



MCAO MARICOPA COUNTY ATTORNEY'S OFFICE

2016 ANNUAL REPORT



MESSAGE FROM MARICOPA COUNTY ATTORNEY, BILL MONTGOMERY

In 2016, the Maricopa County Attorney's Office successfully fulfilled its mission to provide a safe and well-governed community by delivering high-quality prosecution, comprehensive victims' services, crime prevention programs, and legal representation for County government on behalf of the people of Maricopa County. This annual report provides both a quantitative and qualitative assessment of the work our employees performed in service of our mission and underscores our continued commitment to professionalism and integrity.

Over the past twelve months, our prosecutors have been honored by numerous organizations for their dedication to seeing that justice is done in each and every case. Our Office has received national recognition for innovative programs and our public outreach efforts have expanded to reach more people. Both inside the courtroom and out in the community, we continue to work hard to make a difference and set high standards that other public prosecution agencies have sought our help in replicating.

As we move forward, our Office will seek to build on the accomplishments of 2016 and set the bar even higher for the coming year. The people of Maricopa County can be confident that as we continue to serve, we will live up to the ideals contained in our official seal: service with integrity, justice for all.



Bill Montgomery
Maricopa County Attorney
January, 2016



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MCAO BY THE NUMBERS



SUBMITTALS, FILINGS AND DISPOSITIONS

In 2016 law enforcement agencies in Maricopa County brought **43,069 submittals** to the MCAO.

We had **31,024 felony filings** in 2016.

2016 saw **26,971 dispositions** (resolved cases). Of these we **resolved 23,082 cases with plea agreements** and secured **363 guilty verdicts**.

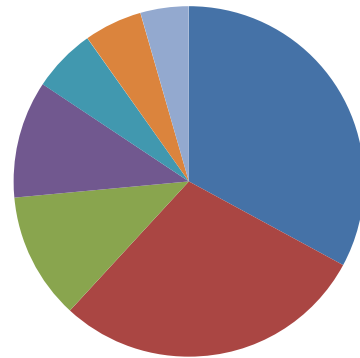
There were **494 trials (123 bench trials and 371 jury trials)**, **128 acquittals** and **5,290 dismissed** cases.

EMPLOYEES

As of December 31, 2016, MCAO had 1,016 authorized positions.

Breakdown of authorized prosecutors, paralegals, support staff, etc.

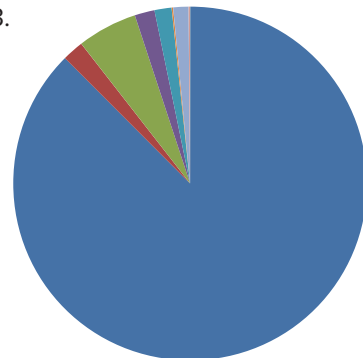
- 335 prosecutors
- 45 civil attorneys
- 110 paralegals
- 296 support staff
- 54 detectives
- 62 advocates
- 114 Executive and Operations



BUDGET

The FY 2017 operating budget for all nine of our funds totaled \$100,714,223.

- General fund – \$87,639,468
- RICO – \$1,879,086
- Grants – \$6,490,942
- Diversion – \$1,713,350
- Fill the Gap – \$1,494,911
- Check Enforcement – \$72,302
- CJEF – \$1,239,649
- Victim Compensation Restitution – \$164,759
- Victim Compensation Interest – \$19,756



TRAVEL & FLEET

The MCAO brought in 152 victims and witnesses for testimony in 87 cases.

In 2016 MCAO employees drove 516,163 miles in 80 County vehicles on official business.

ACCOUNTS PAYABLE

The MCAO processed 1,746 payment vouchers that totaled \$7,508,122 for goods and services in 2016.

VICTIM COMPENSATION

The MCAO processed 3,124 victim compensation payments that totaled \$2,124,134.

RICO

As of December 31, 2016, MCAO held \$41,173,757 for 32 law enforcement agencies within Maricopa County.

RECRUITMENTS

2016 had 2,352 applications that were referred to the MCAO for consideration, 127 of which were ultimately hired.

PUBLIC RECORDS REQUESTS

In 2016, the Office received 1,277 new public records requests, litigation holds, summons, subpoenas and notices of claim. These requests equal more than 225,000 pages of printed materials and more than 1,000 pieces of media.

NOTEWORTHY ACHIEVEMENTS



STRANGULATION TREATMENT AND OFFENDER PROSECUTION (STOP!) PROGRAM

The MCAO's Strangulation Treatment and Offender Prosecution (STOP!) program was recognized with an Innovation in American Government Award by the Harvard Kennedy School Ash Center for Democratic Governance and Innovation. Launched in 2011, the STOP! program brings together prosecutors, law enforcement agencies and healthcare providers to obtain critical corroborating evidence in cases involving an allegation of strangulation. Police and first responders transport victims to hospitals and family advocacy centers where forensic nurse examiners document injuries with advanced photographic technology and collect available DNA evidence. Prior to the STOP! program, prosecutors were only able to file charges in 14 percent of cases submitted for review. In the most recent two-year period covering the program's implementation, the filing rate has exceeded 60 percent, representing a total of 682 cases. Roughly a third of the defendants were sentenced to serve probation, and a third were sentenced to serve time in jail or prison and probation. The remainder were sentenced to a term in jail or prison or are pending sentencing.

STALKING LEGISLATION NOW LAW

A 2016 change to Arizona law will help the Maricopa County Attorney's Office prosecute more people engaged in threatening and potentially deadly behavior toward another person and to charge cases that might previously only have been charged as lower level offenses or not charged at all. On March 17, 2016, Governor Ducey signed into law House Bill 2419, which made important changes to Arizona's stalking statute, A.R.S. § 13-2923. The new law went into effect August 6, 2016. Previously, Arizona law limited the definition of stalking to include conduct that caused the victim to reasonably fear injury or death of the victim or the victim's spouse, parent, child, sibling or a person who had resided in the victim's home within the previous six months. Under this older version of the statute, the definition of conduct only included maintaining proximity to a specific person, directing threats or conducting surveillance of a person without authorization.

The new law specifies that conduct causing a victim to fear injury or death of a current or former romantic or sexual partner now constitutes stalking. The bill also clarifies that conduct can be committed directly or indirectly, in person, through a third party, or by any other means. Amendments to the law expand the definition of stalking to include the electronic communication of words or images directed at a specific person without authorization and without a legitimate purpose. Finally, under the new law, conduct that causes a victim to suffer emotional distress, or to reasonably fear injury to a pet or livestock, or damage or destruction of the victim's property, is also prohibited.

U.S. ATTORNEY'S OFFICE HONORS THE ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

The U.S. Attorney's Office honored the Arizona Internet Crimes Against Children Task Force (ICAC) with a special commendation award for their extraordinary efforts in a significant investigation. Prosecutor Erin Pedicone from the MCAO was recognized, along with members from the Phoenix Police Department, the FBI and the Pinal County Sheriff's Office. Erin and the Arizona team conducted an investigation of Roxanne Chapin, a Phoenix woman who was sexually abusing and exploiting her two young sons and sharing this abuse with others. The team examined and identified thousands of images, communication records, emails, social media posts and chat rooms. Chapin's arrest led to four children being rescued from sexual abuse, the capture of six registered sex offenders and the arrest and indictment of more than 30 individuals in 14 states, the U.K., Spain and Sweden. Chapin was subsequently sentenced to 35 years in prison with lifetime probation and must register as a sex offender.

SAM, MCAO'S FIRST K9 VICTIM SUPPORT PROGRAM DOG RETIRES

After six years of tireless service to the County Attorney's Office and crime victims, MCAO's first victim support dog, Sam retired. Throughout his six-year career, Sam carried a caseload of an average of 10 victims per month totaling more than 750 victims. With these victims he would attend hundreds of criminal justice hearings including pretrial hearings, sentencings and trials. All types of victims have been served and comforted by him: children, adults, the elderly, sex abuse victims, stalking and domestic violence victims and the family members of those murdered.

Sam, a Golden Retriever-Irish Setter mix, was found as a puppy wandering around the streets of the Sunnyslope area in Phoenix and was turned into the Humane Society facility on Hatcher. There, the Foundation for Service Dog Support found him and fell in love with him. They thought he had the perfect temperament needed for a service dog. Sam successfully completed training and, with financial support from PetSmart, he came to work for the County Attorney's Office on May 22, 2010. Sam is a true trailblazer and is one of the first three Courthouse Dogs in the nation. He has been the subject of many news articles and has appeared at numerous community events. His strong, but gentle spirit will be missed from the halls of the County Attorney's Office and the courtrooms of Maricopa County Superior Court.

Sam's retirement was effective as of July 29, 2016 and he will continue to live with his handler and Victim Advocate, Rhonda Stewart.

THE MARICOPA COUNTY ATTORNEY'S OFFICE RECEIVES THE MARICOPA ASSOCIATION OF GOVERNMENTS 2016 DESERT PEAKS PUBLIC PARTNERSHIP AWARD

The Maricopa County Attorney's Office received the Maricopa Association of Governments 2016 Desert Peaks Public Partnership Award for its collaboration with multiple county agencies, the courts and Mercy Integrated Care on Smart Justice, a program aimed at preventing crime and reducing recidivism through strategies targeted at the individual needs of offenders. Smart Justice provides targeted treatment through diversion programs, specialty courts and education to prevent future offenses. For those at highest risk of reoffending, key areas include dealing with drug and alcohol abuse, mental health issues, education and employability and interpersonal skills. Lower-risk individuals are offered treatment focusing on employment, school and family. The Maricopa Association of Governments Desert Peaks Public Partnership Award is given to the group or project that has demonstrated a commitment to regionalism through public sector or public/nonprofit partnership.

