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Active warrants fall to new lows in Tucson, Pima County courts

By Murphy Woodhouse Arizona Daily Star

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People can get information or pay fines at the Public Service Center, where county Consolidated Justice Court is located.

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“How is Veronica today?” a smiling Justice of the Peace Keith Bee, of the county Consolidated Justice Court, asked in a soft voice in his courtroom.

Veronica Molina said she was doing fine, but less than five minutes later she felt even better, like “a big weight has been lifted off my chest. I can breathe,” she said after her hearing.

Molina had come to the special after-hours court event July 11 with an outstanding warrant for failing to appear on a 2014 driving on a suspended license charge, meaning she was subject to a disruptive and expensive booking at the Pima County jail if she was stopped by a law enforcement officer. She left without that worry, as well as with manageable fines and a path to recouping her driver’s license.

“I’m glad to just get this fully taken care of and out of the way,” she said. “It’s an immense sense of relief.”

Several floors down, dozens of people were waiting in a line snaking far out of the waiting room, which itself was packed with people like Molina. Unlike similar events held over the last year, this was the first at which both Consolidated and City Court staffs were present, making it easier for people who are unsure which court issued their warrant.

Such special warrant-resolution events, coupled with longer-standing efforts at both city and county courts have helped drive the number of outstanding warrants to their lowest levels in years.

As of July 12, there were 16,809 active warrants out of Consolidated Court, the lowest figure since at least June 2009, according to data provided by interim administrator Micci Tilton. That figure reached a comparably low figure of 17,117 in the summer of 2012 before sharply rising to over 23,000 three years later.

At City Court, active warrants were at 37,436 in late June 2016, at least an 11-year low and down from sustained highs between 65,000 and 67,000 from 2005 to 2010, according to data provided by Chris Hale, the court's administrator.

A more current figure, which would have included any results from a number of new warrant-resolution events, was not available Friday. The largest part of that reduction came from administratively quashing old warrants and cases in collaboration with the City Attorney's Office between 2010 and 2013, according to Hale.

At Consolidated Justice Court, a similar effort in recent years resulted in the quashing of more than 5,000 warrants and cases, which were limited to older incidents and excluded DUI or domestic-violence charges. Some warrants were nearly 3 decades old.

The city's longstanding walk-in Warrant Resolution Court has also taken a big bite, with between 300 and 450 warrants quashed monthly over the current fiscal year. A recently revamped walk-in court at Consolidated Court has resolved between 83 and 141 warrants monthly since January.

However, in Tilton's court, the warrant-resolution programs implemented in the last year are what have made the difference between static warrant levels and a steady decline, she said. Roughly 1,000 warrants were quashed between June 2016 and May at such events and have contributed to net warrant reductions of between 80 and 200 a month, according to figures.

Hale said reductions at his court were largely the result of "what we've been doing for years," but that newer after-hours and weekend warrant-resolution events "enhance" those efforts.

"They literally live paycheck to paycheck," Hale said of those for whom normal court hours often conflict with work schedules, forcing them to choose between dealing with warrants and a day's pay. "Taking a day off of work, it's a real burden for some people."

“It’s just huge for us, and for the people, these folks walk around on a daily basis afraid that they’re going to have some sort of contact with law enforcement and get swept away to jail,” Tilton said of people like Molina. “It’s not a good way to live life.”

A majority of active warrants — 71 percent in Consolidated Court — were issued for failure to show up at court dates, as occurred with Molina, whose underlying charge — driving on a suspended license — was also the single most common leading to such warrants. Other common underlying charges include assault, shoplifting, trespassing and DUI. Hale said his court reflects that, with the exception of driving on a suspended license, which is a charge the City Attorney’s Office dismisses.

Resolving a warrant doesn’t just take away a source of anxiety for people like Molina. It also can save local government money and reduce demand at the county jail.

It costs roughly \$400 to book someone on a warrant and, over the course of 2016, there were roughly 86,000 jail bed days for inmates with failure to appear charges, according to recent county data. That came at a cost of \$7.6 million, down substantially from about \$19.5 million in 2014.

Tucson’s years-old alternatives to jail program does allow Tucson Police Department officers to allow many on City Court warrants to have out-of-custody arraignments, thus avoiding those steep booking costs, according to Judge Tony Riojas, City Court’s presiding magistrate. There are hopes to expand out-of-custody resolution in the near future.

The high public cost and individual consequences of active warrants are why their resolution is one of the central goals of the ongoing Safety and Justice Challenge, which is funded by a \$1.5 million grant from the John D. and Catherine T. MacArthur Foundation and aims to reduce the local jail population.

But perhaps more effective than resolving active warrants is preventing their creation in the first place.

To do that, the Consolidated Court will have to contend with fairly high rates of defendants not showing up to court dates, which occurred nearly 25 percent of the time between February and April, according to data provided by the court. That’s up substantially from a longer six-month period in 2014, when 14 percent of defendants failed to appear at hearings, according to data from the Arizona Supreme Court.

Those higher rates “may be the new normal,” according to one county court official.

To fight failure-to-appear warrants, the court has implemented a system of automated calls and texts that remind defendants of hearing dates and have resulted in modest but consistent reductions in FTA rates. Calls with reminders of possible sanctions can drop FTA rates by as much as 24 percent.

While the likelihood of not appearing at court dates appears to have been on the rise in recent years, at least at Consolidated Court, Tilton said that without the automated reminders, the situation would likely be even worse.

Despite failure-to-appear issues, overall new warrants issued by the Consolidated Court are down over the first six months of 2017, compared with the same period for the last two years, according to data provided by the court.

City Court is working on getting a similar automated reminder system, Hale said. His court also just concluded a pilot program in which warrant issuance was delayed five days after a defendant failed to show up, but he said compliance among those contacted was an “abysmal” 16 percent.

Automated calls can only be made, of course, if the court has a phone number for the defendant. Tilton and Hale said both courts have reached out to law enforcement agencies in the area to try to get officers to collect phone numbers more frequently.

For example, 66 percent of citations from the Arizona Department of Public Safety, which accounts for much of Consolidated Court’s caseload, did not include phone numbers over a six-month period in 2016.

Pima County sheriff’s Deputy Cody Gress, a department spokesman, said the supervisors he spoke with had not received direction on the matter or any indication that it was a problem.

Nevertheless, Gress said deputies make an effort to collect phone numbers “as often as possible.”

But overall, there’s only so much the courts can do to get people to show up to court and abide by court orders, according to Hale.

“The first thing is to just avoid it,” he said. “Show up in court when you’re supposed to. If you can’t show up, let us know ahead of time and maybe we can work with you. Don’t ignore us.”

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