

# Coconino County Attorney's Office

Annual Report 2014



*We serve the public by advocating for justice.*

# Coconino County Attorney's Office



## Annual Report 2014

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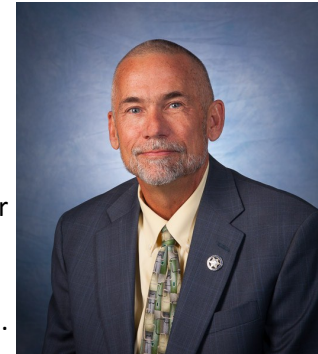
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# Coconino County Attorney's Office



## Annual Report 2014

**David W. Rozema**  
**Coconino County Attorney**



Dear Citizens;

I hope you will enjoy reading our Annual Report for 2014. It has been another great year!

We continue to emphasize teamwork and finding joy in the work that we do. Our office culture is characterized by treating each other with dignity and respect while together we strive to provide our citizens and clients with the highest level of professionalism and legal services. Every January, we have a special event where we all re-take our loyalty oath to remind us of our statutory responsibilities to seek justice on behalf of all citizens.

You will see in this Report that we have continued to support the development and utilization of Specialty Courts such as Drug Court, Mental Health Court and Veteran's Court, among others. These courts are instrumental in fulfilling our mission to advance Solution-Based Prosecution, which seeks to help those with these types of problems while removing career criminals and dangerous felons from our communities. These courts are working and are making a big difference!

The Report also highlights some of the accomplishments of our various Teams, as well as our community collaboration and outreach. As an example, we are in the elementary schools with the ATTEND program and our Live Drug Free Poster Contest because we believe these prevention efforts make a difference in the lives of our children.

Thank you for the honor of serving as your County Attorney. We take great pride and joy in serving as your public servants.

Onward and Upward!

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### *About Coconino County*

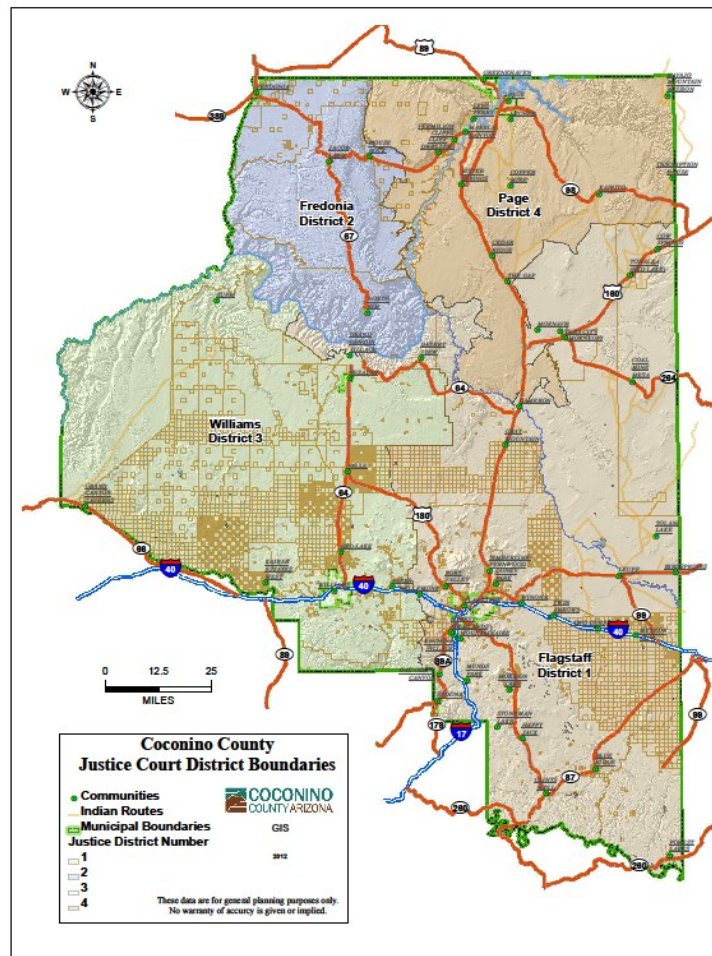
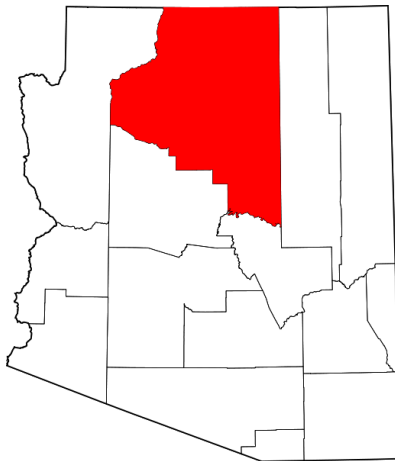
As the second largest geographic county in the United States, Coconino County is home to many diverse landscapes ranging from tall ponderosa pines to colorful deserts and everything in between. The employees and citizens who reside and work in our County are just as diverse. The name "Coconino" is derived from "Cohonino," the Hopi word for Havasupai and Yavapai. Our name represents more than one group of people, which is fitting since the different ideas and perspectives of our individuals make us so strong.

