



Sexual Assault Report

Arizona Criminal Justice Commission

STATISTICS
2021

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Executive Summary

A.R.S. §41-2406(B) requires the Arizona Criminal Justice Commission (ACJC) to report annually on sexual assault in Arizona using criminal history data provided by the Arizona Department of Public Safety. Arizona criminal justice agencies are required by statute to submit arrest and case disposition information for all felony and select misdemeanor charges to the Arizona Computerized Criminal History (ACCH) repository.¹ The ACJC compiles sexual assault data from the ACCH into a report that is submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of State.

This report summarizes all police reports, charges filed, convictions, and sentences for A.R.S. §13-1406 sexual assault arrests that occurred between calendar years (CY) 2015 and 2019 and were available in the ACCH as of July 2021. To ensure that all sexual assault-related arrests were captured, A.R.S. §13-1423 charges for violent sexual assault were also included in the analysis.² The following summarizes key findings from the report:

Arrests, Charges, and Offenders

- There were 1,604 sexual assault-related arrests between CY2015 and CY2019. All but six arrests included at least one sexual assault arrest charge.
- Prosecutors filed charges in 1,049 arrests over the five-year period, including 770 in which charges were filed for sexual assault.
- 75.4% of arrestees were white males and 63.6% were 35 years of age or younger at the time of arrest.

Outcomes

- 880 arrests led to convictions. Specifically, 351 arrests resulted in at least one conviction for sexual assault, while 529 arrests had convictions for other offenses only.
- 81.5% of cases with at least one sexual assault conviction led to a prison sentence compared to 42.7% of cases with other offense convictions only.
- One-fifth of all sexual assault records were pending or missing disposition information for all arrest charges.

Domestic Violence

- 372 records had at least one sexual assault arrest charge flagged for domestic violence.
- 86 arrests resulted in a sexual assault conviction, 74 of which resulted in a prison sentence.
- 46 domestic violence-related sexual assault records had no disposition information available for any arrest charges.

¹ Misdemeanor charges for sexual, driving under the influence, and domestic violence-related offenses must be reported to the ACCH.

² For the purpose of this report, a “sexual assault-related arrest” refers to an arrest with at least one sexual assault charge at either arrest or disposition.

Introduction

A.R.S. §41-2406(B) requires the Arizona Criminal Justice Commission (ACJC) to report annually on sexual assault in Arizona using criminal history data provided by the Arizona Department of Public Safety (DPS). Arizona criminal justice agencies are required by A.R.S. §41-1750(A)(1) to submit arrest and case disposition information for all felony and select misdemeanor charges to the Arizona Computerized Criminal History (ACCH) repository.¹ A.R.S. §41-2406(A) requires the DPS to provide an electronic extract of all ACCH records relating to sexual assault to the ACJC on a biannual basis. The ACJC compiles this information into a report that is submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of State. Per A.R.S. §41-2406(B), the ACJC is required to report:

- The number of police reports that are filed;
- The number of charges that are filed and what charges;
- The number of convictions obtained; and
- The sentences imposed for each conviction.

This report summarizes ACCH arrest and disposition data for all sexual assault-related arrests that occurred between calendar years (CY) 2015 and 2019.² To ensure that all sexual assault-related arrests were captured, charges for sexual assault (A.R.S. § 13-1406) and violent sexual assault (A.R.S. § 13-1423) were combined into a single sexual assault offense category. The data used for this report was extracted from the ACCH in July 2021, giving all arrest charges included in the analysis a case processing time of at least 18 months from the arrest date to reach disposition and sentencing.

Report Terminology and Limitations

In this report, a “record” refers to one arrest incident and the associated charges, where “charge” refers to the specific offense defined in Arizona’s criminal code. Results are primarily reported by record. The term “sexual assault record” is used to refer to an arrest with at least one sexual assault offense charge at either arrest or disposition.³ A sexual assault record may include additional non-sexual assault offense charges if an individual was charged with multiple offenses during one arrest.

To simplify analysis and provide a snapshot of sexual assault charge outcomes, records were classified based on whether sexual assault charges were filed, not filed/not referred for prosecution, or pending disposition. Readers should therefore be aware that the results presented

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² For the purpose of this report, a “sexual assault-related arrest” refers to an arrest with at least one sexual assault charge at either arrest or disposition.