NATIONAL ASSOCIATION OF COUNTIES (NACo) ACHIEVEMENT AWARD

Friday Night Football Patrol (FNFP)

“Come Out and Play!” The Maricopa County Attorney’s Office created a community outreach and information program called “Friday Night Football Patrol” designed to provide drug and alcohol prevention information to teens and their parents. FNFP not only educates teens about making good choices regarding drugs and alcohol but also provides tools to parents about having drug and alcohol free conversations with teens. FNFP is intended to increase awareness on the dangers of drugs and alcohol in addition to educating and informing teens and their parents on the importance of making “good choices.” The annual FNFP program runs the course of the regular high school football season, August through October. MCAO volunteers visit ten different high school football games over the season and encourage teens to sign a drug-free pledge stating they will stay drug and alcohol free and commit to a lifestyle that includes fun without the use of drugs and alcohol.



Safe Kids Summer (SKS)

“Be Safe! Stay Safe! Have a Safe Kids Summer!” The Maricopa County Attorney’s Office created a community outreach and information program called “Safe Kids Summer” designed to help children become aware of home safety, school safety and pool safety during the hot Arizona summer months when they might be spending more time than usual at home unsupervised. MCAO volunteers visit different public and private swimming pools each week and quiz younger children (ages 3 to 12), giving them the chance to tell us how they practice home, school and pool safety. In turn they can win prizes if they correctly answer safety questions. Kids are also asked to recite their home telephone numbers or home addresses for volunteers. Kids are asked questions like, “What is the number you dial on the telephone when there is an emergency?” (Answer: 9-1-1) “What is the first thing you do when you get in a car?” (Answer: Put on a seatbelt). Should you ever use the swimming pool at your house if you are home alone? (Answer: No). If they don’t know the answers, MCAO volunteers spend time talking with them to make sure they are being safe at home, school and the pool – and so they can take home a prize.

“Don’t Leave Me Behind” Vehicular Heatstroke Campaign

“Don’t Leave Me Behind!” is the message motorists see on a mobile billboard truck travelling throughout Maricopa County during the two hottest months of the summer, warning of the dangers of leaving young children and animals in unattended vehicles. This community awareness campaign was created by the Maricopa County Attorney’s Office and is aimed at raising recognition of the issue and reducing the number of deaths and injuries resulting from vehicular heatstroke. Vehicular heatstroke is the number one cause of death in non-collision fatalities for children 14 and younger, according to the National Highway Traffic Safety Administration. Children and animals are particularly vulnerable to heatstroke because their body temperatures increase at a faster rate. The MCAO awareness campaign consists of four parts: most important and visible being the mobile billboard itself. The campaign also included public service announcements that aired on local TV outlets, a car window shade displaying the “Don’t Leave Me Behind!” message, and additional information and safety tips on an MCAO-created website: SafeKidsAZ.org/vehicular-heatstroke

LEGISLATION INTRODUCED IN PARTNERSHIP WITH THE MARICOPA COUNTY ATTORNEY'S OFFICE

HB2383: crime victim's privacy

AMENDING TITLE 39, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 39-121.04 AND 39-123.01; RELATING TO PUBLIC RECORDS

This MCAO bill protects a crime victim's privacy in public records by requiring a requesting party to establish that the public's interest in disclosure of images outweighs the victim's (or minor witness') interests in privacy prior to the release of any record containing the image of a victim or minor witness. This law also requires the redaction of personal identifying and location information of a crime witness from public records.

HB2374: child prostitution

AMENDING SECTION 13 3212, ARIZONA REVISED STATUTES; RELATING TO PROSTITUTION

Strengthens child prostitution laws by adding language that captures behavior by pimps who provide mobile phones, motel rooms, drugs or any other means by which a child is entered into prostitution. These changes provide an important statutory tool to go after criminals who facilitate child prostitution activity from what they believe is a safe distance.

HB2375: crime victims

AMENDING TITLE 8, CHAPTER 3, ARTICLE 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-422; AMENDING TITLE 13, CHAPTER 40, ARIZONA REVISED STATUTES, BY ADDING SECTION 13 4442; RELATING TO CRIME VICTIMS' RIGHTS

This bill provides reasonable accommodations to young crime victims who testify in court by giving them the opportunity to be accompanied during testimony by a certified facility dog. The dogs provide comfort and support and make the courtroom a more welcoming place.

HB2376: crime victims

AMENDING SECTIONS 8 416 AND 13 4437, ARIZONA REVISED STATUTES; RELATING TO VICTIM RESTITUTION

Strengthens current victims' rights law entitling victims to restitution by clarifying a victim's right to have separate counsel present argument and evidence at restitution hearings, and allows prosecutors to argue on behalf of victims regarding restitution issues.

HB2419: stalking

AMENDING SECTION 13 2923, ARIZONA REVISED STATUTES; RELATING TO STALKING

Improves protection for victims of stalking offenses by amending legislation to include threats made through electronic communications to additional family members, significant others, property or pets that are currently not covered by statute.



PRETRIAL DIVISION



CHARGING BUREAU

The 21 attorneys and nine support staff of the Charging Bureau conduct the initial review of all case submittals to the MCAO except those that are submitted directly to a specific crime bureau. Each case is evaluated to determine whether or not it presents a reasonable likelihood of conviction or whether additional investigation is necessary. In 2016, the Charging Bureau reviewed 29,855 submittals and charged 17,530 cases by filing a direct complaint or presenting the case to a Grand Jury and securing an indictment (these numbers do not include cases that are submitted directly to, and charged by, a specialized crime bureau). Charged cases are then assigned to one of the criminal bureaus for prosecution.

NOTEWORTHY CASES *These cases are examples of the variety of offenses in the Charging Bureau. They represent a small sample of the wide range of crimes that are filed by the Charging Bureau.*

State v. Jerry Cox

The defendant broke into an electrician's truck parked in the parking lot of the electrician's shop. He then broke into a fenced-in patio and storage closet at a nearby apartment complex. When officers arrived, Defendant fled from the Officers and several items fell out of his pockets as he ran. When he was apprehended, he had one credit card, bolt cutters and wire cutters. Three additional credit cards were recovered from the area. All the credit cards belonged to the electrician and each was associated with a truck parked in the parking lot. The defendant pled guilty to burglary in the third degree with one prior and was sentenced to 7.5 years in prison.

Prosecutor: Stephen Shaver

State v. Kalie Rutledge

The defendant was riding the Light Rail when she observed other passengers speaking to each other in Mandarin. The defendant confronted the two passengers about speaking a different language and yelled obscenities at them. When the train stopped, the passengers exited the train and began walking westbound toward the crosswalk. The defendant followed them off the train and struck one of them with a closed fist to the right side of her face striking her eye and nose, causing her to fall to the ground. When the second passenger stepped between the two, he was also struck in the face with a partially closed fist. Witnesses heard the defendant yelling at the victims, telling them "that's what you get" and "you're lucky I haven't killed anyone, I'm SMI." The defendant was later arrested by Tempe Police and positively identified by the victims. The victim returned to China after the crime, but was instrumental in assisting with the prosecution. The defendant pled guilty to aggravated assault and was sentenced to three years of supervised probation. She received credit for 90 days in jail and was also ordered to participate in a mental health program. **Prosecutor: Jared Price**

State v. Jacinta Gonzalez, Stephany Laughlin, Michael Cassidy

The three defendants were part of a group protesting a rally being held by presidential candidate Donald Trump in Fountain Hills. The defendants voluntarily chained themselves to vehicles intentionally parked to block Shea Blvd in order to prevent traffic from proceeding to the rally. Defendant Laughlin had a chain around her torso and through the door frame of an open driver side window; defendant Gonzalez was at the passenger side of the same vehicle and had a u-lock around her neck and through the door frame of an open passenger side window. Defendant Cassidy was at a different vehicle with a chain around his torso and the door frame of an open window. All of the defendants had to be cut from their chains using a bolt cutter. The defendants were arrested and cited with obstructing a highway, public thoroughfare. All the defendants pled guilty and were ordered to pay a \$100 fine and complete 10 hours of community restitution. **Prosecutor: Jared Price**

PRELIMINARY HEARING BUREAUS A & B

Attorneys and staff in the two Prelim Bureaus handle misdemeanor cases heard in Maricopa County's 26 Justice Courts and felony matters in the four Regional Court Centers (RCC) and Early Disposition Court (EDC). Matters before these courts can include pretrial resolutions and preliminary hearings in criminal cases, DUI offenses, contracting without a license, animal cruelty and drug possession/use cases.

Prelim Bureau A is staffed with 14 attorneys and eight support specialists. Prelim Bureau B is staffed with 15 attorneys, six support specialists and one paralegal. In 2016, this bureau resolved 7,208 cases in the RCC and EDC combined and 7,460 matters in the Justice Courts.

NOTEWORTHY CASES

State v. Paul Cannon

The defendant stole a diamond wedding ring from the victim's house. The defendant was an employee of ACE Air and was cleaning the air ducts at the house; he found the ring inside a cabinet underneath the master bathroom sink. The ring's value was \$33,700. The defendant then pawned the ring where he was identified on surveillance video. The defendant stated he took the ring because he needed money. Cannon eventually pled guilty to theft, a class two felony and was sentenced to four years in the Department of Corrections. **Prosecutor: Sydney Yew**

State v. Eliseo Lopez

The defendant stabbed the victim with a knife as the victim was riding his motorized scooter on the sidewalk. The victim is legally blind and could only describe the perpetrator as a Hispanic male wearing a plaid shirt. An officer located the defendant within a few blocks of the incident location wearing a plaid shirt. When asked, the defendant admitted to being in possession of "a blade." The officer then located a folding knife on the defendant's person. When the officer opened the knife, there was a substance that appeared to be blood on the knife. The defendant initially denied being involved in the incident and would not admit even seeing the victim on a scooter. The defendant later admitted that Juan was riding his scooter eastbound as he was walking westbound. When confronted with the victim's injury and the blood on his knife, the defendant admitted he could have had the knife out when he pushed the victim. Lopez was charged with aggravated assault and ultimately pled guilty. He was sentenced to three years, six months in the Department of Corrections.