#### Quick Facts:

**Founded: 1891**

**Population: 134,511**

**18,618 square miles**



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### *Serving the County*

#### **Service Activities Continue to Western Navajo & Hopi**

The Western Navajo-Hopi Meth Task Force (WNHMTF) was started in April, 2006 by concerned professionals and citizens in the Tuba City area and the Coconino County Attorney's Office. Our focus is **Prevention-Education-Enforcement** on the Navajo and Hopi Nations in the areas of meth abuse and other drugs, as well as binge drinking by our youth. We look for ways to support the many fine Native professionals that are involved in this hard work on a daily basis in the fields of behavioral health, social services, education, medicine, religion and law enforcement, among others. Throughout the year our office has partnered with many groups and agencies to support a variety of prevention efforts on Western Navajo & Hopi:

Dine Boys & Girls Club ~ Meth/Suicide Prevention Initiative ~ Hopi Law & Order Committee  
Northwestern Navajo Coordinated Community Response Team  
Bodaway Gap Chapter ~ Cameron Chapter ~ Kaibeto Chapter ~ Leupp Chapter  
Upper Village of Moenkopi ~ Tuba City Local Governance Support Center

#### **County Collaborations**

During the past fiscal year, our attorneys and staff have collaborated with many agencies throughout the County. We appreciate these partnerships, both for the excellent work done by these agencies and for the opportunities we have to share important information with County citizens. Here are some of the organizations and agencies we have worked with over the past year:

Citizens Against Substance Abuse ~ Coconino County Alliance Against Drugs  
Coordinated Community Response Team to Domestic Violence & Sexual Assault (CCRT)  
Sex Assault Response Team (SART) ~ Family Advocacy Council  
Children of Incarcerated Parents ~ Domestic Violence Fatality Review Team  
Child Fatality Review Team ~ Multi-Disciplinary Team  
NAU Professor Rob Schehr's Criminal Justice Course (Guest Teacher)  
NAU Professor Kira Russo's Communications Course - Media and the Courts (Guest Teacher)  
Northern Arizona Center Against Sexual Assault (NACASA) ~ Northland Family Help Center  
Safechild ~ Victim/Witness Services for Coconino County

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### *Criminal Division*

#### **Charging**

The lawyers on the Felony Charging Team review police reports and evidence, and then decide whether to file felony charges in those cases. They conduct grand jury proceedings and route cases for preliminary hearings in the Justice Courts. Our Charging Team consists of two Deputy County Attorneys and four Legal Assistants. The lawyers in this group make charging decisions on all felony charging requests received from 17 law enforcement agencies in Coconino County. The Felony Charging Team consists of two Deputy County Attorneys, one Paralegal and four Legal Assistants.

During 2014, the Felony Charging Team received 1911 felony charging requests. Of those, 1096 cases were charged with the remainder being referred to Justice Court or City Court, returned to Law Enforcement for further action, or declined for prosecution. The consistency and attention to detail by this team provides a solid footing for all of the felony cases that proceed through our Criminal Justice System.

#### **Felony Prosecution**

The Felony Prosecution Team provides successful prosecution of felony crime to support the safety and welfare of the citizens of Coconino County. The timely prosecution of cases assists in eliminating jail overpopulation and provides for offenders accountability. The effective administration of justice often can be accomplished with resolution of criminal matters without trial, through the voluntary acceptance of a plea agreement by a defendant or through diversion programs. Some cases require extensive litigation or trial to resolve appropriately. In 2014, the Felony Team took twenty cases to trial with excellent results: fifteen guilty verdicts, two not guilty verdicts, two hung juries and one mistrial. The Felony Prosecution Team consists of eight Deputy County Attorneys, one Paralegal and four Legal Assistants.