³ The ACCH distinguishes between arrest and disposition offense charges. The arrest offense charge is entered by the arresting law enforcement agency and the disposition offense charge is entered by the prosecuting/court agency. The arrest and disposition charge may differ if the prosecutor amended the arrest charge.

in this report are a summary of an entire case based on the outcome of one sexual assault charge in that record. For example, if one arrest record contains two sexual assault charges and one burglary charge, charges were filed for the first sexual assault charge, no action has been taken on the second sexual assault charge, and burglary charges were not filed, the record would be classified as having sexual assault charges filed, regardless of the outcome of the other two charges. Similarly, if one arrest record contains sexual assault charge and one burglary charge, charges were not filed for sexual assault but were filed for burglary, the record would be reported as having no sexual assault charges filed, and outcome information (i.e., conviction, acquittal, sentencing, etc.) would be provided for the burglary charge. As such, the following results do not necessarily reflect the outcomes of all charges associated with a record, nor should the results be interpreted to mean that all charges associated with one record have been dispositioned.

Limitations in the timeliness and completeness of records in the ACCH repository should be considered when interpreting the results in this report. Arrest charges are only entered into the ACCH when fingerprints are taken properly and cited or summoned defendants are booked prior to sentencing. Additionally, a criminal history record in the ACCH may not be properly closed if a final disposition form was not submitted to DPS in a timely manner or if the reporting form was rejected by DPS due to entry errors. Finally, charges dispositioned after the data were extracted in July 2021 will show as pending in this analysis.

Arrests, Charges, and Offenders

Between CY2015 and CY2019, 1,598 arrests included at least one sexual assault charge for a total of 3,652 sexual assault arrest charges (see [Table 1](#)). An additional six arrests had at least one charge that was later amended by the prosecutor to a sexual assault charge.

Table 1: Sexual Assault Records Overview, CY2015-2019

	2015	2016	2017	2018	2019	Total
Sexual Assault Records	308	323	343	342	288	1,604
Records with at least one sexual assault arrest charge	306	322	342	341	287	1,598
Records with other offense arrests only	2	1	1	1	1	6
Total Sexual Assault Arrest Charges	703	687	865	819	578	3,652
Records Leading to Charges Filed	226	230	236	208	149	1,049
Records Leading to Convictions	194	188	208	170	120	880
Records with at least one conviction for sexual assault	76	83	90	66	36	351
Records with at least one conviction for other offense only	118	105	118	104	84	529
Records Pending All Disposition Information						
Number	55	53	63	69	89	329
Percent of total sexual assault records	17.9%	16.4%	18.4%	20.2%	30.9%	20.5%

Most arrestees were male (98.9%), white (76.1%), and between the ages of 26 and 35 (29.6%); see [Table 2](#).

Record Outcomes

Disposition information for at least one arrest charge needed to be available in the ACCH to determine outcome information for a sexual assault record. Nearly 35% of the arrest records analyzed for this report did not have disposition information available for any sexual assault charges (524 records; see [Table 3](#)). About one-third of these records (195 records) had disposition information for at least one non-sexual assault charge, leaving 329 records without disposition information for any charge. The number of cases pending all disposition information is likely higher toward the end of the five-year period because more recent cases have had less time between arrest and the date the data was extracted to reach disposition. For example, [Table 1](#) shows that about 30% of sexual assault records from CY2019 were pending all disposition information compared to fewer than 20% of CY2015 and CY2016 records.

Charges Filed

Charges were filed in 1,049 (about 65%) sexual assault records between CY2015 and CY2019. Specifically, sexual assault charges were filed in about half of all cases (770 records), while 17% of cases had charges filed for other offenses only (279 records).⁴ No charges were filed or referred for prosecution in 15% of cases (226 records).⁵ The remaining 20% of cases did not have disposition information available for any charge. See [Appendix A](#) for a list of other charge filings by statute.

Convictions

More than half of sexual assault-related arrests resulted in a conviction. Specifically, of the 1,049 records that led to charges filed, 351 records (33.5%) had at least one conviction for sexual assault, while 529 (50.4%) had at least one conviction for a non-sexual assault offense only.⁶ The

Table 2: Sexual Assault Arrestee Demographics

Sex	n	%
Female	17	1.1%
Male	1,587	98.9%
Total	1,604	100.0%
Age		
18 & Under	141	8.8%
19-25	405	25.2%
26-35	474	29.6%
36-45	305	19.0%
46-55	174	10.8%
56-65	89	5.5%
66-75	12	0.7%
76 & Over	4	0.2%
Total	1,604	100.0%
Race		
White	1,221	76.1%
Black	264	16.5%
American Indian/Eskimo	95	5.9%
Asian	18	1.1%
Undetermined	6	0.4%
Total	1,604	100.0%

⁴ Sexual assault charges were either not filed or pending disposition in cases with charges filed for other offenses only.

