



Maricopa County
Attorney's Office
Keeping Families Safe

ANNUAL REPORT 2020

EXTRAORDINARY PEOPLE

EXTRAORDINARY TIMES



DEAR FRIENDS,

2020 was an extraordinary year. It presented challenges never before faced in modern history. However, the residents of Maricopa County can be proud of the work done by the County Attorney's Office. During times of extreme uncertainty, this office was able to implement important criminal justice reforms while ensuring the safety of this community.

Under my leadership, as the first female county attorney, this office created efficiencies and improvements with a focus on transparency, fiscal responsibility, holding criminals accountable, and keeping families safe.

The office strengthened its relationship with the community through the creation of community and business advisory boards. We focused on providing information to the public by creating a data dashboard that reported what types of cases were submitted to this office for review and how those cases were handled. A focus on providing public records in a timelier manner led to reduced wait times for documents and a reduction in a backlog of requests.

For the first time in the agency's history, office plea policies were posted online for the public to access. These plea policies outlined a "treatment first" approach to prosecution to ensure that those who want to do better and be better were given the opportunity to do so.

The creation of a Felony Diversion Program, rooted in evidence-based treatment that focused on the offender and not the offense, is providing a new path for those facing criminal charges with options to avoid prosecution and seek treatment instead. Financial barriers were removed from diversion programs to ensure the opportunity was available to anyone, regardless of their economic resources.

Our civil litigation group rose to the challenges presented in 2020 and provided legal service to county officials facing a myriad of issues. The experience and expertise in areas of election law, public health policy, employee relations, and other challenging issues served the residents of this county well.

Throughout this annual report, you will read about the extraordinary people working in this office and I could not be more proud to highlight their work. This office remains committed to ensuring fair and equal justice in this community and dedicated to doing the right things for the right reasons each and every day.

Sincerely,

Allister Adel
Maricopa County Attorney



MCAO BY THE NUMBERS

New in 2020



1st Woman Elected as Maricopa County Attorney

Hired 124 Employees

New Home Detention Program

2 Advisory Boards

Data Dashboard

Prosecution Integrity Program

New Building

Our Work

FY 2020-21 Adopted Budget

\$112,965,937

FY 2020-21 Grant Funding Received

\$4 million+

Issued **4,800** victim compensation payments

\$2.3 million

36 Weeks Working From Home

IT Configured & Deployed **870** Computers

Revised **9** Plea Policies (now online!)



Updated Felony Diversion Program



Referred **1,744** individuals (May 18, 2020-Dec. 31, 2020)

8,267 DPS, FBI & DOJ Weapons Checks Done by Investigations Division

673,795 Miles Driven by MCAO Fleet

600 Public Records Requests Received

83,900

AZ DPS Disposition Reports Processed

11,400

Case Materials Archived

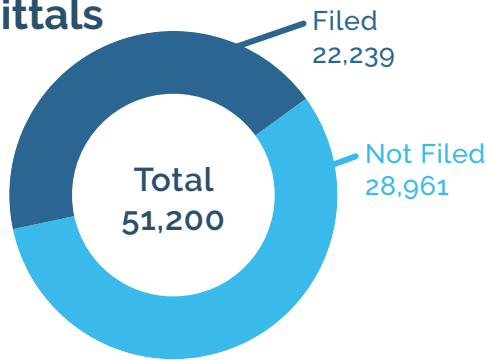
7,500

Case Files Destroyed

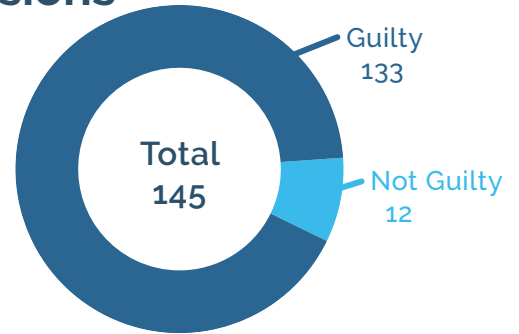


Criminal Group

Submittals



Trial Decisions



Top 5

Referring Agencies

- Phoenix
- DPS
- Mesa
- Glendale
- Tempe

Filed Offenses (Overall)