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### *Criminal Division*

#### **Misdemeanor Prosecution**

The Misdemeanor Prosecution Team prosecutes misdemeanor citations issued by the Coconino Sheriff's Department, Game and Fish, Fredonia Marshalls Office, Northern Arizona University Police Department, Sedona Police Department, Arizona Parks Service, National Park Service, Coconino National Forest Service, Page Police Department, Williams Police Department, Department of Public Safety, Animal Control, Registrar of Contractors, and Arizona Liquor License and Control. Two Deputy County Attorneys and two Legal Assistants manage over 3000 cases each year by moving these cases through the court system by offering a plea, going to trial or offering deferred prosecution programs. The Misdemeanor Attorneys appear in Flagstaff Justice Court, Page Justice Court, Fredonia Justice Court and Williams Justice Court.

#### **Juvenile Justice**

The primary goal of the juvenile system is rehabilitation. This concept encompasses not only a desire to decrease recidivism, but also to encourage the youth of our community to avoid criminal or delinquent behavior and become productive members of society. Implicit in all decisions is the ethical and professional consideration for public safety, upholding community values and standards and protecting the interests of victims. Our Juvenile Justice Team consists of two Deputy County Attorneys and one Legal Assistant.

Our truancy program, Project ATTEND, continues to be successful in reducing truancy among elementary school students. The program is designed to work with schools officials, students and parents to improve school attendance. Truancy is well known a precursor to criminal conduct later in life and regular attendance is one way to make success for each child a reality.



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### *Victim Services*

#### **Victims' Rights**

In 1990, Arizona voters passed Proposition 104, a ballot initiative that amended the State Constitution, providing for a Victim's Bill of Rights. In 1991, the Arizona Legislature provided statutes to define and implement these rights which impact the victim at every stage of the criminal justice process.

#### **Victim Notification**

The County Attorney's Office is legally mandated to provide notification to crime victims of the various hearings in the criminal justice process in which they have the opportunity to exercise their constitutional rights as a crime victim. In FY14, the County Attorney's Victim Notification Legal Assistant provided services to 5027 victims and sent 40921 notifications to victims.

#### **Victim Compensation**

The Coconino County Crime Victim Compensation Fund as administered for the County Attorney's Office by Victim/Witness Services provides compensation to crime victims for eligible expenses directly related to the victimization. Arizona crime victims may apply for financial assistance for specific out-of-pocket expenses: medical, mental health counseling, funeral, lost wages, and crime scene clean-up. In FY14, the Victim Compensation Program distributed \$119, 394 to crime victims in Coconino County.

#### **Victim Advocacy**

The Coconino County Attorney's Office has contracted with Victim/Witness Services (VWS) to provide advocacy services to crime victims in Coconino County. VWS provides a variety of services for the benefit of victims, witnesses and survivors of crime and crisis including: crisis intervention, court updates for victims, education about the criminal justice process and victim rights, court escort, court appearances with the victim or on their behalf, training and community awareness relevant to crime intervention, prevention, and victim rights, victim compensation, safety planning, cell phones for victims of domestic violence, assistance with securing orders of protection, assistance with emergency shelter, transportation and other basic needs, DUI and DV Impact Panels and information and referral.

*For more information about Victims' Rights or Victim Services,  
go to our website and click on the Programs tab  
[www.coconino.az.gov/CountyAttorney](http://www.coconino.az.gov/CountyAttorney)*

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### *Problem Solving Courts*

Problem Solving Courts seek specialized justice in that they address specific types of cases. But much more than that, they are one part of a larger collaboration designed to address important problems like domestic violence, homelessness, mental illness Veterans' issues and substance abuse. These courts are re-defining the roles of everyone involved in the prosecution of criminal cases, but especially the roles of judges and prosecutors. In Coconino County, we are very fortunate to work alongside many wonderful professionals and we have been able to move forward with some exciting collaborations, including:

**DUI/Drug Courts in Flagstaff and Page** - A voluntary court-supervised program for nonviolent offenders focused on substance abuse rehabilitation and community involvement. The target population is felony and misdemeanor offenders with charges involving alcohol and/or drug addictions. The goal of the Drug Court Program is to help participants achieve total abstinence from drugs and alcohol while decreasing crime and increasing public safety. The Flagstaff Drug Court is in its 14th year and the Page Drug Court just completed its third year with great success.

**Mental Health Court** - The goal of this court is to increase treatment and social services intervention for defendants with mental illnesses and to reduce the number of contacts such persons have with the criminal justice system. The court model is based in problem solving rather than punishment. The individual terms of participation for each defendant are tailored to that person's needs with the goal of successful completion of the program.

**Veteran's Court** - The mission of this court is to serve in a just manner those who have served us. The court provides assistance to our service members and veterans who find themselves in the criminal justice system and seeks to stop the cycle of arrests and jail. Many of these individuals are suffering from post-traumatic stress and other disorders. The goal of this court is to ensure a fair sentence, tempered with an understanding of the service and sacrifice that members of the military and veterans have given.