⁵ Includes cases in which sexual assault charges were not filed/referred and there were no other charges; sexual assault charges were not filed/referred and non-sexual assault charges were not filed/referred; sexual assault charges were not filed/referred and other charges were pending disposition; or sexual assault charges were pending disposition and other charges were not filed/referred.

⁶ Records with a sexual assault conviction may also have convictions for other offenses.

remaining 169 records (16.1%) resulted in at least one acquittal or dismissal for either sexual assault or another offense. [Table 3](#) provides outcome information for all sexual assault records.

Table 3: Sexual Assault Arrest Record Outcomes, CY2015-2019

Arrest Records	2015	2016	2017	2018	2019	Total
Records with sexual assault charges filed or amended	172	172	164	160	102	770
Records with sexual assault charges not filed/referred for prosecution	43	52	78	82	55	310
Records pending all sexual assault charge disposition information	93	99	101	100	131	524
Total Records	308	323	343	342	288	1,604
Records with sexual assault charges filed or amended	2015	2016	2017	2018	2019	Total
Conviction (sexual assault)	76	83	90	66	36	351
Conviction (other offense only)	66	53	53	61	45	278
Acquittal (sexual assault or other offense only)	1	6	4	6	1	18
Case Dismissed (sexual assault or other offense only)	29	30	17	27	20	123
Records with sexual assault charges not filed/referred for prosecution	2015	2016	2017	2018	2019	Total
Conviction	17	16	34	23	14	104
Acquittal	1	0	1	0	0	2
Case Dismissed	1	1	2	2	2	8
No other charges filed/referred for prosecution ¹	24	35	41	57	39	196
Records pending all sexual assault charge disposition information	2015	2016	2017	2018	2019	Total
Conviction (other offense only)	35	36	31	20	25	147
Acquittal	0	1	0	0	1	2
Case Dismissed	0	4	4	3	5	16
Other charges not filed/referred for prosecution	3	5	3	8	11	30
Pending all disposition information	55	53	63	69	89	329

¹ Includes cases in which sexual assault charges were not filed/referred and there were no other charges; sexual assault charges were not filed/referred and non-sexual assault charges were not filed; or sexual assault charges were not filed/referred and other charges were pending disposition.

Sentencing

Most arrestees (81.5%) with at least one sexual assault conviction were sentenced to prison compared to 43% of arrestees with a conviction for a non-sexual assault offense only (see [Table 4](#)).⁷ Conversely, fewer than 10% of individuals a sexual assault conviction and about 25% of those with a non-sexual assault conviction received a jail sentence. The remaining arrestees received sentences other than incarceration.⁸

Table 4: Highest Level of Sentencing by Record Type, CY2015-2019

	All Sexual Assault (SA) Records		Records with a Domestic Violence-related Sexual Assault Arrest	
	At Least One SA Conviction	Conviction for Other Offense(s) Only	At Least One SA Conviction	Conviction for Other Offense(s) Only
Prison	286 (81.5%)	226 (42.7%)	74 (86.0%)	59 (42.4%)
Jail	33 (9.4%)	133 (25.1%)	6 (7.0%)	32 (23.0%)
Other	32 (9.1%)	170 (32.1%)	6 (7.0%)	48 (34.5%)
Total	351	529	86	139

⁷ Arrestees may have received more than one type of sentencing. Results reflect the highest level of sentencing imposed.

⁸ Includes probation, community service, restitution, fines, suspended sentences, and other sentences not otherwise specified in the ACCH.

Sexual Assault-Related Arrests Involving Domestic Violence

Domestic violence is not an official statutory offense in Arizona; rather, an offender is charged with an eligible domestic violence offense (e.g., sexual assault, aggravated assault, etc.) and the arrest charge is flagged for domestic violence in the ACCH repository. For this report, an arrest was defined as a domestic violence-related sexual assault arrest if at least one arrest offense for sexual assault (A.R.S. § 13-1406) or violent sexual assault (A.R.S. § 13-1423) was flagged for domestic violence. It should be noted that Arizona, like many other states, includes various types of relationships in its definition of domestic violence, including marital, dating, familial, and cohabitant relationships.