Prosecutor: Gavin Paul

State v. Bobby Pehm

The defendant was the driver of a car involved in a collision. Witnesses to the collision told officers they thought they saw the defendant with a gun. The defendant told officers he did not have a gun. Officers asked the defendant for consent to search the car and he provided consent. In a tool box, in the bed of the truck, officers found a gun. The defendant told officers he had a prior felony conviction, but couldn't remember what for. The officers conducted a records check on the defendant and found he has prior felony convictions and his civil right to possess a weapon has not been restored. The defendant pled guilty to misconduct involving weapons and received a sentence of six years in prison. **Prosecutor: Kara Kerker**



CHECK ENFORCEMENT PROGRAM

The mission of the Check Enforcement Program is to pursue bad check writers and secure payment for individuals and businesses who are owed money. Staffed by a Program Manager and four support staff, the program is largely funded by fees paid by bad check writers. In 2016, the Check Enforcement Program prosecuted 79 cases in Justice Court.

The Felony Pretrial Intervention Program (FPIP) at the Maricopa County Attorney's Office (MCAO) is a diversion program for first-time felony offenders. FPIP is an alternative to traditional court prosecution. It aims to reduce recidivism by requiring eligible defendants to complete treatment programs targeted to their individual needs. FPIP is "user funded" which means the defendant typically bears the costs of the initial assessment and the assigned treatment. If the FPIP participant successfully completes the program a felony conviction is avoided. Using evidence-based cognitive behavioral therapy strategies, FPIP's mission is to deter repetitive criminal conduct.

The primary mission of the FPIP is to: "reduce recidivism among the first-time felony offender population through the use of programs and services centered on "cognitive behavioral therapy" (short-term, goal-oriented treatment) as an alternative to the use of criminal conviction and probation terms and conditions, for deterring repetitive criminal conduct."

After a complete review of a possible FPIP case and consultation with victims, the MCAO prosecutor determines if a diversion program is appropriate. The prosecutor then offers the diversion program to the offender who, if he agrees to participate, has the prosecution of his case suspended for one year. Many types of offenses are eligible including crimes ranging from forgery, aggravated assault, burglary, shoplifting and possession of marijuana to fraudulent schemes. As long as the defendant meets the program criteria, agrees to admit to criminal conduct and agrees to make full restitution to the victims, he can enroll.

If the defendant successfully completes the assigned diversion program, the criminal offense is stricken from his record. The program is challenging and offenders are required to apply themselves and fully embrace this unique opportunity in order for it to be successful. FPIP's goals are to reduce recidivism, reduce court and jail resources for non-violent offenders, get restitution paid faster and keep the public safe. Successful participation in FPIP can produce better outcomes for our community while also managing taxpayer funds more efficiently and producing an offender who can be a contributing member of our community.

COMMUNITY-BASED PROSECUTION DIVISION



The majority of felony prosecutions are handled by one of the four bureaus of the Community-Based Prosecution Division. These bureaus are organized geographically to address the specific crime trends and public safety issues that vary across the 9,200-square-mile jurisdiction of Maricopa County. Each bureau works closely with local law enforcement agencies in their particular region to handle a wide variety of cases ranging from property crimes to homicides.

CENTRAL VALLEY BUREAU

The Central Valley Bureau prosecutes cases submitted by the Central City, Mountain View and Desert Horizon precincts of the Phoenix Police Department as well as cases originated in the cities of Paradise Valley and Scottsdale and District 4 of the Maricopa County Sheriff's Office. With 16 attorneys, five paralegals and four support staff members, the Bureau filed 1,410 felony cases in 2016. The bureau resolved 1,045 cases with plea agreements and secured 28 guilty verdicts. 12 cases resulted in acquittals and 66 cases were dismissed.

Central Valley Bureau

Phoenix PD

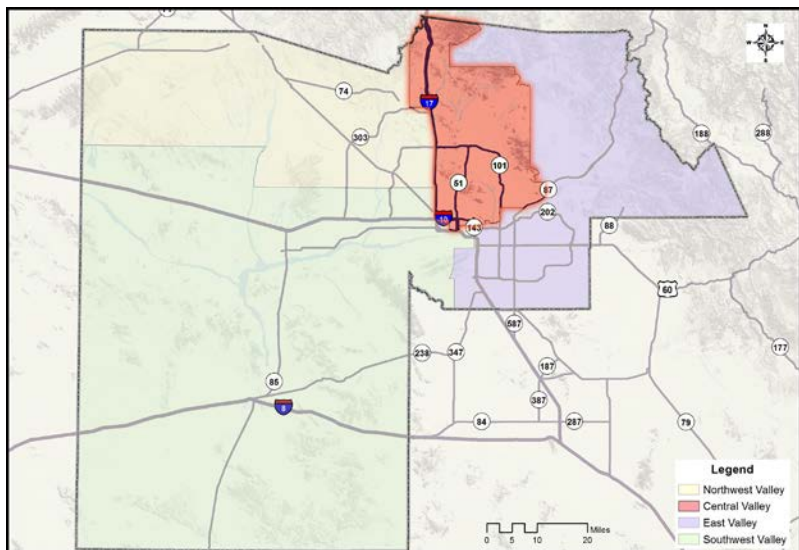
- Central City
- Mountain View
- Desert Horizon

Paradise Valley PD

Scottsdale PD

MCSO

- District 4



NOTEWORTHY CASES

State v. Ruben Barksdale

The victim was arguing with four juveniles and the defendant showed up as the argument was going on. The group decided to head to the local park to fight. As the juveniles and the victim were walking to the park, the defendant walked up to the victim and shot and killed him. This 10-day jury trial was a case based solely on the testimony of the three juvenile witnesses. A jury found the defendant guilty of First Degree Premeditated Murder and he was sentenced to life with the possibility of release after 25 years. **Prosecutor: Treena Kay**

SOUTHWEST VALLEY BUREAU

The 15 attorneys, five paralegals and four support staff members of the Southwest Valley Bureau handle cases submitted by the South Mountain, Estrella Mountain and Maryvale precincts of the Phoenix Police Department as well as cases from the cities of Goodyear, Buckeye, Tolleson, Avondale, the Gila River Indian Community and District 2 of the Maricopa County Sheriff's Office. The bureau had 1,195 cases filed for prosecution in 2016. Dispositions for 2016 included 1,064 pleas, 30 guilty verdicts, 16 acquittals and 74 dismissals.

**Southwest Valley
Bureau**

Phoenix PD

- South Mountain
- Estrella Mountain
- Maryvale

Goodyear PD

Buckeye PD

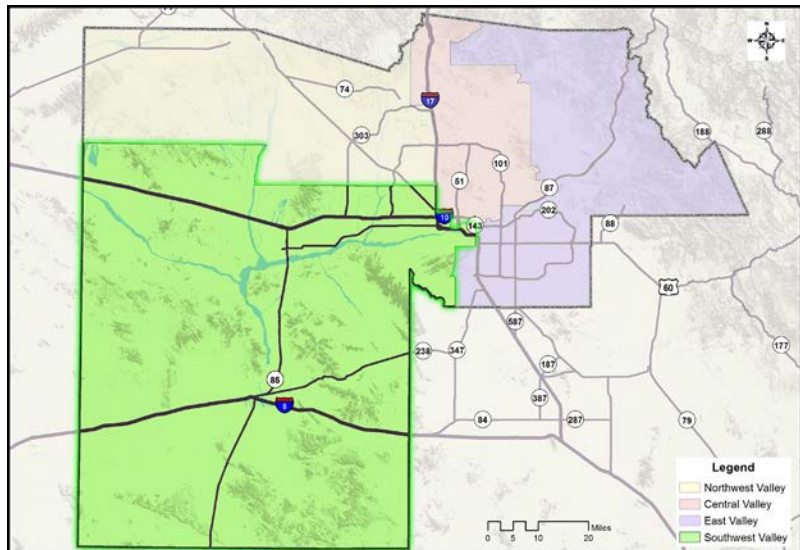
Tolleson PD

Avondale PD

Gila River PD

MCSO

- District 2



NOTEWORTHY CASES

State v. Erick Anthony Ardon-Suazo and Jesse Lopez

The defendants broke into Desert Edge High School by prying open an access hatch on the roof of the school. The pair gathered 20 iMac computers, keyboards and power cords and stole them. The estimated value of the stolen computers and accessories was more than \$30,000. Soon after, a witness contacted police and reported the defendants had asked him to store a large quantity of computers at his home until they could sell them. Police went to the witnesses' residence and recovered 18 of the 20 stolen computers. Three of the 18 recovered computers were extensively damaged. Both defendants were arrested and both admitted to the crimes. The defendants also stated that they had targeted the Goodyear school because they thought they would have high quality computers. The defendants were sentenced to one year in jail and three years of supervised probation.

Prosecutor: Samantha Caplinger

State v. Jesse Monroy

Two defendants entered the home of the victims while one of the defendants was armed with a shotgun. When the defendants tried to rob the victim, an argument arose and the victim was shot with a shotgun and subsequently died. The defendants then went down the hall and held a gun on a second victim and robbed him. Defendant Monroy was a prohibited possessor at the time. Monroy pled guilty to second degree murder and received a sentence of 30 years in the Department of Corrections. **Prosecutor: Gregg Thurston**

NORTHWEST VALLEY BUREAU

The Northwest Valley Bureau is comprised of 12 attorneys, four paralegals and four support staff members who prosecute cases submitted by law enforcement agencies in the cities of Glendale, El Mirage, Peoria as well as the Cactus Park and Black Mountain precincts of the Phoenix Police Department and District 3 of the Maricopa County Sheriff's Office. In 2016, the bureau filed 1,362 felony cases. The breakdown of dispositions for the bureau was 1,336 pleas, 25 guilty verdicts, five acquittals and 95 dismissals.

