3.58	100.00
Other Alcohol	139	11.45	36.97	237	27.82	63.03	376	18.20	100.00
Weapons	1	0.08	50.00	1	0.12	50.00	2	0.10	100.00
Local Ordinance	6	0.49	66.67	3	0.35	33.33	9	0.44	100.00
Other Criminal	2	0.16	66.67	1	0.12	33.33	3	0.15	100.00
Criminal Traffic (Non-DUI)	85	7.00	73.28	31	3.64	26.72	116	5.61	100.00
Total	1,214	100.00	58.76	852	100.00	41.24	2,066	100.00	100.00

Number of Charges is Equal to One - AND - Type of Offense (Misd/Fel) is Equal to Misdemeanor - AND - Arresting Agency is Equal to Flagstaff Police Dept - AND - Juvenile is Equal to No

Footnote: Based on records where the following conditions are met:
 - Crime Category is NOT Equal to Disobey Court Order or Warrant or Hold or Civil Traffic or Other Civil or Probation Violation or Federal Offenses or Juvenile Offenses or Unknown