- Possession or Use of Dangerous Drugs
- Possession or Use of Narcotic Drugs
- Aggravated Assault
- Possession of Marijuana
- DUI

Filed Violent Offenses

- Aggravated Assault
- Misconduct Involving Weapon
- Disorderly Conduct
- Armed Robbery
- Kidnapping

Most Filed Cases by Community Bureaus

- East Phoenix/Scottsdale
- Mesa
- North Central Phoenix

Filed Property Offenses

- Burglary
- Criminal Trespass
- Theft of Means of Transportation
- Criminal Damage
- Theft

Civil Services Division

66

Election challenges

Top 5 Civil Litigation

- Bond Forfeiture
- Public Fiduciary
- Tax disputes
- Civil Rights
- Risk Management

Human Resources and Behavioral Health:

Court ordered evaluations hearings: **427**
 Court ordered treatment hearings: **4,365**



NOTEWORTHY ACHIEVEMENTS AND AWARDS

Phoenix Magazine Great 48 in 2020

Maricopa County Attorney Allister Adel joined a short list of Valley residents who are “moving the chains, making a difference or otherwise crushing it” in the community. As the first female elected Maricopa County Attorney, Adel exemplifies the award criteria and “demonstrates brilliance and exceptional accomplishment” while in charge of the third largest prosecutorial body in the country, with more than 1,000 employees.

2020 APAAC Lifetime Achievement Award

20-year career prosecutor, **Peter Spaw**, who leads the Asset Recovery Bureau, is very deserving of the 2020 Arizona Prosecuting Attorneys' Advisory Council (APAAC) Lifetime Achievement Award. Peter is well known as an expert in his field and leads by example, often interacting with and training law enforcement partners and handling many of the most difficult cases himself.

2020 Top Ten Animal Defender

The Animal Legal Defense Fund recognized top prosecutors, law enforcement officials, lawmakers and others who champion the cause of animal crime victims. Deputy County Attorney **Casey Mundell's** commitment to seeking justice in cases involving animal cruelty along with his passion for our four-legged friends, earned him this year's recognition.

2021 – 2022 Truman Young Fellowship



MCAO Law Clerk, **Jose Sanchez** is a Phoenix native and a first generation Mexican American. He was among the first in his family to obtain a bachelor's degree and is the first in his family to study law. He recently transferred from St. Mary's University School of Law to the Sandra Day O'Connor College of Law at ASU and is interning with the Maricopa County Attorney's Office Trial Division. In honor of Truman R. Young, Jr., a former prosecutor, this Fellowship provides a third year law student with the opportunity to work at different prosecuting agencies, while receiving a \$10,000 stipend and a tuition scholarship.

FBI Director's Certificate of Commendation Award

Maricopa County Attorney's Office prosecutors **Addison Owen** and **Edward Leiter** were honored with the award for their work combating international terrorism. Prosecutors Owen and Leiter prosecuted Mahim Kahn, a convicted state terrorist, of two counts of assault on a corrections employee and three counts of possessing/making contraband. He will serve four years in prison in addition to the eight years he received from an original terrorism case.



2020 Legal Assistant Lifetime Achievement Award

MCAO Paralegal Supervisor **Marion Cevette** was honored by the Arizona Prosecuting Attorneys' Advisory Council (APAAC) with a 2020 Legal Assistant Lifetime Achievement Award. Marion enjoyed a distinguished career with the MCAO and made significant contributions to the protection of public safety and the administration of justice. Her many years with the MCAO exemplify the highest standards of dedication and commitment to the profession.

2020 Structural Excellence Award

In January 2020, the Maricopa County Attorney's Office began a massive move into our long anticipated **new building at 225 W. Madison**. A few months later, that same building won an award from the Structural Engineers Association of Arizona recognizing the impact the newly designed building has on users, visitors and the community.

2020 Arizona Association of Crime Analysts Awards

The association recognized analysts across the state who achieved excellence in 2020 and three winners are part of the MCAO Crime Analysis and Research Unit. Intelligence Analyst **Alyssa Ginter** won the New Analyst of the Year; Analyst **Todd Huff** won the Analytical Product of the Year and Senior Criminal Intelligence Analyst **Ximena Bustamante** won the Innovator of the Year Award.



