



# El Paso County Sheriff Office – Initial Analysis Of 1,000 Veteran Arrests August-November 2010

## Overview

- Data collection began on July 19, 2010, based on daily veteran and active-duty military reports provided by the El Paso County Sheriff's Criminal Justice Center (CJC). All police departments and the five military bases in the county use the CJC for detaining arrestees so the sampling of veteran arrests in the county is inclusive.
- The first 1,000 veteran arrests and bookings at the El Paso County Jail on which this analysis is based was reached November 14, 2010. Monthly totals and averages tabulated below include all arrests made in the four months August, September, October, and November 2010.
- The EPSO daily reports provide the offender's name, sex, age and DOB, race, veteran or active duty, the crimes (with code) which the veteran is charged with, and the highest level of these crimes, i.e., felony or misdemeanor and level within those categories.
- On average 180 veterans and 76 active-duty military personnel are arrested each month in El Paso County. Veterans comprise roughly 14% of all arrests during the sampling period.
- Male veterans comprised 91% of the arrests and females 9%. 71% are white, 27% are black, and Asian and American Indian categories each comprised 1% of the arrests.
- 55% of the arrests were for misdemeanors, 29% for felonies, 8% were for traffic, and 1% for civil offenses. In 7% of the cases the charges were not specified in the data provided. The largest number, 329 or 32.9% of the arrests were for domestic violence.
- The mean and median age of active-duty military arrested is 26 suggesting the arrestees are primarily senior non-commissioned officers (staff sergeant and up) and junior officers (2<sup>nd</sup> lieutenants through major), the backbone of any military organization.
- The ages of discharged veterans shows several peaks roughly coinciding with the nation's armed conflicts back to Vietnam. Also, the age of veterans arrested does not rapidly fall off after age 30 as does that of the civilian population suggesting that unless effective intervention is taken the first time a veteran encounters the justice system they will effectively be in and out of jail for life.
- The initial sampling period is demonstrably inadequate to provide a reliable determination of rearrests. However, it is quite evident that a number of these veterans have or will go on to commit more violent crimes, including homicides.
- As shown at the end of this report, the crime codes provided and used by the EPSO have been grouped into 12 crime categories for this analysis. These crime categories may, or may not fit others categorizations but do provide valid distinctions for veteran crimes committed in El Paso County. By the measure used the three major crime categories in this sample were drug and substance abuse, offenses against persons (primarily domestic violence), and traffic violations.

## What questions cannot be answered by this study?

- What branch, or branches of service the veteran served in. Even with active-duty military it is only rarely that the veterans branch of service is apparent, e.g., address given is on Fort Carson.
- There is no way to determine if an individual who claims to be a veteran at time of booking is, in fact, a veteran of the Armed Forces of the United States. It is estimated, but unconfirmed, that roughly 30% of individuals booked into the CJC who claimed to be veterans are not.
- Whether or not veteran had combat experience or suffers from PTSD, TBI, etc.
- Available data do not indicate whether crimes committed by active-duty military occurred on base or off. However, 70% of military personnel in El Paso County live off base and virtually all go off base to party. In lieu of additional data it is estimated that about 90% of the arrests in this study are for crimes committed off base.
- In some cases veterans and active-duty military are known to hide their service from police and jail deputies. We have no reliable information or estimate of what percentage of offenders arrested and booked into the CJC do that.
- For discharged veterans the type of discharge cannot be determined. A study in San Diego, California, found about one-third of the veterans they had reviewed received other than honorable (OTH) discharges.
- Whether the veteran has experienced combat, or has other military-related trauma, e.g., sexual assault or crippling accident, is undetermined in this study.
- Whether the veteran has other events occurring in their personal lives that may be influencing factors in their alleged criminal behavior. For example, a veteran charged with domestic violence may be in the middle of a divorce, in a child custody battle, or their intimate partner may be trying to cover up infidelity. EJF research shows there is a very high percentage (~70% in DV cases) of false allegations in such situations.
- Whether a veteran has previous arrests before coming to El Paso County is unknown.
- Whether or not the veteran moves after being arrested in El Paso County and is subsequently arrested in another Colorado county, or another state is unknown. However, it is certain that many veteran problems that begin in El Paso County are exported to other localities.