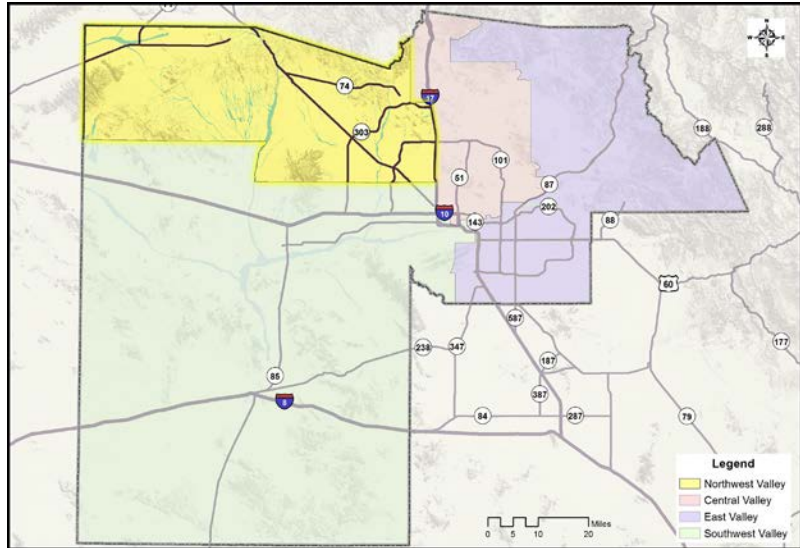
**Northwest Valley
Bureau**

Phoenix PD

- Cactus Park
- Black Mountain

Glendale PD
El Mirage PD
Peoria PD
Surprise PD
Wickenburg PD
MCSO

- District 3 (including Lake Pleasant)



NOTEWORTHY CASES

State v. James Allen Darland

The Maricopa County Sheriff's Office was engaged in an undercover operation where they browsed websites popular with offenders who practice bestiality. Detectives saw an advertisement that a member would be visiting the Wickenburg, Arizona area and his dog was no longer satisfying his needs; he wanted to meet with someone in the Wickenburg area. After reviewing a number of similar ads, detectives contacted the defendant through email and discussed his plans for visiting. The defendant noted that several of his prior sexual acts with animals had occurred while on the job for the past 20+ years as a UPS driver. Arrangements were made for the detective and the defendant to meet. The defendant was arrested and ultimately admitted he had been communicating with the detective. The defendant has no prior criminal history and pled guilty to conspiracy to commit bestiality. He was sentenced to three years' supervised probation. **Prosecutor: Gina Cucuzella**

State v. Burnell Turner

A DPS Trooper conducted a traffic stop on I-10 because the defendant was displaying unsafe lane usage. During contact with the defendant, he smelled of alcohol and admitted to consuming alcohol. Prior to conducting a DUI investigation, the defendant fled from the stop and led DPS and several law enforcement agencies on a 32-mile pursuit. During the course of the pursuit a Maricopa County Sheriff's Officer was almost run over. The defendant was taken into custody and found to be in possession of cocaine. When interviewed the defendant said he fled because he panicked, knew the person pursuing him was a cop, knew his lights were on and just wanted to get home to his wife. The defendant admits he used cocaine that day and that the cocaine was the reason he fled. He pled guilty to reduced charges of aggravated assault and unlawful flight from law enforcement and was sentenced to five years in the Department of Corrections and three year's supervised probation.

Prosecutor: Mark Jansen

Gregg Thurston was named 2016 Community Based Prosecution Division Attorney of the Year; Erica Castano was named Division Support Person of the Year; Tiffany Martinez was named Paralegal of the Year and Gregg Thurston was named Drug Prosecutor of the Year.

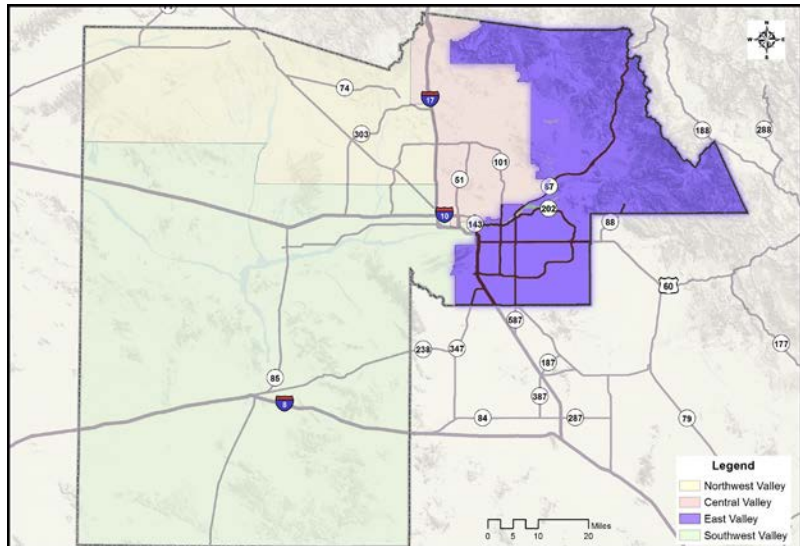
EAST VALLEY BUREAU

The East Valley Bureau handles cases originating from police departments in the cities of Tempe (including ASU PD), Mesa, Chandler, Gilbert, Fountain Hills, the Salt River Pima-Maricopa Indian Community, Fort McDowell Yavapai Nation and Districts 1, 5, 6, and 7 of the Maricopa County Sheriff's Office. The bureau is staffed with 15 attorneys, five paralegals and four support employees. In 2016, the bureau filed 1,468 felony cases. The breakdown of dispositions for the bureau was 1,179 pleas, 25 guilty verdicts, eight acquittals and 103 dismissals.

**East Valley
Bureau**

Tempe PD
ASU PD
Mesa PD
Chandler PD
Gilbert PD
Fountain Hills PD
Ft. McDowell Tribal PD
Salt River PD
MCSO

- Districts 1, 5, 6, 7



NOTEWORTHY CASES

State v. Ryan Giroux

The defendant went on a shooting spree in Mesa, wounding several people and killing one. The defendant shot and killed one victim and injured another in the motel room where both the victims lived. He then pointed the gun at another victim and also fired at a passing car, striking the driver side mirror. The defendant then walked across the street to the EVIT High School Bistro and attempted to get car keys from anyone inside. The defendant drove a short distance to an apartment complex and held up another victim but gave up after not being able to find car keys. The defendant then traveled to a second apartment complex and burst into an apartment where several victims lived. He attempted to get keys for another car and shot one victim. He then ran to the apartment complex across the street and held up two maintenance workers. He stole truck keys from one and shot at the other repeatedly. The defendant fled the scene by hopping the wall to the neighboring condominium complex and forced entry into an unoccupied unit that was for sale. The SWAT team eventually located him on the balcony. The gun that was used for all of these offenses was found under the sink. Giroux had a total of eight priors and was on probation. He pled guilty to murder and received life in prison plus an additional 83 years in prison for the remaining 23 counts against the injured victims. **Prosecutors: Stephanie Low and Kristy Perkins**

State v. Juan Luis Banuelos

While at a bar, the victims and defendant, who all knew each other, decided to go to the defendant's apartment and hang out. On the way, they stopped to buy alcohol. Everyone arrived at the apartment around 3:00 AM and the defendant asked everyone to take off their shoes. Everyone initially complied, but about 10 minutes later, two of the victims wanted their shoes back on. Eventually there was a disagreement over the shoes and the defendant asked the victims to leave. The defendant and a male victim got into a verbal argument near the front door. The defendant then walked into his bedroom, retrieved a rifle and told the victims to leave. The female victim stepped out of the way and immediately heard a gunshot. She looked to the living room and saw the male victim lying on the floor suffering from a gunshot wound. The defendant admitted to police that he could have handled the situation better. He admitted the shooting was "wrong" and told police he shot an unarmed person who was not threatening him or others. The victim eventually died from his gunshot wound. The defendant pled guilty to second degree murder and received a 15-year sentence in the Department of Corrections.

Prosecutor: Vic Cook

MAJOR OFFENDERS DIVISION



CAPITAL LITIGATION BUREAU

Prosecutors in the Capital Litigation Bureau handle first degree murder cases where a decision has been made to seek the death penalty. Staffed with 15 of the MCAO's most dedicated attorneys, seven paralegals and six support staff employees, the bureau combines the latest technology in forensic science and courtroom presentation with aggressive prosecution and trial experience to bring offenders to justice. Capital Litigation prosecutors are on call 24/7 to respond to homicide crime scenes and provide legal expertise to law enforcement agencies throughout their investigations. The bureau had an average total caseload of 77 cases; 59 capital and resolved 23 cases seven cases resulted in guilty verdicts.

NOTEWORTHY CASES *Capital Litigation prosecutors handle the most serious homicide cases which often involve lengthy proceedings and numerous motions and hearings. Below are several examples.*

State v. Macario Lopez

The defendant attacked his estranged wife in her apartment after their two children had gone to school. The two were divorcing and he was angry after discovering she had gone with her sisters to a Halloween party. It is unknown how he got in but once inside the defendant stabbed her 13 times. The defendant fled to Mexico, but eventually returned to the US and was arrested at a local resort in July 2011. The defendant was convicted of first degree murder and first degree burglary and was sentenced to natural life in prison.

Prosecutors: Jeannette Gallagher and Jessi Wade

State v. James Johnson

The defendant entered Taiwan Massage and attempted to rob the owner. Defendant restrained the owner with pre-made zip tie handcuffs and then proceeded to brutally stab her. The bleeding body was dragged into a back room and a symbol was carved into her stomach. Defendant emptied out the owner's purse and wallet and fled the scene. The defendant was sentenced to death by a Maricopa County Grand Jury. **Prosecutor: Kristin Larish**

State v. Joshua Villalobos

The defendant and the 5-year-old victim's mother moved in together and defendant was caring for the child when mother went to work. During that time the defendant beat her causing severe internal injuries; the young victim had nearly 200 bruises of different ages over her entire body. The medical examiner determined the victim died a slow death over two to four hours and the defendant never took the child for medical treatment. Instead he put her to bed for the night and found her lifeless body the next morning. The defendant was sentenced to natural life in prison. **Prosecutors: Ryan Green and Kevin Okano**

State v. Barry Hassell

The co-defendant drove to Paradise Valley to burglarize houses and vehicles. He was an accomplice in the deaths of Glenna and Lawrence Shapiro. The couple, well-to-do philanthropists in their late 70s, were discovered bound and shot inside their burning home. The defendant fled the area alone after seeing a Paradise Valley patrol vehicle nearby. The defendant was found guilty on two counts of felony murder and was sentenced to two life sentences. **Prosecutors: Patty Stevens and Mary-Ellen Walter**

State v. Franklin Clifton

The defendant fired his .44 magnum revolver into a 1999 Ford Escort driven by two victims, 20 years old. The victims did not know the defendant and were able to pick him out from a photo lineup. Ballistics matched the defendant's gun to the bullet recovered from inside the car. The defendant testified in his first trial that he acted in self-defense and the trial resulted in a hung jury. One month after the hung jury, the defendant committed capital murder. The defendant was found guilty and sentenced to 13 years in the Department of Corrections.