MOVE TO NEW BUILDING

At the start of 2020, the Maricopa County Attorney's Office executed a plan to move nearly 1,000 employees into a new building. This effort was years in the planning and took months to execute. Thanks to the hard work of many behind the scenes, the transition was seamless. The efficiencies created by this move will support a more collaborative environment and reduce redundancies that occurred when MCAO was housed in various commercial buildings throughout Downtown Phoenix.



MCAO RESPONDS TO PANDEMIC

In 2020, the Maricopa County Attorney's Office executed a historic effort in response to the COVID-19 pandemic. As the third largest prosecutorial agency in the country, the duty of the organization to reduce community spread and do its part to protect the safety of the community was at the forefront of the decision-making in the office over the past year.

Written in stone across the front of the Maricopa County Superior Courthouse is the statement, "The first duty of society is justice." And while thousands of people pass under these words every day, few stop to think about how important these words are to our democracy.

For most, the idea that the fundamental function of government is to keep everyone safe is only relevant when government services are not readily available. During times of uncertainty, it becomes more important than ever that the criminal justice system protects the community from those who seek to do harm.

While not on the front lines fighting the deadly pandemic in healthcare, county prosecutors were on the front lines of a criminal justice system facing a crisis not experienced in generations. Comprised of the courts, law enforcement, jails and prisons, prosecutors, defense attorneys, and victim advocates; citizens can be confident that the Maricopa County Criminal Justice System operated in a collaborative and responsible manner throughout 2020. Residents can be proud of the work done behind the scenes to respond and react to the constantly changing situation.

Within the Maricopa County Attorney's Office, County Attorney Adel directed staff to address the following priorities:

- When charging cases, look at the nature of the crime, the criminal history of an offender, and input from victims; and then balance this information with the need to reduce the number of individuals interacting with the criminal justice system during the pandemic.
- Assess and respond appropriately to motions from defense counsel on a case-by-case basis who seek to modify release conditions related to complications from COVID-19.
- Ensure sound legal advice to county departments as they face a myriad of legal issues never considered when facing a crisis like this.
- Work collaboratively to ensure victims have the ability to attend telephonic court hearings and keep them informed on the status of their case.
- Assess the effects of social distancing expectations on diversion programs and those who seek treatment for substance abuse and/or behavioral health issues.

During times of public uncertainty, it is more important than ever the criminal justice system operates efficiently and fairly. The totality of the pandemic was challenging in ways we never could have imagined; however, this office did not abandon its duty to protect the community during the unprecedented public health crisis.



BUSINESS AS ^{*NEW*} USUAL

With the pandemic striking quickly, we swiftly moved to a new way of life. MCAO's IT department rapidly setup our office to continue functioning while keeping our staff and associates safe with the new normal of social distancing.

MaricopaCountyAttorney.org/Justice-During-Pandemic



KEEPING FAMILIES SAFE OUTREACH HIGHLIGHTS

The Maricopa County Attorney's Office is committed to helping keep families and communities safe beyond the courtroom. The Keeping Families Safe outreach is a priority of our office to help educate residents of Maricopa County on the issues that affect families the most.

Topics



Keeping Families Safe

Families with Children under 18



DUI

Adults 21+



Vehicular Heatstroke

Families with Children Ages 0-3



Substance Abuse

Alcohol Consumers



Domestic Violence

Women Ages 18-24

Reach

11,396,954

Total Impressions

12,802

Webpage Visits

830

Daily Web Visitors

Mediums



Radio

7,833,100+

Estimated Delivery to Adults 18+



TV

2,700 Spots

Across Cox Media Networks



Social Media

400+

Total Posts



200,100+

Reach Across All Platforms



4,805 Followers | 1,111 New Followers

14,084 Profile Visits

549,700 Impressions



991 Followers



35+

Crime Prevention Presentations

Topics Include: **Scams, Fraud
and Identity Theft**



NATIONAL HUMAN TRAFFICKING AWARENESS AND PREVENTION MONTH

In January, County Attorney Allister Adel hosted a special event using red sand to bring awareness to the vulnerabilities that can lead to human trafficking and exploitation.