## Initial analysis

For months of August, September, October, November 2010 and 1,170 total arrests

- **Veterans and active-duty military are what percentage of total arrests**

<u>Total arrests</u>	<u>Veteran arrests</u>	<u>Percent veteran arrests</u>
8,614	1,170	13.6%

- **Average total number of veterans and active-duty military arrested per month**

256 per month

- **Average number of active-duty military arrested per month**

76 per month (30% of total)

- **Average number of veterans arrested per month**

180 per month (70% of total)

- **Sex — as compared to military composition**

<u>Sex</u>	<u>EPSO arrests</u>	<u>Army enlisted</u>
Female	8.9%	13.2%
Male	91.1%	86.8%

- **Race — as compared to military composition using Army demographics for FY2008**

<u>Race (n)</u>	<u>EPSO arrests</u>	<u>Army enlisted</u>
Asian (12)	1%	3.3%
Black (312)	27%	21.1%
Am. Indian (8)	0.7%	2.6% (listed as Other)
White (829)	71%	73% (White and Hispanic)
Assuming all arrests are of enlisted personnel		

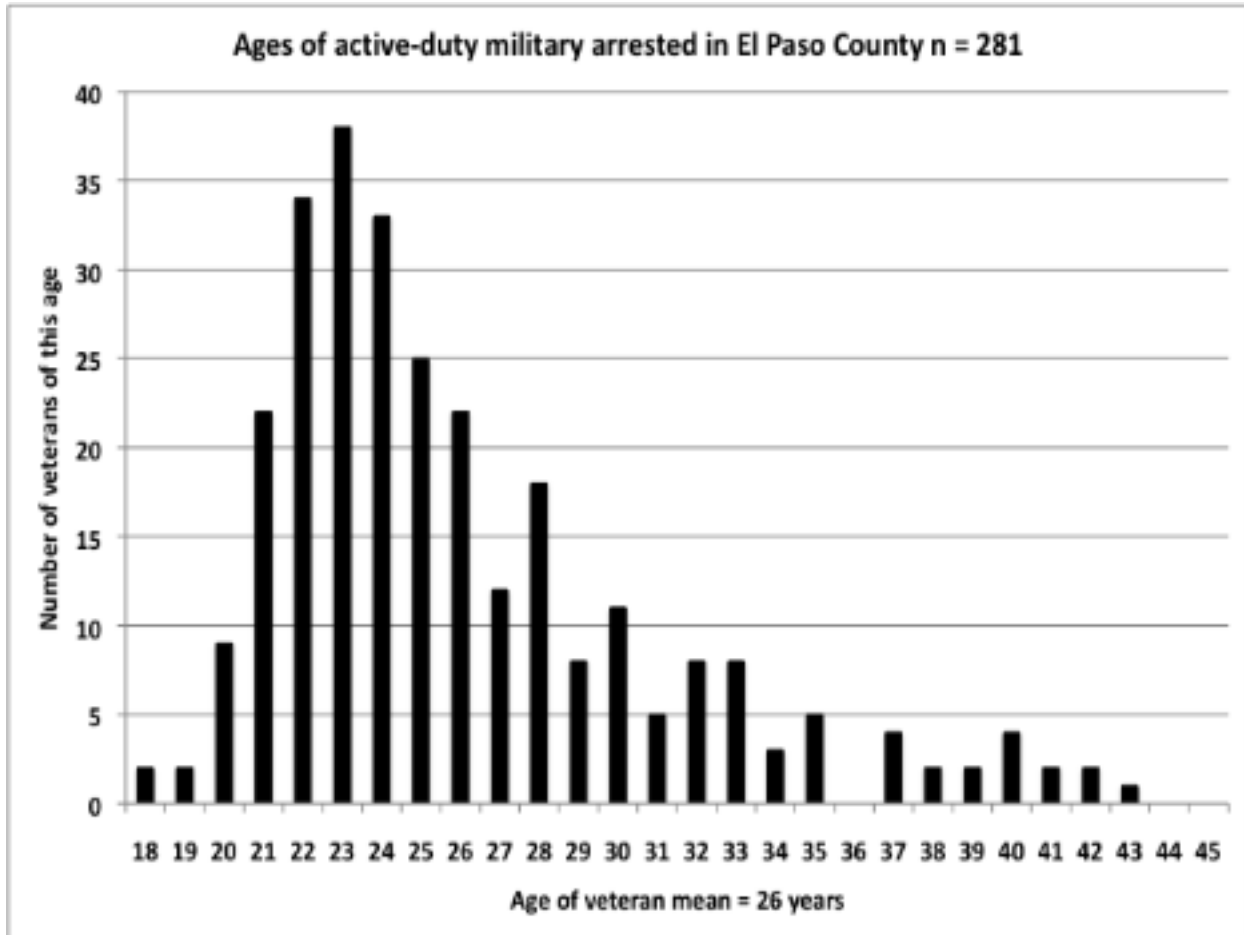
- **Veterans are more commonly charged with sex offenses than general public (0.7% of all misdemeanors in general public).**