Prosecutor: Kristin Larish

GANGS BUREAU

The Gangs Bureau is comprised of 14 attorneys, seven paralegals and four support staff members who work to aggressively investigate and prosecute crimes involving members of criminal street gangs, defined as ongoing formal or informal associations of persons whose members or associates individually or collectively engage in the commission, attempt, facilitation or solicitation of any felony act. Due to the danger posed to the community by gangs, these offenders are typically sentenced to substantial terms in the Arizona Department of Corrections. Their crimes can include graffiti, burglary, rape, assault and murder. In 2016, the Gangs Bureau filed 444 cases for prosecution. 821 cases were resolved with plea agreements, 33 resulted in guilty verdicts and four in an acquittal. 86 cases were dismissed.

NOTEWORTHY CASES *The following two cases highlight the seriousness of gang-related offenses and the unique challenges in prosecuting these crimes.*

State v. Julio Carrizoza

The defendant a member of the Mexican Mafia, spent some days looking for the victim. The defendant had received a "green-light" to kill the victim for snitching on him. The defendant contacted and threatened several friends of the victim and eventually located the victim and took him from his home by force. The defendant fired several shots killing the victim. He was convicted of first degree murder, kidnapping, assisting a criminal street gang and two counts of threatening and intimidating. The defendant was sentenced to natural life on the first degree murder; 15.75 years in prison on the kidnapping charges and 11.25 years on the remaining counts.

Prosecutor: Desi Rubalcaba

State v. Eddie Hernandez

The defendant and an accomplice purchased \$50 worth of items at a yard sale held by victim's family. He paid for the items with a fake \$50 bill and ink rubbed off on the victim's hands. The victim approached Hernandez and ask for "real" payment and defendant hit her father in the face and threw rocks at them. The victims indicate they are calling the police and Hernandez threatens them by telling them he is a member of the Southside 9th Street gang. Hernandez was found guilty on all charges at trial and was sentenced to 12 years in prison.

Prosecutor: Greg Bizzozero

State v. Arthur Meeds

The defendant sent several text messages threatening to kill the victim and her family members. He also went to her place of business and threatened her, continuing to send text messages. He also took photos of her families homes and threatened to burn the houses down and shoot them up if the victim did not leave Phoenix. The defendant is a member of the Lindo Park Crips gang. Meeds was found guilty on all charges at trial and was sentenced to 11 years in prison. **Prosecutor: April Sponsel**

State v. Tony Brown

While in line at a convenience store, the defendant and victim got into a verbal argument over the defendant cutting in line. The victim exited the store where Brown was waiting for him and followed him to his car where the two exchanged some punches. The defendant then pulled out a 9mm handgun and forcefully placed it against the victim's neck and pulled the trigger. Victim heard the gun click as the gun malfunctioned and jammed. Brown told the victim "you should be dead." Brown was found guilty at trial and sentenced to 15 years in prison.

Prosecutor: Geoff Balon

REPEAT OFFENDER PROGRAM (ROP) BUREAU

The Repeat Offender Program is designed to incapacitate criminals whose repetitive offenses constitute the majority of crime that affects communities served throughout Maricopa County. Repeat offenders typically face stricter sentences and are generally ineligible for diversion programs or probation-only sentences. Their crimes can range from armed robbery and aggravated assault to shoplifting and misconduct involving weapons. Staffed with ten attorneys, six paralegals and six support staff specialists, the ROP Bureau filed 566 cases for prosecution in 2016. The bureau resolved 617 cases with plea agreements in the last 12 months, and obtained 23 guilty verdicts at trial. Seven cases resulted in acquittals and 61 cases were dismissed.

NOTEWORTHY CASES *The cases below illustrate the application of Arizona sentencing statutes to protect the community from repeat offenders who commit serious crimes.*

State v. Bart Hiles

The defendant entered a convenience store and walked to the payment counter with a fountain drink and a bottle of alcohol. After the clerk rang up the sale, the suspect displayed a gun and told the clerk, "I'm not paying for anything" and then left the store. Approximately two hours later, the suspect was apprehended; the stolen merchandise was found in his backpack along with a BB gun that looked like a semi-automatic handgun. He also had a useable amount of methamphetamine in his left sock and a needle and syringe in his front pocket. The defendant pled guilty to armed robbery and was sentenced to 15 years in prison. **Prosecutor: Rene Schenks**

State v. Jericho Spriggs

The victim drove into his apartment complex and the defendant and an unidentified accomplice followed him through the gate. The victim parked his car and began to walk to his apartment when the defendant and the accomplice walked up behind him and pulled out handguns and robbed him of his wallet (\$700), cell phone and car keys. The suspects ran to their car and tried to drive out of the complex but could not because they could not open the security gates. The victim followed the robbers' car on foot and then got a second set of keys, driving the car behind the suspect car and blocking it. The defendant abandoned the car and climbed over a wall. Police located Spriggs and also matched his fingerprints to two latent prints on the car. The defendant was found guilty at trial and sentenced to 15 years in prison. **Prosecutor: Robbie Mayer**

State v. Carl Rogers

Police responded to a burglary call at an auto repair shop. The owner saw 2-3 unknown people inside his shop on the surveillance video. The officers saw the defendant get into a black truck and flee. Officers took pursuit and the defendant refused to yield, ditching the truck a few miles away. Items taken from the shop were found in the bed of the pickup and when the defendant was taken into custody the officer positively identified him as he person he saw fleeing the shop. It was later determined the truck was stolen. The defendant was found guilty and sentenced to five years in prison. **Prosecutor: Jennifer Heykoop**



VEHICULAR CRIMES BUREAU

The 13 attorneys in the Vehicular Crimes Bureau are on a rotating on-call schedule to assist law enforcement agencies at the scene of fatal and serious injury collisions throughout Maricopa County. With the assistance of seven paralegals and seven support staff members, these prosecutors handle cases involving drivers who are found to be driving recklessly or driving under the influence of alcohol, illegal drugs or prescription medication. They also prosecute drivers who illegally leave the scene of an accident.

In 2016, law enforcement agencies submitted 2,010 cases for the bureau to review. The bureau filed charges in 2,135 cases and resolved 806 cases with plea agreements. Of the cases that proceeded to trial, 37 resulted in guilty verdicts, six acquittals and 138 were dismissals.

NOTEWORTHY CASES *Cases in the Vehicular Crimes Bureau reflect the application of Arizona's strict Driving Under the Influence laws. The following examples from 2016 illustrate how prosecutors hold DUI offenders accountable for the harm they cause to the community.*

State v. Miguel Angel Maldonado

The defendant, 14 years old, drove westbound on Van Buren and through a red light. His car collided with the victims' car and caused it to flip. The defendant then asked his 17-year-old passenger if he would say he was driving. Earlier that day the defendant and his passenger had purchased beer and officers observed signs and symptoms of impairment. He was sentenced to 8 months in jail and five years of supervised probation.

Prosecutor: Aaron Harder

State v. Lauren Butler

A police officer saw the defendant stopped by another car in the curb lane; however the defendant drove off as the officer approached. The driver of the other car said the defendant was drunk. The officer pursued and saw him run a red light. The defendant admitted drinking and rated himself a 6-7 on impairment scale. He had a BAC of .302 and was driving with an ignition interlock requirement on his license. The defendant was found guilty as charged at trial and sentenced to 7.5 years in prison. **Prosecutor: Ari Rittman**

State v. Nasbah Lillian Toddy

The defendant passed an officer on I10 at 100 mph weaving across all lanes of traffic. The officer stopped the car and the driver exited the vehicle. The officer quickly directed her to get back in the car. The defendant got back in and drove off. The officer attempted a second stop and the defendant continued driving, not stopping at intersections. She soon hit a highway barrier and traffic light and came to a stop. When the officer arrived, she was found lying across the seat. After a jury trial, she was sentenced to four months in prison and 3 years of supervised probation. **Prosecutor: Karen Komrada**

ORGANIZED CRIME DIVISION



DRUG ENFORCEMENT BUREAU

With 18 attorneys, six paralegals and five support staff members, the Drug Enforcement Bureau is one of the largest sections of the County Attorney's Office, handling the vast majority of cases involving the sale, production or transport of drugs in Maricopa County. These cases frequently involve close cooperation with local and federal law enforcement agencies, wiretaps and confidential informants to prosecute street-level dealers as well as top leaders of drug trafficking organizations. Major drug crimes prosecuted by the bureau can often involve additional serious offenses including homicide, armed robbery, kidnapping and other violent crimes. The Drug Enforcement Bureau reviews more than 3,000 cases each year. Some of the cases charged by bureau prosecutors are transferred to the Pretrial Division where they are resolved by plea agreements obtained by attorneys in that division. In 2016, DEB prosecutors handled 1,600 cases and had 823 dispositions which included 1,270 pleas, 20 guilty verdicts, seven acquittals and 214 dismissals.