MaricopaCountyAttorney.org/Red-Sand



TOP NEWS STORIES

MCAO Newsroom Stats

90

Safety Articles

35

News Releases

12

Newsletters

4,948

Subscribers

2020 Snapshot: Crime Across the Valley

This year the MCAO launched the “Keeping Families Safe” campaign to help educate residents of ways they can help prevent crime. Creating safety habits can make a real difference in protecting yourself, your property, and preventing crime. To prepare for next year, we want to provide a quick look at the crime trends that took place across the valley in 2020.

Help Prevent Substance Abuse: Dispose of Unused Prescription Drugs

Almost half of all Americans take at least one prescription drug, making leftover and expired medication a serious threat in many homes. The unauthorized use of prescription drugs is the most common form of drug abuse in America. Remove the risk in your home today and prevent a tragedy tomorrow.

Felony vs. Misdemeanor: What's the Difference?

Understanding the criminal justice system can be difficult. From complicated language to confusing processes and various key players, it's not something that is easily understood. MCAO has a very important job in keeping communities safe and while many don't plan to ever be involved with the criminal justice system, it's necessary to be prepared and take time to understand how it works.

Don't Drag this New Year into the Next: Avoid a DUI

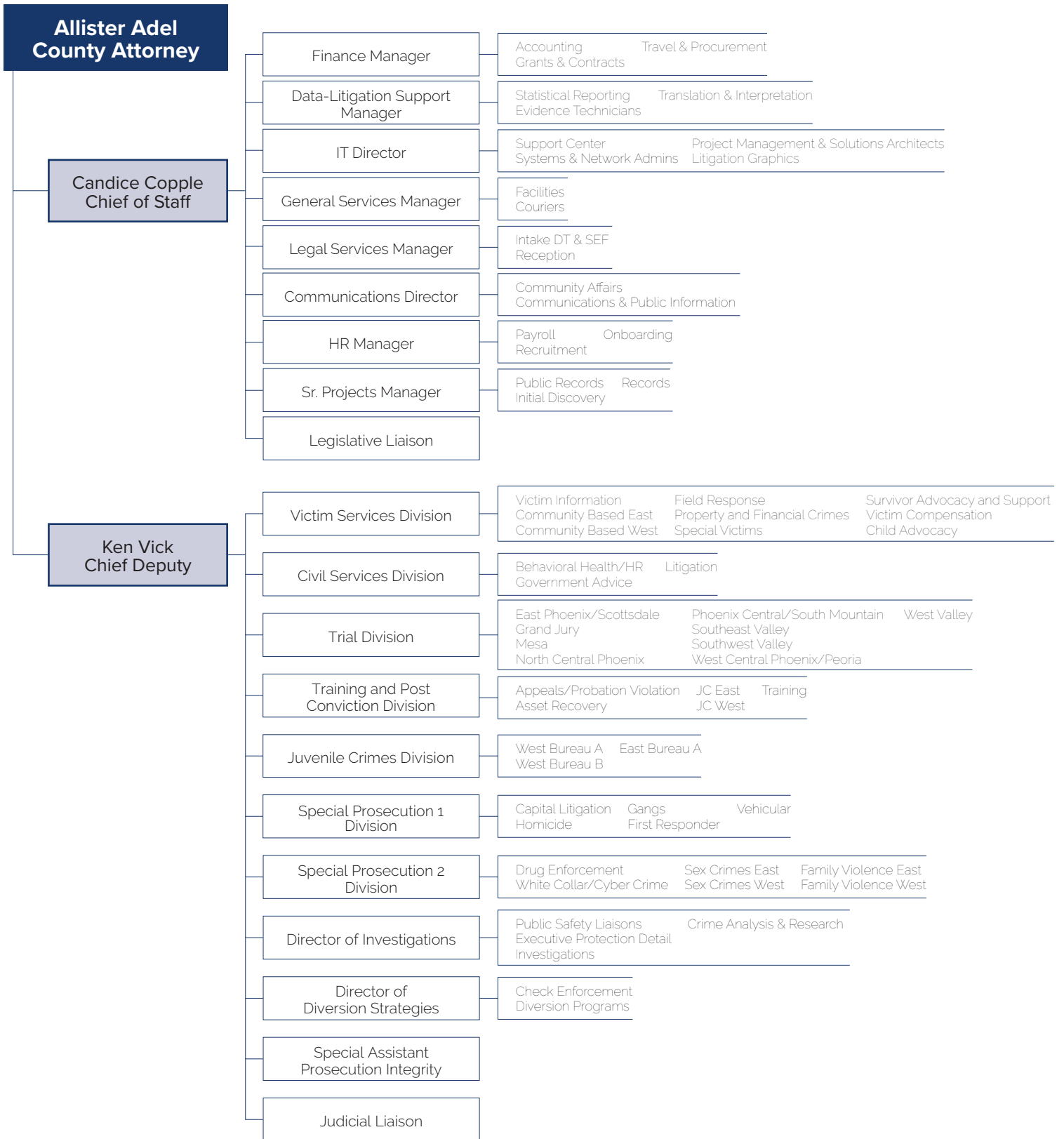
The best way to start this new year is to get home safe and sound. According to Mothers Against Drunk Driving (MADD), drunk drivers cause 40% of traffic fatalities between Christmas and New Year's. There is no excuse for risking your life and that of others on the road by driving under the influence of alcohol or drugs. Choose to stay safe this new year and give yourself a good start to the next.

