



ARIZONA CRIMINAL
JUSTICE COMMISSION

Arizona Criminal Justice Commission

Arizona Prosecuting Attorneys' Advisory
Council (APAAC)
Missing Fingerprint Overview

Missing Fingerprint Summary

- **Two Arizona GAP Program Types: ADC and Superior Court**
- **ADC GAP Program:**
 - In 2015, 111 inmates arrived at ADC with NO criminal history (based on SID)
- **Superior Court GAP Program:**
 - In the last 4 months of 2015, Maricopa Superior identified 1,071 cases where defendant was not fingerprinted (10.1% of case volume)
 - From October 2015 – January 2016, Pima Superior identified 157 cases where defendant was not fingerprinted (10% of case volume)
 - Extrapolating the average statewide, indicates 5,332 felony cases do not appear in criminal history

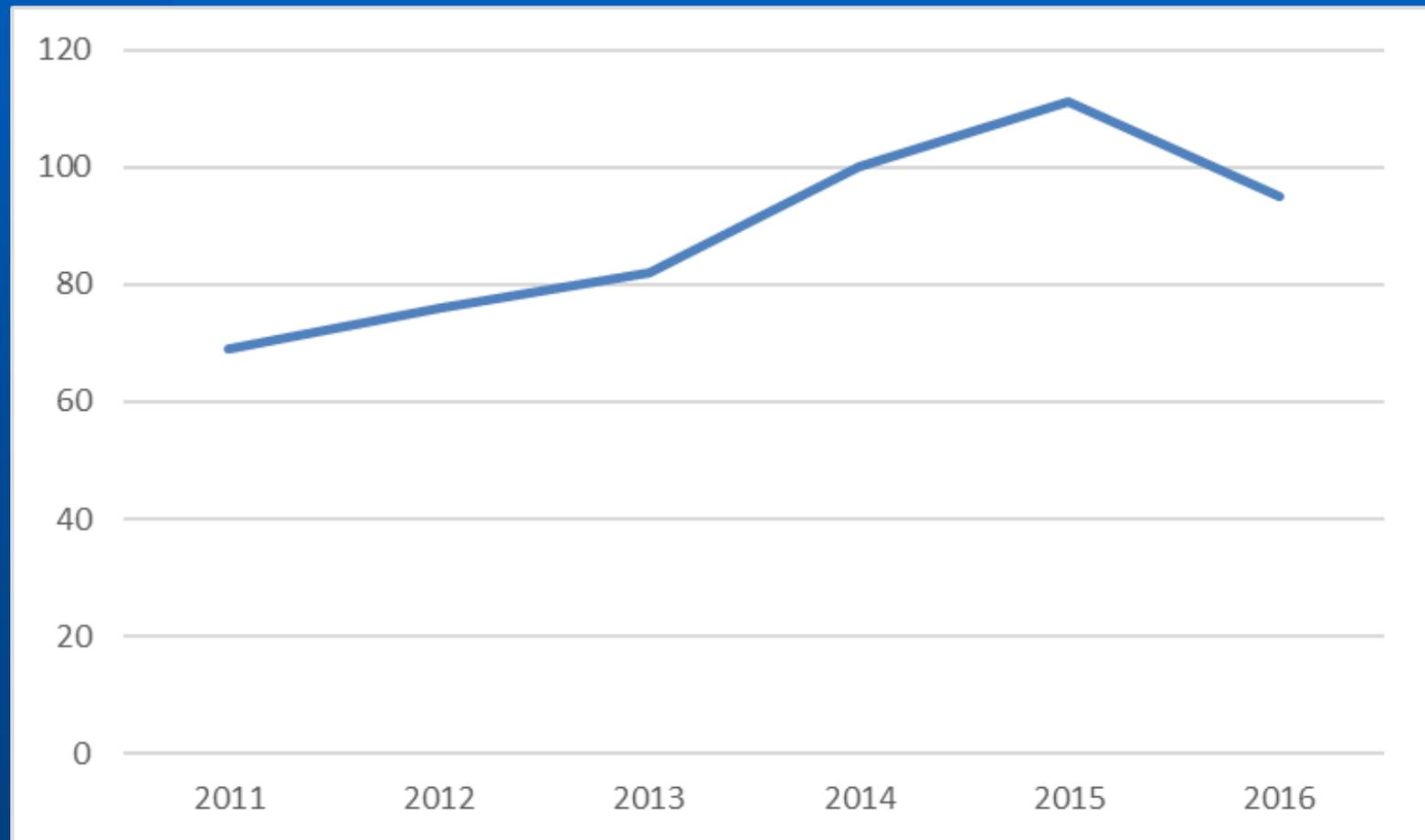
Impact of No Type 01 Fingerprint

- **Court cannot post disposition to criminal history**
- **Difficult to Charge for multiple conviction**
- **Indicate as a prohibited firearms possessor**
- **Inaccurate background checks**