<u>Low Crime Category (first 1,000 arrests)</u>	<u>Total arrests</u>	<u>% of total</u>	<u>Active</u>	<u>Veteran</u>
Category 7 Sex crimes	43	4.3%	6	37

- **Murder rates for veterans.**

One homicide or attempted homicide every 10-15 days by a veteran. By February 2011 thirteen of these cases had been reported. Of the twelve veterans arrested for these charges all but one had apparently been previously arrested and jailed in the CJC. That suggests: (1) a number of veterans once jailed and convicted move on to commit more violent crimes, and (2) there is a strong possibility that early and effective intervention for the known problems combat veterans have could reduce the number of violent crimes they commit.

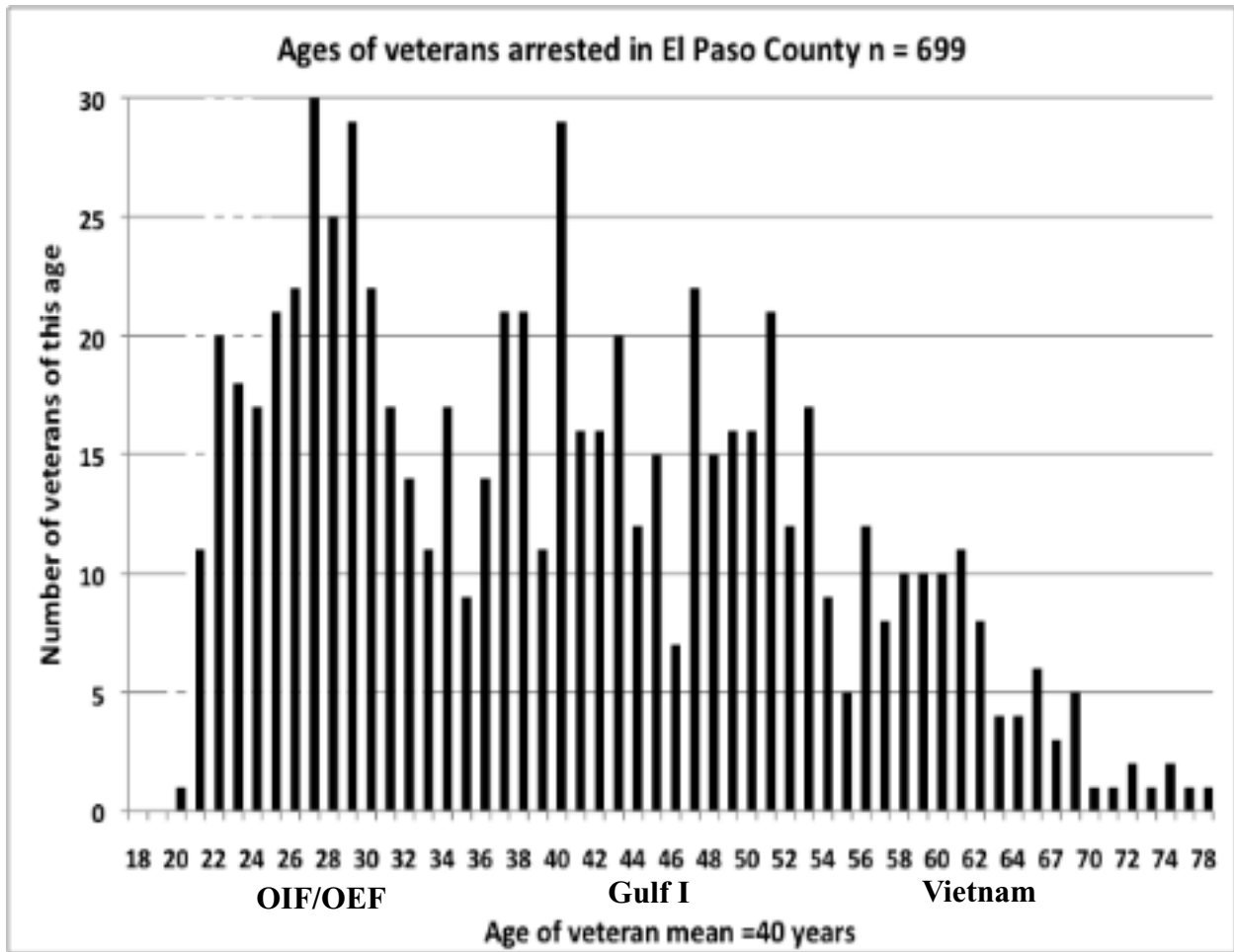
- **Age distribution — active duty**



By age 26, the mean age for active-duty military arrested, military personnel have generally been promoted to sergeant or above so the majority of these arrests involved senior non-commissioned officers. In addition the EJF is aware of a number of junior officers, lieutenants through majors, who have also been arrested in El Paso County.

For an active-duty military population not heavily involved in combat an equivalent bar chart would probably peak around age 21 and drop off quite sharply above that age.

- Age distribution — discharged veterans



## Crime data available from EPSO CJC

- **High charge — how many arrested for felony, misdemeanor, traffic, civil.**

High charge	Number	Percent of total
<b>Misdemeanor</b>	649	55% (66% of criminal cases)
<b>Felony</b>	341	29%
<b>Traffic</b>	90	8%
<b>Civil</b>	8	1%
<b>Unknown</b>	78	7%
<b>Total arrests</b>	1,166	100%
Includes arrests made in July plus following 4 months		

- **Type of charges**

Crime Category (first 1,000 arrests)	Total arrests	% of total	Active	Veteran
Category 1 Animal violations	3	0.3%	1	2
<b>Category 2 Drug and substance abuse</b>	<b>143</b>	<b>14.3%</b>	30	113
<b>Category 3 Offenses against persons</b>	<b>263</b>	<b>26.3%</b>	96	167