COVID-19 Contact Tracing Scams

To help slow the spread of COVID-19, state health departments are “tracing” people who were in contact with someone who tested positive for COVID-19. Unfortunately, due to its complexity, contact tracing has become the new target for those looking to take advantage and make a profit. Text messages, emails, and phone calls with alarming language, links, and requests for personal data are sent by scammers claiming to be contact tracers. Prevent yourself from being scammed by paying attention to the warning signs and reporting any suspicious request to your local law enforcement.



ORGANIZATIONAL CHART





TOP 10 MAJOR ACCOMPLISHMENTS

Launch of Felony Diversion Program

The creation of a new Felony Diversion Program now allows prosecutors to respond more effectively to the needs of adult offenders, by using research-based programming to address specific individual criminogenic needs. Diverting these offenders reduces their contact with the criminal justice system, increases connections to appropriate community-based systems of care, and holds the individual accountable for criminal conduct. An education and treatment program for individuals suspected or charged with crimes involving specific felony offenses, including the possession of controlled substances, and other non-violent offenses that meet eligibility criteria, the new program combined what was formerly known as the Drug Diversion Program and Felony Pre-Trial Intervention Program (FPIP.) If applicable to a case, restitution must be paid in full to earn a successful completion. For offenders who successfully complete the Felony Diversion Program, the County Attorney's Office dismisses the charges with prejudice. If unsuccessful, the office reinstates prosecution.

Creation of Home Detention Program

For the first time in Maricopa County Justice Courts, when someone is convicted of misdemeanor DUI, home detention became a sentencing option for a portion of the offender's mandatory jail sentence. Efforts by County Attorney Allister Adel led to the implementation of this program in 2020. Home detention reduces and helps avoid collateral consequences associated with incarceration, such as disruption in employment, schooling, and family stability. A home detention program allows a DUI defendant, following an initial mandatory period in custody, to serve the remainder of the sentence on home detention. The sentence involves either GPS monitoring and a breathalyzer, or continuous alcohol monitoring. The team worked closely with the Maricopa County Justice Courts to develop the program and the Maricopa County Board of Supervisors, utilizing the authority granted to them in A.R.S. § 11-251.15, authorized the creation of the program. The home detention program is fully funded by offender fees, and vendors use a sliding scale based on the offender's ability to pay to determine the fees for each defendant.

County Attorney Calls for Body-Worn Camera Mandate

County Attorney Allister Adel called for a mandated use of body-worn cameras for all uniformed officers in the field throughout the state. Adel addressed the state legislature and Governor publicly on the issue with the belief that the matter was of public concern. While she acknowledged challenges with the cost associated with deploying body-worn cameras widely, Adel stated that when trying to determine what happens after an interaction with law enforcement, it is better for prosecutors, better for the public, and better for anyone who is committed to keeping our community safe to have access to information like body-worn camera footage. Given the importance of events where life and death decisions are made, having additional information for those who must sit in judgment of someone's actions, body-worn cameras are good public policy.