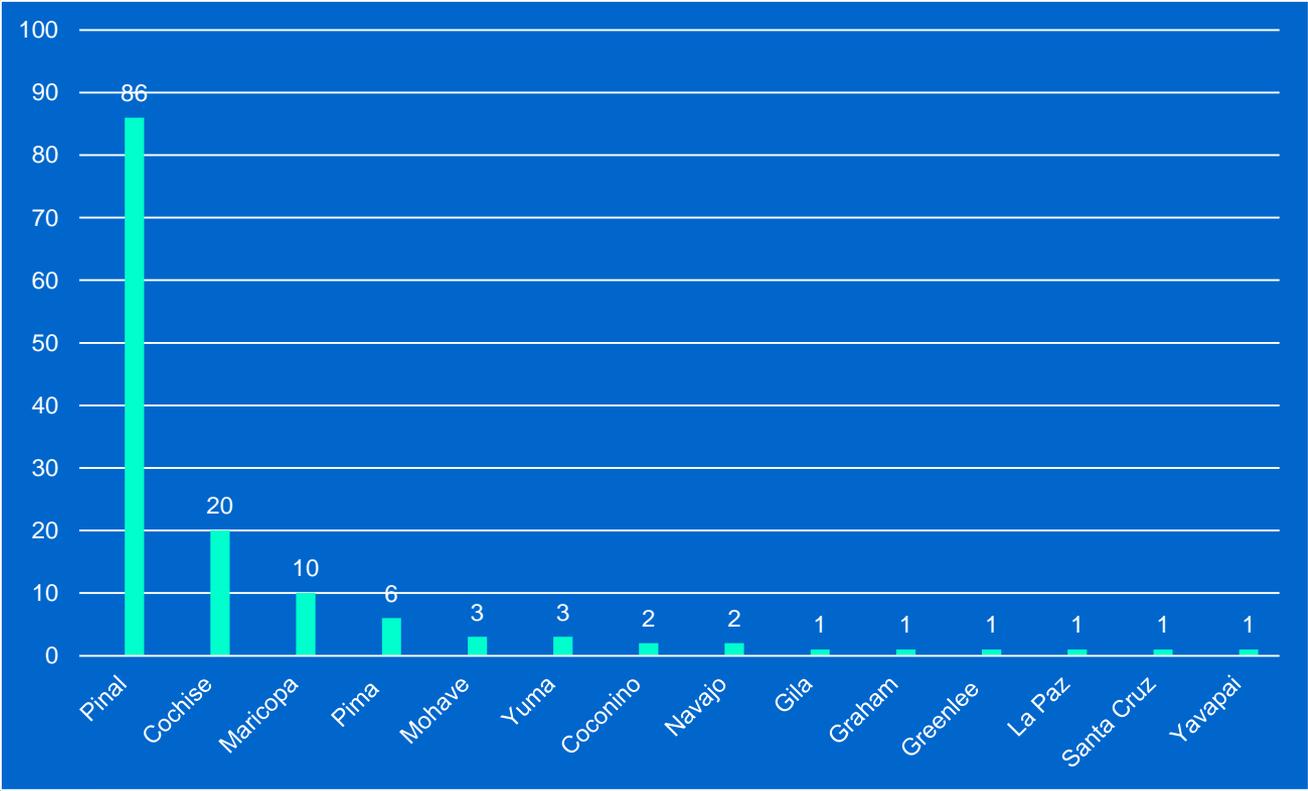
ADC GAP Project

- Program initiated approximately nine years ago
- Identify inmates that have NO Arizona criminal history by checking to see if there is a SID on file
- Since start of program, over 1,200 inmates with no fingerprints have been identified and submitted through the GAP program.
- Of the 1,200 DPS could NOT retroactively create criminal history on 40% (480 Inmates)

ADC New Intake GAP Cases



2015 Statewide ADC GAP Cases by County



Statewide Activity

- In 2014/2015 The Arizona Department of Public Safety indicated that it would be better for ACCH to have a duplicate fingerprint on a case than no fingerprint at all
- HB 2154: As of 1/1/17 Sheriff is responsible for Type 01 Fingerprinting:
 - Felony
 - Finger-printable Misdemeanor (DV, Sexual Assault, DUI)
- Identify best practices:
 - Yavapai County: YCAO verifies criminal history through ADRS
 - Maricopa County: Arraignment court sends calendar to MCSO
- Focus Groups in Pinal and Cochise

Next Steps

- **How can we reduce reliance on the ADC/Superior Court GAP Program 'Safety Net'?**
- **What role should the prosecutor have in verifying criminal history?**
- **What training is recommended for prosecutors and courts?**
- **What training could APAAC/ACJC facilitate for prosecutors?**