Table 5: Domestic Violence-Related Sexual Assault Arrest Record Outcomes, CY2015-2019

Arrest Records	Total
Records with sexual assault charges filed or amended	210
Records with sexual assault charges not filed (NF)/referred (NR) for prosecution	78
Records pending all sexual assault charge disposition information	84
Total Records	372
Records with sexual assault charges filed or amended	Total
Conviction (sexual assault)	86
Conviction (other offense only)	93
Acquittal (sexual assault or other offense only)	3
Case Dismissed (sexual assault or other offense only)	28
Records with sexual assault charges not filed/referred for prosecution	Total
Conviction	21
Acquittal	0
Case Dismissed	3
No other charges filed/referred for prosecution*	54
Records pending all sexual assault charge disposition information	Total
Conviction (other offense only)	25
Acquittal	1
Case Dismissed	4
Other charges not filed/referred for prosecution	8
Pending all disposition information	46

* Includes cases in which sexual assault charges were not filed/referred and there were no other charges; sexual assault charges were not filed/referred and non-sexual assault charges were not filed; or sexual assault charges were not filed/referred and other charges were pending disposition.

Arrests and Charges Filed

Between CY2015 and CY2019, there were 372 arrests with one or more sexual assault arrest charges flagged for domestic violence (see [Table 5](#)). Of these, 210 arrests led to sexual assault charges filed by the prosecutor. As of July 2021, 84 domestic violence-related sexual assault arrests lacked disposition information for any sexual assault charge.

Convictions

Of the 210 domestic violence-related arrests in which sexual assault charges were filed or amended, 86 resulted in a conviction for sexual assault and 93 resulted in a conviction for other offenses only.⁹ Among records where sexual assault charges were either not filed or were pending disposition, 46 records had at least one conviction for a non-sexual assault offense, 70 records resulted in either an acquittal, dismissal, or no charges filed, and 46 were pending disposition information for all charges.

Sentencing

Similar to the results for all sexual assault records, most domestic violence-related sexual assault records with a sexual assault conviction resulted in a prison sentence (86.0%; see [Table 3](#)). Most arrestees with convictions for other offenses only were sentenced to prison (42.4%), , about one quarter of arrestees were sentenced to jail (23%), and the remaining third (34.5%) received another form of sentencing.

⁹ Non-sexual assault offenses for which convictions were obtained may not have been flagged for domestic violence.

Appendix A: Other Filing in the ACCH, CY20015-2019

A.R.S.	Statute Description	Total
§13-1102	Negligent homicide	1
§13-1104	Second Degree Murder	10
§13-1105	First Degree Murder	9
§13-1201	Endangerment	29
§13-1202	Threatening or Intimidating	102
§13-1203	Assault	375
§13-1204	Aggravated Assault	950
§13-1205	Unlawfully Administering Intoxicating Liquors, Narcotic Drug or Dangerous Drug	5
§13-1302	Custodial Interference	6
§13-1303	Unlawful Imprisonment	67
§13-1304	Kidnapping	752
§13-1307	Sex Trafficking	25
§13-1308	Trafficking of Persons for Forced Labor or Services	2
§13-1402	Indecent Exposure	43
§13-1403	Public Sexual Indecency	43
§13-1404	Sexual Abuse	678
§13-1405	Sexual Conduct with a Minor	882
§13-1406	Sexual Assault	2,345
§13-1410	Molestation of a Child	281
§13-1417	Continuous Sexual Abuse of a Child	27
§13-1419	Unlawful Sexual Conduct; Correctional Facilities	16
§13-1423	Violent Sexual Assault	12
§13-1424	Voyeurism	61
§13-1425	Unlawful Disclosure of Images Depicting States of Nudity or Specific Sexual Activities	10
§13-1428	Sexual Extortion	2
§13-1503	Criminal trespass in the Second Degree	1
§13-1504	Criminal Trespass in the First Degree	17
§13-1505	Possession of Burglary Tools	1
§13-1506	Burglary in the Third Degree	3
§13-1507	Burglary in the Second Degree	72
§13-1508	Burglary in the First Degree	24
§13-1602	Criminal Damage	54
§13-1703	Arson of a Structure or Property	4
§13-1704	Arson of an Occupied Structure	4
§13-1802	Theft	22
§13-1803	Unlawful Use of Means of Transportation	9
§13-1804	Theft by Extortion	2
§13-1805	Shoplifting	7
§13-1814	Theft of Means of Transportation	14
§13-1902	Robbery	25
§13-1903	Aggravated Robbery	7