Category 4 °Offenses against property	127	12.7%	35	89
Category 5 Offense against public official	13	13.0%	2	11
Category 6 Offenses involving children	12	12.0%	4	8
Category 7 Sex crimes	43	4.3%	6	37
<b>Category 8 Traffic violations</b>	<b>190</b>	<b>19.0%</b>	53	137
Category 9 Unknown	78	7.8%	35	43
Category 10 Violate court order/conviction	95	9.5%	11	84
Category 11 Violation public peace/order	24	2.4%	6	18
Category 12 Weapons violations	9	0.9%	2	6
<b>Totals</b>	<b>1,000</b>	<b>100%</b>	<b>281</b>	<b>719</b>

## Domestic violence arrests

**Domestic violence (329 in initial sample, 32.9% of all veteran arrests)**

Additional 16.6% unknown/undetermined

**34% of DV arrests are of active-duty personnel and 66% are discharged veterans**

<b>Domestic violence breakdown by race (329 arrests in initial sample)</b>				
Race	Asian	Black	American Indian	White & Hispanic
<b>Number of arrests</b>	4	90	0	233
<b>Percent</b>	1.2%	27.4%	0%	70.8%
<b>Compared with % in Army</b>	3.3%	21.1%	2.6%	61.1%

<b>Domestic violence felony or misdemeanor</b>		
379 arrests	Felony	Misdemeanor
<b>Number</b>	95	284
<b>Percent</b>	25.1%	74.9%

<b>Domestic violence breakdown by sex (329 arrests in initial sample)</b>		
Sex	Male	Female
<b>Number</b>	291	38
<b>Percent</b>	88.5%	11.5%

<b>Crime category vs. DV arrests Crime categories defined below</b>	<b>Total arrests</b>	<b>% of total n = 329</b>
Category 1 Animal violations	1	0.3%
Category 2 Drug and substance abuse	2	0.6%
Category 3 Offenses against persons	220	66.9%
Category 4 Offenses against property	31	9.4%
Category 7 Sex crimes	16	4.9%
Category 8 Traffic violations	3	0.9%
Category 10 Violate court order/conviction	7	2.1%
<b>Totals (note that DV is an add-on charge)</b>	<b>329</b>	<b>100%</b>

## Arrests and rearrests

- **Day of the week for veteran arrests**

Tuesday (17.8%) and Wednesday (18.9%) have the largest number of veteran arrests. Friday has only 15.7% of veteran arrests and Saturday only 11.2%. Sunday is the quietest day of the week with 9.4% of veteran arrests occurring on that day.