NOTEWORTHY CASES *The following cases provide examples of how the Drug Enforcement Bureau prosecutes crimes, such as homicides, where the underlying purpose was related to the sale of drugs as well as how DEB partners with law enforcement agencies to dismantle drug trafficking operations.*

State v. Alejandro Hernandez

An Officer responded to an emergency call related to a physical fight. The caller said people were fighting in a white Cadillac Escalade and gave a specific license plate number. The Officer found the Escalade parked in front of a cell phone store and spoke to the lone passenger. She was crying and had blood on her lips and red marks on her face. The victim said she and her boyfriend, Alejandro Hernandez, had been arguing and that he was inside the store. When asked about anything illegal in the SUV, the defendant became visibly nervous, and said there was nothing illegal in the vehicle and the Officer could not search it. A second Officer was in the area of the open passenger door when he detected the odor of burnt marijuana. He walked over to the driver's side where he again smelled marijuana through the open window. The Officer began searching the SUV and found a gallon-sized baggie with several smaller baggies inside. Some of the baggies had a clear, crystalized substance and others had a yellowish rock-like substance inside. The substances laboratory tested positive as 28 grams of methamphetamine and 3.1 grams of (crack) cocaine. Officers also found a black leather notebook (which appeared to be a drug ledger) and approximately 100 small, unused plastic baggies. A jury trial found the defendant guilty of narcotic and dangerous drugs possession and transportation and he was sentenced to prison for the presumptive term of 10 years. **Prosecutor: Thomas Forsyth**

State v. Barry Hassell

The defendant removed his Court-imposed ankle monitor and fled. Later DPS attempted to pull over a VW sedan because it bore stolen plates. The VW fled pursuing officers. Officers ended their pursuit as the VW entered a residential neighborhood traveling at a high speed. The VW was found with the doors open. A passenger

identified the driver as a male in a red shirt and told officers he fled. Officers chased on foot and a neighbor warned DPS of the defendant hiding in some bushes. As the defendant fled again, the Officer was knocked off balance, suffering a fractured hand. A backpack was recovered from the bushes with a handgun inside. The defendant was found guilty at trial of escape in the 2nd degree, unlawful flight from law enforcement and aggravated assault. He was sentenced to 12 years in prison. **Prosecutors: Mary Ellen Walter and Patricia Stevens**

State v. Ricardo Olea Martinez

Officers knocked on the door of a residence and one suspect answered the door. He indicated he lived there with defendant Martinez and they have both been living there for three months. Officer smelled marijuana coming from the house and so asks for and receives consent to search the house. In a bedroom closet the Officer finds industrial-sized rolls of clear plastic wrap, a large scale, bundles of circular packages that contained the odor of raw marijuana, and several burrito-sized packages wrapped in duct tape. A search warrant was obtained for the residence and Officers found a drug ledger, packages of meth and thousands of dollars in cash. Both men were found guilty at trial but absconded before sentencing and there is now an active bench warrant on both.

Prosecutors: Ramsey Bronyah and Samin Adib

State v. Karla Banegas

Border Patrol agents saw nine people walking in the desert, most of whom were carrying backpacks. As agents approached the subjects they fled on foot, but an air unit was able to guide agents on horses to six of the nine. Within the backpacks agents found approximately 374.3 pounds of field-tested positive marijuana. Two of the defendants became aggressive and argumentative with the agents so they were handcuffed to each other. One agent told the group to stand up so they could move to a better location and as they got up, the defendant punched a Border Patrol horse in the head with a closed fist. While the group was sitting, they were told again not to touch the horses. Defendant Banegas refused and ignored several orders to sit. One agent ultimately used a minimal amount of force to get her to sit down. Defendant pled guilty to Animal Cruelty and Possession of Marijuana for Sale. Defendant received 2 years in prison. **Prosecutor: Veronica Dahmer**

FRAUD & IDENTITY THEFT ENFORCEMENT (FITE) BUREAU

Trafficking in stolen identities, government benefits fraud, embezzlement, counterfeit goods and elder financial exploitation are among the broad range of fraud offenses prosecuted by the Fraud & Identity Theft (FITE) Bureau. The bureau's 13 attorneys, six paralegals and six support staff members work closely with local and federal agencies including the Arizona Corporation Commission, FBI, ATF, U.S. Postal Inspection Service and Secret Service to aggressively pursue con artists, identity thieves and organized criminal syndicates. In 2016, the FITE Bureau filed 859 cases for prosecution and resolved 841 cases with plea agreements. Of the cases taken to trial, seven resulted in guilty verdicts and three resulted in acquittals.

NOTEWORTHY CASES *FITE cases often involve complex frauds committed by a single individual or an organized network of criminals. Below are three examples that were successfully prosecuted in 2016.*

State v. Christina Pacheco

Between January 1, 2014 and March 28, 2014 the defendant was using high school kids to sell fraudulent coupon books; falsely representing they were raising money for SADD. The defendant was never authorized nor did she represent SADD in any capacity. The defendant never sent SADD any money she made by selling the fraudulent coupon books. The defendant also recruited her friend's businesses to donate coupons under the guise it was for charity. On January 31, 2014 and February 14, 2014 Officers told the defendant not to sell the coupon books, but she was caught selling the coupon books in Peoria. After a jury trial and a guilty verdict, she was sentenced to 15 years in prison on several felony counts including participating in a criminal syndicate, fraudulent schemes and aggravated taking identify of another. **Prosecutor: Kristin Nordeen**

State v. Justin Negrete

Between November 2014 and January 2015, the defendant, a Phoenix firefighter, engaged in selling counterfeit merchandise. The defendant sold to undercover detectives numerous pieces of counterfeit merchandise. In January 2015 a search warrant was executed on the defendant's residence; where officers located approximately

700 items of counterfeit merchandise. The defendant pled guilty and received one year of supervised probation and a \$50,000 fine. **Prosecutor: Kristin Nordeen**

State v. Eric Wolfe

The defendant worked for the Arizona Animal Welfare League and while working there started his own charity, intended to provide service dogs to veterans with post-traumatic stress. In promoting his charity, Wolfe spoke about his own military service during which he said he trained bomb-sniffing dogs and that he had developed PTSD after being injured by an improvised explosive device. One of Wolfe's coworkers became suspicious after she found inconsistencies in his story and received complaints that his dogs were not well-trained. She confronted him and asked for proof of his service. He provided an Arizona driver license indicating he was a veteran. She pressed him to provide discharge paperwork at which point he provided a photocopy where his name appeared to be crudely forged over someone else's on a discharge form. The coworker was able to determine the form used by Wolfe pertained to one of the veterans originally provided a service dog. The coworker reported the license to ADOT and ADOT determined that on three occasions the suspect obtained driver licenses and identification cards indicating he was a veteran. On each occasion, he provided the forged discharge form, a copy of which was scanned into MVD's computer system. After being detained by police and asked about the deception, Wolfe indicated he had abused alcohol in the past which affected his memory. He said he believed that he was in the service but may have been mistaken. After a trial, the defendant was sentenced to 3 years supervised probation on three counts of forgery. **Prosecutor: Gregory Cecilia**

SPECIAL CRIMES BUREAU

The eight attorneys in the Special Crimes Bureau have extensive experience to prosecute unique and often complex crimes including arson, home invasion, kidnapping, prostitution and gambling enterprises, animal cruelty and public corruption. With the assistance of four paralegals and three support staff members, the bureau filed 242 cases in 2016, not including cases filed by other bureaus and transferred to Special Crimes. Dispositions for the year included 264 plea agreements, seven guilty verdicts, three acquittals and 78 dismissals.

NOTEWORTHY CASES *Below are three examples that illustrate the range of offenses that are prosecuted by attorneys in the Special Crimes Bureau.*

State v. Tracy Elise

Between January 1, 2010 and September 6, 2011, the defendant was the founder and leader of the Phoenix Goddess Temple. She devised every aspect of its operation as a workaround on the prostitution statutes. This was based on payment at end of the session, as well as focus on the acts as religion-based. The defendant represented herself and attempted to put forth a defense based on her sincerely held religious beliefs. The case proceeded to trial and after four months and 25 plus defense witnesses, the jury found the defendant guilty of all 22 remaining counts (prior to trial beginning, the State dismissed the pandering and money laundering counts involving co-defendants who were not going to testify at trial or in which the State had minimal evidence of sexual activities). The defendant did not have any prior felony convictions. She was sentenced to three years in the Department of Correction followed by a four year term of supervised probation. **Prosecutor: Ed Leiter**

State v. Aaron Bray

The defendant attempted to get back at a rival bail bond company by sending the bondsman to the Phoenix Police Department Chief's house with the bail bond company believing that the chief's house was the location of a fugitive. The defendant pled guilty to attempting to commit computer tampering and was sentenced to three months jail, two years of supervised probation and 15 days of community service. **Prosecutor: Robbie Mayer**

State v. Lance Barkhurst

The defendant took his mother's boyfriend's family dog, "Lucky" to his mother's apartment. He placed plastic on a table and brutally stabbed, beheaded, gutted, and dismembered the dog's body into several pieces. He took photographs of the results and later sent them to a girlfriend, who in turn contacted the police. The defendant was contacted by police and admitted to the crime. He later pled to the charges of cruelty to animals and was sentenced to six months jail; three years supervised probation and is not permitted to possess any animals.

Prosecutor: CH Chung

SPECIAL VICTIMS DIVISION



AUTO THEFT BUREAU

Created in 2006, the Auto Theft Bureau is currently staffed with eight attorneys who specialize in prosecuting cases involving the unlawful use of means of transport and related offenses such as Vehicle Identification Number (VIN) switches, trafficking in stolen vehicles and crimes involving “chop shop” operations. The bureau is also part of the multi-agency Arizona Automobile Theft Authority, which seeks to deter vehicle theft by supporting law enforcement activities, vertical prosecution and public education programs. With the assistance of a team of three paralegals and six support staff, the bureau reviewed 2,017 submittals from law enforcement in 2016 and filed 851 cases for prosecution. Dispositions for the year were 780 plea agreements, one guilty verdict, three acquittals and 40 dismissals.