§13-1904	Armed Robbery	33
§13-2002	Forgery	4
§13-2008	Taking Identity of Another Person or Entity	3
§13-2102	Theft of a Credit Card or Obtaining a Credit Card by Fraudulent Means	1
§13-2307	Trafficking in Stolen Property	5
§13-2310	Fraudulent Schemes and Artifices	5
§13-2312	Illegal Control of/Conducting an Enterprise	4
§13-2316	Computer Tampering	3
§13-2317	Money Laundering	1
§13-2409	Obstructing Criminal Investigations or Prosecutions	4
§13-2503	Escape in the Second Degree	1
§13-2505	Promoting Prison Contraband	3
§13-2506	Failure to Appear in the Second Degree	32
§13-2507	Failure to Appear in the First Degree	1
§13-2508	Resisting Arrest	9
§13-2512	Hindering Prosecution in the First Degree	1
§13-2602	Bribery of a Public Servant or Party Officer	4
§13-2702	Perjury	3
§13-2804	Tampering with a Witness	4
§13-2809	Tampering with Physical Evidence	8
§13-2810	Interfering with Judicial Proceedings	20
§13-2904	Disorderly Conduct	88
§13-2905	Loitering	1
§13-2907	False reporting; Emergency Response Costs	4
§13-2910	Cruelty to Animals	3
§13-2915	Preventing Use of Telephone in an Emergency	29
§13-2921	Harassment	17
§13-2923	Stalking	11
§13-2926	Abandonment or Concealment of a Dead Body	3
§13-3016	Stored Oral, Wire and Electronic Communications	1
§13-3019	Surreptitious Photographing, Videotaping, Filming, or Digitally Recording or Viewing	39
§13-3102	Misconduct Involving Weapons	29
§13-3107	Unlawful Discharge of Firearms	3
§13-3204	Receiving Earnings of Prostitute	12
§13-3208	Keeping or residing in house of prostitution	1
§13-3209	Pandering	9
§13-3210	Transporting Persons for Purpose of Prostitution or Other Immoral Purpose	3
§13-3212	Child Sex Trafficking	31
§13-3402	Possession and sale of Peyote	1
§13-3403	Possession and Sale of a Vapor-Releasing Substance Containing a Toxic Substance	2
§13-3404	Sale of Precursor or Regulated Chemicals	3
§13-3405	Possession, Use, Production, Sale, or Transportation of Marijuana	25
§13-3406	Possession, Use, Administration, Acquisition, Sale, Manufacture, or Transportation of Prescription-Only Drugs	5
§13-3407	Possession, Use, Administration, Acquisition, Sale, Manufacture, or Transportation of Dangerous Drugs	47
§13-3408	Possession, Use, Administration, Acquisition, Sale, Manufacture, or Transportation of Narcotic Drugs	23

§13-3409	Involving or Using Minors in Drug Offenses	64
§13-3415	Possession, Manufacture, Delivery, and Advertisement of Drug Paraphernalia	60
§13-3506	Furnishing Harmful Items to Minors	23
§13-3552	Commercial Sexual Exploitation of a Minor	11
§13-3553	Sexual Exploitation of a Minor	62
§13-3554	Luring a Minor for Sexual Exploitation	25
§13-3560	Aggravated Luring a Minor for Sexual Exploitation	7
§13-3561	Unlawful Age Misrepresentation	3
§13-3601	Domestic Violence	30
§13-3608	Incest	5
§13-3613	Contributing to Delinquency and Dependency	51
§13-3620	Duty to Report Abuse, Physical Injury, Neglect and Denial or Deprivation of Medical or Surgical Care or Nourishment of Minors	1
§13-3623	Child or Vulnerable Adult Abuse	121
§13-3721	Tattoos, Brands, Scarifications and Piercings	2
§13-3821	Persons Required to Register	5
§13-3822	Notice of Moving from Place of Residence or Change of Name or Electronic Information	2
§13-3885	Arrest of Principal by Surety	1
§13-3904	Violation of Promise to Appear	4
§13-5002	Criminal Trespass on Military Reservations and Facilities	1
§28-1381	Driving or Actual Physical Control While Under the Influence	9
§28-1382	Driving or Actual Physical Control While Under the Extreme Influence of Intoxicating Liquor	1
§28-1383	Aggravated Driving or Actual Physical Control While Under the Influence	3
§28-1595	Failure to Stop or Provide Driver License or Evidence of Identity	1
§28-3473	Driving on a Suspended, Revoked, or Canceled License	5
§28-622	Unlawful Flight from Pursuing Law Enforcement Vehicle	8
§28-663	Duty to Give Information and Assistance	2
§28-665A	Striking fixtures on a highway	1
§28-693A	Reckless Driving	2
§4-244	Unlawful Acts	1
§4-244.4	Requiring a Wholesaler to Offer or Grant a Discount to a Retailer	1
§4-244.9	Consumption/Possession of Alcohol by a Person Under 21; Furnishing Alcohol to an Underage Person	3
Total Filings in the ACCH for Other Offenses		8,053



Arizona Criminal Justice Commission

1110 W. Washington, Suite 230
Phoenix, AZ 85007
Phone: 602-364-1147
Fax: 602-364-1175

www.azcjc.gov