The pattern is slightly different for active-duty military who are primarily being arrested on Tuesday (16.4% of arrests), Thursday (16.0%), and Friday (16.0%). So more partying for active duty as expected but hardly significantly more. However, no days of the week, i.e., Friday and Saturday, stand out as major days for veteran or active duty military arrests.

*The significance here is that it isn't simply weekend partying where veterans generally get into trouble.*

- **Number and times rearrested during sampling period**

In the initial sampling period of 4 months and 1,022 arrests, 71 of the veterans (7%) were arrested twice, 15 were arrested three times, and 2 were arrested four times.

- **Percentage previously arrested**

Using the unique alpha numbers assigned the first time an offender is booked into CJC shows that 59% of the veterans in the initial sample period had been arrested and booked at least once before. EPSO web site states 4 out of 5 offenders have been previously arrested. As a somewhat transient population veterans should differ from the general jail population in this and probably other respects.

An unknown percentage of veterans must leave the county after having been arrested and that will tend to decrease the rearrest percentage. As well, many active-duty military who get arrested must return home after their discharge, again reducing rearrest percentage. Also, many active-duty personnel who are arrested will remain in the military and be transferred out of the area.

- **Frequency of rearrests**

Clearly veteran arrests have not been sampled for a long enough period to accurately determine the average frequency at which veterans are rearrested. In the original sampling period of four months only 8.6% of the veterans were rearrested at least once. Yet the unique alpha numbers assigned by CJC show that 59% of the veterans arrested in the four month study period had been previously booked into CJC. Apparently sampling will have to continue for at least one to two years before reliable rearrest rates can be determined.

- **Charged with same or different crimes?**

Since we haven't a long enough time sample to accurately determine rearrests it is not yet possible to accurately determine whether veterans who rearrested are committing the same type of crimes, moving on to more violent crimes, or simply committing more petty offenses. That will be a subject of study when data are available for a sufficiently long time period.



## Crime Categories – Arrest code groupings

Category number	Category Description	Code Number	Description of offense
1	Animal violations	6201	Cruelty to animals
		6299	Unlawful ownership of dangerous dog inflicts bodily injury
2	Drug and substance abuse	564	Distribution of Schedule II controlled substance
		3550	Possession drug paraphernalia
		3560	Offenses relating to marijuana distribution/sale
		3562	Unlawful possession schedule II controlled substance - amount usually specified
		3563	Offenses relating to marijuana-cultivation/process
		3564	Unlawful possession Schedule IV controlled substance
		3599	Unlawful distribution/manufacture/disposition/sale, or distribution Schedule I drugs
		4104	Possession of unsealed alcoholic beverage
		4199	Drinking in public - prohibited
		5403	Driving under the influence of drugs
		5404	Driving under the influence (DUI) w/excess alcohol in blood or breath, or driving while ability impaired (DWAI)
		5599	Unlawful possession of alcohol, unlawfully serving alcoholic beverages-underage, soliciting on or near street or highway
3	Offenses against persons	999	First or second degree murder or attempted murder (may include extreme indifference charge), vehicular homicide
		1008	False imprisonment (almost always carries DV flag with it)
		1099	Second degree kidnapping - w/o sexual assault or robbery (may carry DV flag)
		1313	Identity theft, gathering identity information by deception
		1315	Vehicular assault - under the influence
		1316	Harassment - stalking (almost always carries DV flag with it), solicitation prohibited
		1399	Assault 1st, 2nd, or 3rd degree (often carries DV flag with it), menacing with or without a deadly weapon
		2199	Criminal extortion - physical or verbal threats
		5309	Harassment (only saw this once for repeat offender, see 7099 also)
		7099	Harassment, reckless endangerment (usually carries DV flag with it), reckless endangerment