NOTEWORTHY CASES *Auto theft can often involve a series of other serious offenses. Below are examples of scenarios that were successfully prosecuted by the Auto Theft Bureau in 2016.*

State v. Carlos Dorame-Cezares

This defendant, known as the “Test Car Thief,” targeted Hispanic individuals who were selling their cars. The defendant believed these cars were already in the Country illegally. He was able to make a connection with the victims who then allowed the Defendant to test-drive their vehicles alone. The defendant never returned with any of the vehicles. By the time Cezares was caught, he had committed the same crime 24 times. The majority of the victims were scared to take part in his prosecution. Finally the defendant entered a plea that included him pleading to seven different dates of offenses with a stipulated sentence to 7 years in prison. The defendant had no prior criminal history. **Prosecutor: Misty Fauth**

State v. Kagan James Sprague

The victim went to Saigon Restaurant in Chandler and parked his car to go inside. While walking into the restaurant, he noticed a male (later identified as Sprague) standing next to a pillar. When the victim left the restaurant with his food he again noticed the Defendant next to a pillar. The victim walked to his car and as he started to unlock his door, he heard “Excuse me sir.” The victim turned around and saw the defendant. The defendant pulled out a gun and demanded the victim’s car keys or he would shoot the victim. The victim handed over his car keys and Sprague ordered the victim to walk back to the restaurant. The defendant then jumped into the victim’s car and drove off. About 10 days later, the same defendant was involved in a shooting. He fled from police, and then crashed the vehicle. The vehicle the defendant was driving turned out to be the victim’s stolen car. After apprehending Sprague, the victim was shown a photo line-up and he positively identified the defendant as the person who robbed him at gunpoint. The defendant pled guilty as charged to theft of means of transportation and received 10 years in prison, followed by five years of intensive probation.

Prosecutor: Jeremy Miller

State v. Tio Tarrello Thompson

The victim's Toyota Camry was stolen. He remembered going to a gas station; speaking to a homeless man and giving him money. The next thing he remembered was waking up on the side of the road and he flagged down officers who gave him a ride home. He later called police again and told them he was unable to locate his vehicle; he subsequently reported his vehicle stolen. A few days later the stolen car was located as it pulled into a gas station. The defendant then took off in the Camry and officers followed in a marked patrol vehicle. The defendant left the car and fled. He ran into a mattress store and stole a cell phone. Surveillance video showed the defendant running through the mattress store and stealing the cell phone from a work bench. The defendant eventually pled guilty to theft of means of transportation and was sentenced to nine years in prison. **Prosecutor: Jeff Brown**

State v. Charles Denney

The defendant walked into a Subway store and Denney demanded the employee's car keys and all the money in the register. The employee turned and ran towards the back of the store as the defendant pulled a handgun from his waistband; he jumped the counter and chased her down. He pointed the handgun at her and forced her to walk back to the register and open it. He took the money and then went to the victim's purse and took her car keys and cell phone. The defendant left Subway and the police were called. The victim's car was missing and later found unoccupied in a neighborhood close to the store. The missing cell phone was found inside. A second victim lives near the Subway and woke up to find her door partially open and her car missing. Her car keys had been inside her home. The first victim identified Denney, along with surveillance tape and police contacted his family. A few days later the second stolen car was located with the defendant driving. Denney was taken into custody and a Ruger .22 handgun with a fully loaded magazine was found on the driver's seat floorboard, right next to Denney's feet. Denney admitted to police that he committed the robbery after a "blow up" with his family. He admitted he still had the money. Denney has seven prior felony convictions, including convictions for robbery, attempted armed robbery and armed robbery. He was sentenced to 20 years in prison.

Prosecutor: Jeremy Miller

State v. Jon Brandow

Gilbert police responded to a call for help at Mercy Gilbert Hospital. A couple reported they were leaving the hospital with a two-day-old child. The husband walked to the hospital parking lot to bring his Chevy Trailblazer around to the entrance to pick up his wife and child. As he was walking his wife to the car, he noticed the car engine revving and saw an unknown male in the driver's seat. He yelled at the defendant to get out of his car and the defendant put the vehicle into gear and drove away. Police were able to catch up to the car and shortly there after the defendant crashed into four other cars. Three of the victims were admitted to the hospital for non-serious injuries. The defendant pled guilty and was sentenced to two years in prison. **Prosecutor: Scott Blum**

FAMILY VIOLENCE BUREAUS

The Family Violence Bureau was created in 1996 to prosecute cases involving domestic violence, child abuse and vulnerable adult abuse. In 2016 it was split into 2 geographic bureaus; Family Violence East and Family Violence West. These two bureaus combined make up the largest specialized crime bureaus in the Maricopa County Attorney's Office. Prosecutors work with law enforcement agencies and follow a standard protocol for the investigation and prosecution of these offenses with the goal of reducing the amount and frequency of abuse in the community. The Family Violence Bureau has received numerous honors and recognitions for holding domestic violence offenders accountable, particularly in the area of domestic violence strangulation cases.

FAMILY VIOLENCE EAST BUREAU

The east bureau is comprised of nine attorneys, four paralegals and three support staff members. In 2016, Family Violence East prosecutors reviewed nearly 600 submittal charges and filed 533 charges for prosecution; 230 case dispositions for the year included 153 pleas, five guilty verdicts, one acquittal and one dismissal.

NOTEWORTHY CASES *Below are some examples of the types of crimes that occur within a family context that were successfully prosecuted in 2016 by attorneys in the Family Violence East Bureau.*

State v. Misty Lee Wilke

The defendant was upset at the victim because she found out he had HIV and one of his previous girlfriends had just died of AIDS. The defendant argued with the victim and then drove at him, deliberately accelerating her Ford Mustang. The victim was on a bicycle and was thrown into the air, over the car, landing on his head. The defendant then left the scene. The victim broke several vertebrae in his back and had a laceration to his head requiring staples. The defendant pled guilty to two class three dangerous felonies and was sentenced to 6 years, 6 months in prison. She was also sentenced to supervised probation after her release from prison in Count 1 and shall pay restitution for all economic loss to all victims. The defendant can have no contact with the victim.

Prosecutor: Karen Pugh

State v. Avelino Tamala

Victim's mother and defendant were living together in 1997, along with a child named Crystal Reyes. Crystal was abused during this time and eventually killed. On December 1, 1998, the Maricopa County Medical Examiner's Office recovered a partial skeleton that had been discovered in a remote area near Mobile, AZ. It would take investigators until late 2014 to positively identify the remains as those of Crystal Reyes and to unravel the story of her disappearance and death. During the intervening years, a series of separate and unrelated investigations by the Phoenix Police Department, the Bureau of Alcohol, Tobacco and Firearms and the Maricopa County Attorney's Office provided pieces of information that were ultimately used to seek an indictment against Avelino Tamala. It was learned that Crystal was born on November 26, 1993 and lived for a period with her grandmother in Mexico. She was later brought to the U.S. and lived in a residence shared by Avelino Tamala and her biological mother, Anna Reyes. According to a witness, Crystal was physically abused while living with her mother and Tamala and forced to live in a dog kennel. Investigators developed information indicating that Crystal was killed in April, 1997 while in the care of Tamala and her mother. She was subsequently buried in the desert near Mobile. In 2014, investigators identified Crystal's biological father and used a sample of his DNA to positively identify her remains. Evidence gathered by multiple agencies in the years since Crystal's death was reviewed by the cold case investigation unit of the Maricopa County Attorney's Office, ultimately resulting in the first-degree pre-meditated murder charges against Tamala. A jury found Tamala guilty and he was sentenced to life in prison without parole.

Prosecutors: Jay Rademacher and Joshua Clark

State v. Hector Garcia-Alcantar

The defendant murdered his 18-year-old nephew by shooting him seven times in the head, torso, and upper extremities while he laid peacefully in his own bed, watching television with his then 18-year-old girlfriend. Prior to the shooting the girlfriend noticed the defendant enter the room and stand near the foot of the bed. The victim asked the defendant, "What's up?" Without answering or speaking a word, the defendant raised the gun and began unloading bullets into the victim and in the girlfriend's direction. The defendant fled the scene, carrying the murder weapon with him. The defendant's sister, also in the house, reported to police that the defendant had previously been deported and she shared concern that if located the defendant may be prone to shoot it out with police in order to avoid being incarcerated again. The defendant told his sister over the phone, "This isn't over yet" and laughed at her suggestion to turn himself in. The scene of the shooting, the home where the defendant and the victim lived, was owned by the victim's grandmother and the defendant's mother. Inside the home, police investigators found a number of weapons, drugs and drug paraphernalia belonging to the defendant. They also discovered a Smith and Wesson MP 15 rifle, the victim's gun, and corresponding magazines tucked behind the door. Also inside the room were a locked safe and a couch with a storage compartment. Technicians opened the safe and found another handgun next to multiple baggies and containers storing different narcotic and/or dangerous drugs, four scales, and a number of empty bags. In the couch storage, Detectives found smaller quantities of the same substances and paraphernalia used for their ingestion, including a glass plate and a razor. The amount of drugs found inside the Defendant's room was remarkable. Over 423 grams of heroin and more than 680 grams of methamphetamine were found in the room. The true motive driving the defendant's actions remains unclear. The defendant pled guilty to murder in the second degree and was sentenced to 25 years in prison in addition to paying restitution for all economic loss to all victims. **Prosecutor: Robert Beardsley**

FAMILY VIOLENCE WEST BUREAU

The west bureau consists of ten attorneys, four paralegals and six support staff members. In 2016, Family Violence West prosecutors reviewed 834 submittals and filed 772 cases for prosecution; these were made up of 447 dispositions, 637 pleas, 15 guilty verdicts, five acquittals and 49 dismissals.

NOTEWORTHY CASES *Below are some examples of the types of crimes that occur within a family context that were successfully prosecuted in 2016 by attorneys in the Family Violence West Bureau.*

State v. Daniel Fuentes

The victim and the defendant were in a romantic relationship, with children in common. The victim was also pregnant at the time of this offense. The defendant entered the victim's home after a night of drinking. The defendant began arguing with her about the locked doors. He didn't make sense and smelled of alcohol. At some point, the defendant put his hand around her neck, held her up, and began strangling her. She couldn't breathe and felt like she was going to die. He strangled her twice in the bedroom and one time in the hallway. Then the defendant demanded to know where the victim kept her firearms. She refused to tell him, which made him angrier. The defendant searched for the guns and returned to the bedroom with an AR-15 rifle and told the victim to get the 9mm. The defendant loaded the weapons and pointed the rifle and one of the pistols at the victim. He told her she was going to die and didn't care she was pregnant. He also threatened to get into a shootout with police if they showed up and he noted that the assault rifle rounds would penetrate the police vests.