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### *Notable Cases*

#### **State v. Gregory Woody**

Between January and July of 2013, Gregory Woody brutally raped two female victims and attempted to rape a third victim. Sexual assault exams conducted on the two victims produced evidence from which DNA profiles were developed. A swab taken from a bite mark on the third victim also yielded a DNA profile. On August 10, 2013, as part of an undercover operation, Officer Callie Van Ootegham approached a man matching the description of the assailant in the rapes. She positioned herself for him to strike up a conversation, which he did. His behavior and his conversation as she walked and talked with him over the next 20 minutes convinced her that he was the suspect. He further was driving a truck that matched the description of two of the previous incidents. Detectives followed up with him two days later and he consented to a buccal swab which yielded his DNA profile, which was a match for the assailant profiles in each of the three incidents to a very high degree of certainty. All three victims testified at trial. Woody was convicted of 2 counts of kidnapping, 5 counts of sexual assault, 3 counts of aggravated assault, and 1 count of sexual abuse. After an aggravation and mitigation hearing, the court sentenced the defendant to 113.5 years DOC.

#### **State v. Luis Sanchez**

Luis Sanchez, aka "Sauce," was a major heroin dealer in Flagstaff who was slinging dope with his protégé, Andrew Jaurequi, aka "Apples." After the victim—a heroin user—made a bad deal with "Apples," Sanchez attacked the victim in the street with a machete. Sanchez hacked at the victim's face and body, leaving the victim with several injuries, including one major gash across the victim's face that nearly severed his right ear. At trial, Sanchez was found guilty of Aggravated Assault, his third serious offense (Sanchez had previously been found guilty of two counts of armed robbery). Because of Sanchez's criminal history, and the shocking nature of the machete attack, Sanchez was sentenced to life in prison with the possibility of parole only after 25 years.

#### **State v. John Willis**

On May 16, 2013, John Willis convinced 17-year-old Manuel Quijada to get into his truck to smoke some marijuana. Willis then drove Manuel out onto a secluded dirt road off the I-40 and parked the truck. At one point, Manuel got out of the truck to urinate. Willis also got out of his truck and walked behind Manuel until he was just a few feet away. Willis then shot Manuel point-blank in the back of the head with a .25 caliber handgun. Manuel fell to the ground and died. Willis left Manuel's body in a heap of old elk bones, got back into his truck, and drove off. Later that night, Willis made several incriminating statements to some friends about the murder, and those friends later told the police. The police were also able to match the tire tracks found at the murder scene to the tire tread on Willis's truck, further connecting Willis to Manuel's murder. At trial, John Willis was convicted of 1<sup>st</sup> Degree Murder and sentenced to prison for his natural life.

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### *Civil Division*

#### **Civil Team Manages Many Significant Responsibilities**

Our Civil Team continues to provide top-notch, cost effective legal services to the Board of Supervisors, County Manager, County Departments and special districts, including representing the county in numerous types of litigation. Well-reasoned legal advice is the foundation for sound decision making and action taken by government. While some of our attorney's performance can be measured by the successful results obtained in claims and lawsuits brought against the county and in civil prosecutions, the greatest impact of our work is found in claims and lawsuits that do NOT happen as a result of advice given to prevent unnecessary liability exposure and to protect the county's interests in contracts and intergovernmental agreements. The Civil Team consists of four Deputy County attorneys, one Paralegal and one Legal Assistant.

On a day-to-day basis, members of the Civil Division respond to a wide variety of legal questions from elected officials, county departments, special district boards, and staff. Attendance and participation at staff and board meetings provides a contemporaneous opportunity to identify legal parameters during on-going discussions about policy issues, management issues, and board actions. Review of every contract and intergovernmental agreement ensures that the county's interests are protected; that the contracts will be enforceable and within the scope of the county or district's authority. Without County Attorney early involvement in an advisory role, the county would face the risk of greater liability exposure and the risk of financial loss.

In addition, there are several activity areas assigned by the Arizona Legislature to the County Attorney which generate a high volume of cases for the Civil Division: Petitions for Mental Health Treatment; Civil Commitments of Sexually Violent Persons; Adoptions; Petitions to Protect the Public Health; Petitions to Establish Guardianship and/or Conservatorships (on behalf of the Public Fiduciary). The County Attorney's representations in these matters helps to ensure community safety and welfare.