Category number	Category Description	Code Number	Description of offense
4	Offenses against property	239	Theft >\$1,000 <\$20,000
		1299	First degree aggravated robbery
		2099	Arson - level specified and value of property may be estimated.
		2206	Possession of burglary tools
		2299	First, second, or third degree burglary-residence, dwelling, or controlled substance with or without a weapon
		2303	Shoplifting
		2309	Theft less than \$100
		2399	Theft - amount usually specified
		2499	Aggravated motor vehicle theft
		2606	Fraud by check over \$500-or amount or method stated, issuance of bad check-insufficient funds
		2699	Pawnbroker - false information by seller, providing false information to a pawnbroker, fraud and deceit (drugs), bait advertising, obtaining signature by deception, offering a false instrument for recording.
		2803	Theft by receiving - amount usually specified
		2999	Criminal mischief-estimated amount of damage may be specified
		2589	Forgery - level stated
		2602	Procuring food/accommodations w/intent to defraud - amount stated
5	Offenses against public officials	7199	First, second, or third degree criminal trespass or tampering (may carry DV flag with it)
		9030	Racketeering
		2604	Impersonating a police officer, criminal impersonation
		4801	Resisting arrest
		4803	False reporting to authorities
6	Offenses involving children	4899	Obstructing a peace officer or fireman
		5199	Attempt to influence a public servant
		3805	Child abuse - with or w/o injury - knowing or reckless, contributing to the delinquency of a minor
		3899	Aiding or harboring a runaway child

Category number	Category Description	Code Number	Description of offense
7	Sex crimes	1103	Sexual assault-physical force/threats, helpless/impaired victim, sexual contact, victim helpless, position of trust
		1116	Sexual assault on child w/o force
		3601	Unlawful sexual contact - w/force, intimidation, or threat
		3604	Aggravated incest, sex assault/child/position of trust, VIC 15-18
		3605	Indecent exposure - specifies whether to an adult or to a child under 14 years old
		3607	Incest
		3611	Unlawful sexual contact w/o force
		3612	Sexual assault-physical force/threats, duty to register
		3699	Sexual exploitation of children
		4002	Pimping
		4004	Pandering, soliciting for prostitution
		4099	Promoting sexual immorality
8	Traffic violations	5405	Disregard/fail/stop or yield at intersection, highway restrictions, obedience to official control devices, speeding-amount over limit usually specified.
		5406	Driving under restraint, accident involving damage, duty to report
		5444	Aggravated driving when license revoked as habitual traffic offender (HTO)
		5499	Driving after revocation - prohibited, vehicular eluding-substantial risk of death to another, failure to yield after stopping, obedience to turn prohibition signs, fictitious number on plates, limitations on turning around, installing excessive window tinting, position and method of turning, careless driving, solicitation on or near street or highway
9	Unknown	0	No charge specified.
10	Violation of court order or criminal conviction	4901	Escape-Inmate convicted of felony F3, F4, F5, F6
		5001	Violation of bail bond conditions - level of original charge specified
		5005	Violation of restraining order - TRO, PRO, and EPO
		5006	Intimidation of a witness or victim
		5011	Parole violation - bond/no bond set on warrant, ISP community corrections client, residential community correction violations
		5015	Failure to appear/contempt of court/retaliation against a judge
		5099	Fugitive from justice (bond set by demanding agency)
		7802	Criminal attempt

Category number	Category Description	Code Number	Description of offense
11	Violating public peace and order	5311	Disorderly conduct - fighting in public, display/discharge firearm in public (may carry DV flag), offensive gesture/threat/noise
		5314	Loitering
		5399	Noise prohibited, violation or restraining order-relating to public conveyance, interference w/staff/faculty/students of educational institution, license required/inoculation required/dogs at large (78-136)
		5704	Eavesdropping prohibited
		5707	Public buildings-trespass
		7299	Public indecency
		7399	Obstruction of telephone/telegraph service (almost always carries DV flag with it), criminal conspiracy, urination or defecation, crimes against at risk adults and juveniles, unlawful conduct on public property, fishing w/o a license
		9010	Habitual criminal (used because not defined elsewhere)
		9020	Improper accumulation prohibited, improper accumulation or storage of junk prohibited, parking or storage of inoperable vehicle, development plans (used because not defined elsewhere)
12	Weapons violations	5202	Unlawfully carrying a concealed weapon
		5212	Possession of a dangerous/illegal weapon- switchblade/brass knuckle/gas gun/etc.
		5213	Illegal discharge of firearm
		5299	Prohibited use of weapon
<p><b>Code definitions are derived from the way they have been used in the reports. They are not taken from any official documents.</b></p> <p><b>Crime category descriptions and numbers are purely arbitrary for this study and may or may not match UCR or NIBRS classifications.</b></p>			