Creation of a Public-Facing Data Dashboard

The Maricopa County Attorney's Office created and launched a new data dashboard on its public-facing website. The public facing dashboard is the first time the office has published data of this nature for review and consumption by the public. Information contained in the dashboard includes cases referred to MCAO by law enforcement, how the cases were disposed or handled, types of offenses, race and gender of offenders as submitted by law enforcement, referring agencies and precincts (when available), and other data related to gang involvement. The launch of the dashboard contained information about cases for calendar years 2017, 2018, and 2019, and continues to be updated regularly. This dashboard supports the County Attorney's vision for a more transparent process, and the importance of data-driven decision making.



Transparency and Efficiency with Public Records

One of the first priorities of County Attorney Adel was to address a backlog of public records requests with the office. After a review of process in late 2019, the team streamlined the system and additional resources were provided to ensure the office was not only responsive to requests, but that it was able to dramatically reduce the amount of time it took to provide publicly available documents. Most public records requests filed with the office are now provided in days and weeks, rather than months, and efficiencies continue to improve the process. The improvements utilized technology and personnel to prioritize requests and ensure timely release of information.

Plea Policy Revisions

With 90% of criminal charges ending in plea agreements, the Maricopa County Attorney's Office revised the office's plea policies in 2020 to guide prosecutors on how to handle cases. For the first time in the history of the county attorney's office, also posted the new policies online for public review. The policies provide line prosecutors with more discretion to do the right thing for the right reasons in their cases without the need to seek approval for every decision. The revised plea policies ensure that plea offers are not based on a standard application of a series of rules, or any type of "mathematical" formula. It requires prosecutors look at each case independently with the understanding that defendants are individuals with unique backgrounds and circumstances, who committed specific acts that had specific impacts on individuals in our community.

Reorganization of the Maricopa County Attorney's Office

In 2020, the Maricopa County Attorney's Office undertook an organization-wide restructuring. Efficiency improvements and ensuring those working in the office had the resources they needed to perform their job duties were the primary drivers for the action. There were several considerations for the restructuring, and they included the following goals: create a clear training path for new lawyers that gives them the opportunity to learn the basics of felony prosecution including sentencing, plea writing, and negotiation before assuming a trial caseload; shift charging responsibilities from new lawyers to more seasoned staff; consolidate resources by reducing the number of divisions and bureaus. In addition to the organizational changes, there were also leadership changes that brought new perspectives to the culture and management of the office.

Holding Criminals Accountable and Protecting the Rights of Victims

Protecting the rights of victims and holding criminals accountable, while being just and reasonable, is the first duty of this office. 2020 presented numerous challenges to executing this duty, however, the County Attorney's Office collaborated with its partners in the criminal justice system to ensure justice was not delayed. Everyone in the office worked creatively and diligently to ensure trials were executed seamlessly and efficiently. Victim advocates ensured that victims continued to have a voice in proceedings when court matters were moved online because of the pandemic. Grand juries and jury trials were suspended at various times during the pandemic however, solutions were implemented to ensure the most dangerous in our community were held accountable.

Assisting County Government with legal decisions

The Civil Services Division of the Maricopa County Attorney's Office serves as the lawyer for County government. In addition to providing legal representation and advice to elected officials and County agencies, the Civil Services Division handles tax appeals by County taxpayers, environmental enforcement cases, public records requests and defends legal actions, lawsuits and claims brought against the County. In 2020, the office handled many high profiles legal challenges involving, election law, response to the pandemic, teleworking, and a myriad of other unique issues.

Creation of a Prosecution Integrity Unit

With the creation of a Prosecution Integrity Unit, the agency saw an organizational change that created a centralized place to handle claims of actual innocence, potential inappropriate police conduct including excessive use of force, and other claims of prosecutorial unfairness in handling cases. While these types of matters had been regularly addressed by individual prosecutors and supervisors, the unit will be able to more effectively address these issues by centralizing the process. Additionally, this new unit gives MCAO the ability to have someone outside the direct supervision of any case work to take a fresh look at the decisions made by the prosecutors and supervisors when issues this important are raised.



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