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### *Accomplishments and Highlights*

#### **Deputy County Attorney Receives Prosecutor of the Year Award**

Deputy County Attorney Ammon Barker was awarded Prosecutor of the Year for Rural Counties by the Arizona Prosecuting Attorneys' Advisory Council on July 31<sup>st</sup> at the annual conference in Tucson. Barker competed against numerous other worthy candidates from other County Attorney Offices, but prevailed as a result of his exceptional year in obtaining jury verdicts in several major criminal cases. "Ammon had a stellar year in the courtroom and we are very proud of him", said County Attorney David Rozema.



Deputy County Attorney  
Ammon Barker

Barker arrived in Coconino County less than four years ago through the office's recruitment program with dreams of trying the most violent offenders. During the last year, his dream became reality, as he successfully tried a first degree murder, two machete attack cases and a domestic violence murder. The first degree murder conviction was based largely on a tire print taken from the scene and other scene reconstruction. The other cases presented challenges as well, including evidentiary difficulties and hostile witnesses.

Additional APAAC award recipients from the County Attorney's Office include Chief Deputy County Attorney Michael Lessler, who received the Prosecutor Lifetime Achievement award in 2006, and former Senior Trial Attorney Jonathan Mosher, who received the Prosecutor of the Year award in 2011.

#### **National Public Service Awards**

The American Society for Public Administration (ASPA) and the National Academy of Public Administration proudly established the National Public Service Awards (NPSA) in 1983 to honor individuals who make outstanding contributions and whose accomplishments can be viewed as models of public service within and outside the work environment. On June 24, 2014 awards were presented to Tim McNeel, Deputy County Attorney, Mental Health Court Team and Bryan Shea, Deputy County Attorney, Veteran's Court Team.

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### *Community Outreach*

#### **Citizen Prosecutor Academy**

We continue to conduct our Citizen Prosecutor Academies throughout the year. These one-day events provide citizens with the opportunity to “come into the office” and learn more about how we serve the public. We also conducted one Advanced Academy in April 2014 on Sexual Assault Awareness. The purpose of the advanced academy is to provide more in-depth coverage of topics not included the day-long academy. Visit our website for more information.

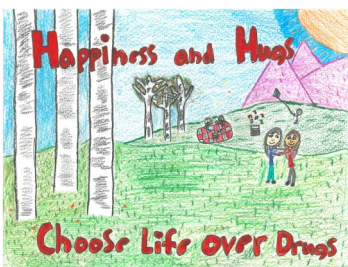
[www.coconino.az.gov/CountyAttorney](http://www.coconino.az.gov/CountyAttorney)

#### **Volunteer Program**

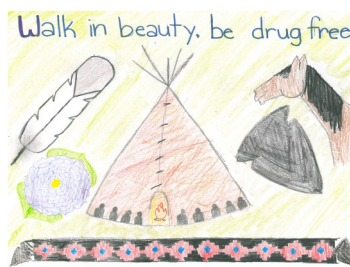
In 2014, the County Attorney's Office welcomed volunteers into the office. Last year the volunteers logged over 942 hours working on several different projects. When asked why she gives her time, one volunteer stated, “I volunteer at the County Attorney's Office because of the dedicated staff of professional people who are hard-working and passionate about what they do. The work that I do enables the attorneys and legal assistants to focus on higher-leveraged work I am not qualified to do.”

#### **County Attorney's Annual Live Drug Free Poster Contest**

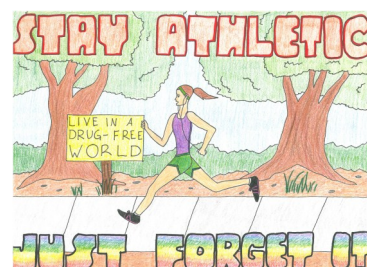
The contest, held each fall in conjunction with the anti-drug campaign “Red Ribbon Week”, is open to all Coconino County sixth graders. In October 2014, students from all over the county submitted close to 400 posters. The County Attorney's Office assembled a selection committee, consisting of police officers, scholars and prominent community members. The selection committee had a difficult time narrowing the field, but was eventually able to select the winning posters, as well winners from each school that participated. The winning posters are depicted on a colorful 2015 wall calendar, along with a list of the names of the winners from each participating school. The wall calendar is available free at the County Attorney's Office or can be viewed at [www.coconino.az.gov/CountyAttorney](http://www.coconino.az.gov/CountyAttorney)



Grand Prize Winner  
Jasmine Smith  
Sinagua Middle School



Second Prize Winner  
Karis Begaye  
Tuba City Boarding School



Third Prize Winner  
Katrina Vollmer  
San Francisco de Asis  
Catholic School

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Photo courtesy of Morgan Braatz

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