At one point the victim's 10-year-old son was awakened and witnessed one of the strangulations. He heard his mother screaming and when he came out of his room, he saw the defendant holding his mother against the wall by the neck. The boy told the defendant to stop hurting his mother, but he was told to go back inside his room. Eventually a call to 9-1-1 was made, but no one spoke with the operator. A voice could be heard crying in the background and the phone was disconnected. Upon callback, the defendant answered and calmly told the operator that his daughter was playing with the phone and nothing was wrong. When asked his name, the defendant gave a false name. When officers arrived and entered to do a welfare check, the defendant didn't want them to go into the locked bedroom. When they stepped away with the defendant, the victim came out of the bedroom. The defendant immediately changed his demeanor and turned around with his hands behind his back. Officers found the AR-15 rifle fully loaded on the bed along with the two handguns. The victim was later examined by a forensic nurse and injuries were noted to her neck area, consistent with strangulation. The defendant pled guilty to one count of kidnapping and was sentenced to 15 years in prison. **Prosecutor: Jim Seeger**

State v. Issa Saleh

The defendant was angry at his brother who had fired him from working at his convenience store. The defendant entered the store with customers present and shot at his brother four times at close range, hitting him in each shoulder. At the settlement conference, the defendant admitted fully what he did and said he did not want his brother to die, but wanted him to respect him. The defendant was sentenced to 10 years in prison and after release shall be placed on supervised probation. In addition, the defendant shall have no contact with the victims and will pay restitution to all victims. **Prosecutor: Hilary Weinberg**

State v. Hernandez-Ruiz

The defendant threatened his wife and three young kids with a gun. His children said they heard the defendant ask their mother where she wanted to get shot as he pointed a gun at her. The young victims fled the house and called 9-1-1. Police arrived and the defendant was barricaded in the house with the gun. Officers went around the back of the house to secure the perimeter where they observed the defendant standing in the doorway with a gun pointed directly at them. An officer shot the defendant and he was apprehended. The defendant was found to have two guns. The defendant pled guilty to aggravated assault and kidnapping and was sentenced to seven years in prison and five years of supervised probation upon his release. **Prosecutor: Neha Bhatia**

SEX CRIMES BUREAUS

Nationally recognized for its success in prosecuting sex offenders, the Sex Crimes Bureau handles cases involving sexual abuse of children and adults, child prostitution, child pornography and computer-related sex crimes. The Sex Crimes Bureau collaborates closely with specialized investigators in law enforcement agencies as well as medical professionals to work with victims of sexual abuse and hold offenders accountable. In 2014, as part of a larger geographic reorganization of the MCAO, Sex Crimes was divided into East and West Bureaus to more effectively deploy resources and improve operational efficiency.

SEX CRIMES EAST BUREAU

With 15 attorneys, four paralegals and five support staff members, the Sex Crimes East Bureau works with law enforcement agencies responsible for providing public safety in the eastern communities of Maricopa County, including the cities of Tempe, Chandler, Mesa and Gilbert. The Sex Crimes East Bureau filed 404 cases for prosecution in 2016, and secured guilty dispositions in 341 cases.

NOTEWORTHY CASES *These cases illustrate the range of investigatory and statutory tools that allow prosecutors to hold offenders accountable for a variety of sex crimes.*

State v. Christopher Simcox

Between April 21, 2012, and May 23, 2013, during scheduled parental visits with his daughters, the defendant sexually molested the five-year-old friend of his six-year-old daughter. On occasion, he showed sexually explicit films to the girl. The friend told her mother of the abuse and reported it to law enforcement. After police learned that the defendant had two daughters of his own, they contacted the mother of the girls. The eldest girl admitted that he engaged in sexual conduct with her as well. Simcox represented himself throughout the entire trial and, initially, he sought to question the young victims himself. Prosecutors fought to prevent it by taking various actions in appellate courts, leading to filing a petition before the U.S. Supreme Court. During this time, prosecutors held a supplementary evidentiary hearing—bringing in a nationally-recognized expert—to address the trauma it would cause the victims to have their own abuser question them. Ultimately the defendant backed down from his insistence on personally carrying out the cross-examination of his victims and allowed his advisory attorney to question the victims. Even though the issue is now moot in this case, it is still pending before the U.S. Supreme Court because of its legal significance. Simcox was sentenced to 19.5 years in prison for two counts of molestation of a child and one count of furnishing obscene materials to a minor.

Prosecutors: Yigael Cohen and Katie Stabb

State v. Ryan Reed

The victim's mother dropped her 2-year-old at a "24-hour" daycare she found on CraigsList. She often left her for extended periods of time without picking her up or seeing her. The day before the child's death, the defendant was alone with the victim and inadvertently kicked her with his foot hard enough to roll her over then stepped on her abdomen with his full body weight of 200-230 lbs. He continued to the bathroom while she was curled up on the couch. He told her to get up and she fell off the couch. She tried to get up a few times and continued to fall down, but eventually got up and played. When he got ready to put her to bed, he picked her up roughly and put her in a playpen where she slept, still moaning. In the morning she was found unresponsive. The defendant and the mother took her to the bathroom and sprayed water on her, she vomited on her mother and the defendant called 9-1-1. The defendant admitted hitting her with his open hand on several occasions, and at times his discipline was excessive. He also admitted he was a meth user and had used the day before. The victim's mother was interviewed and eventually agreed that the amount of bruising on the victim was not consistent with falling. She didn't think he intentionally hurt her, but he didn't know how strong he was. The victim's mother told investigators that he would hit the victim in the face and would often kick her. The defendant pled guilty to second degree murder and received a sentence of 24 years in prison. **Prosecutor: Rebecca Jones**

SEX CRIMES WEST BUREAU

With responsibility for reviewing and prosecuting cases submitted from law enforcement agencies in the western region of Maricopa County, the Sex Crimes West Bureau is staffed with 11 attorneys, four paralegals and five support staff members. In 2016, the bureau filed 414 cases for prosecution and disposed 605 cases.

NOTEWORTHY CASES

State v. Leon Jerome Daniels

The defendant brought three girls from California to Arizona to engage in prostitution. He suggested the trip as a means to make a lot of money since the Super Bowl was occurring in the Valley at the time. The defendant drove the girls to prostitution dates, took their earnings from the dates, posted their advertisements on www.Backpage.com and gave them rules related to prostitution. He made them check in with him during their dates with "Johns", told them how much to charge, had sexual intercourse with the 17-year-old minor victim and was verbally or physically abusive with the adult victim with whom he had a child in common. The Defendant did everything in his power to dissuade the victims from coming to court or testifying against him. He represented himself through much of the trial, thereby cross examining the victims himself. The defendant was found guilty by a jury on 17 counts including child prostitution, sexual conduct with a minor and sex trafficking and was sentenced to 31 years in prison. **Prosecutors: Lacey Gray and Sara MicFlikier**

State v. Edwin Joseph Collison

Homeland Security Investigations was conducting a child pornography investigation involving a specific gmail user. The defendant had been using a specific gmail email address and was sending exploitive images of his 11-year-old son. The defendant said he talked to two women, who he met online. The defendant admitted he took sexually exploitive pictures of his son with a Samsung tablet and distributed them online. NCMEC and police in Sydney, Australia, searched the women's phones in an unrelated investigation and found sexually exploitive images from the defendant and messages in which he describes sexually abusing his son. The Phoenix Police Department arrested the defendant and were able to recover the images from the defendant's encrypted tablet and his messaging app. The defendant admitted sending photos of his son to tens of thousands of people he interacted with online. The defendant pled guilty to several offenses including sexual exploitation of a minor, indecent exposure and molestation. He was sentenced to 17 years, 6 months in prison. **Prosecutor: Erin Pedicone**

JUVENILE DIVISION



The Juvenile Division is responsible for the prosecution of delinquent and incorrigible children between ages eight and eighteen. “Delinquent acts” are misdemeanor or felony offenses and “incorrigible” acts are status offenses such as truancy or curfew violations.

Unlike most adult criminal cases, which are heard by a jury, juvenile cases are adjudicated by a judge with the ultimate goal of rehabilitating a youthful offender in a manner that also ensures public safety. There is no mandatory sentencing for juvenile crimes. Many first time offenders may be eligible for pre-filing diversion programs, which may include consequences such as community service, letters of apology, or behavioral and cognitive classes.

Between 80-90 percent of juveniles sent to diversion successfully complete these programs and do not return to the system as juveniles.

Serious or repeat offenses can result in sentencing to the Arizona Department of Juvenile Corrections until the juvenile turns 18. Prosecutors also have the discretion to file certain serious and violent offenses directly into adult court on juveniles over the age of fourteen. In 2016, there were 207 cases juvenile matters direct filed into adult court.

The Juvenile Division processed 150 citations, 150 direct complaints and 1,000 petitions.

The Juvenile Division also answers more than 3,000 telephone calls through their switchboard and files 800 warrants annually.

NOTEWORTHY CASES *These cases illustrate the range of serious juvenile offenses that are typically filed in the adult court system.*

In re: Bernal

Phoenix police officers went to a residence in response to a call about a large party. The officers were in plain clothes and in an unmarked car. As the officers drove towards the residence they observed a significant number of young people in the streets. The officer victims heard a gunshot and observed multiple people running. They then observed the defendant walking towards them holding a black shotgun. The defendant pointed the shotgun towards several kids and then turned and pointed the shotgun in the direction of the car with the two officers and fired. He did not strike the officers or their vehicle. One of the officers then fired his service weapon one time through the front passenger window towards the defendant and missed. A large number of officers were then called to the scene and a perimeter was set up, but the defendant was not located. Investigators, using social media, identified the defendant and the officers on scene corroborated. The juvenile is a prolific offender with fifteen past referrals from the City of Peoria. This matter was filed in adult court. The juvenile pled guilty to several charges including unlawful discharge of a firearm, aggravated assault and possessing a weapon by a prohibited person. He was sentenced to five years in prison. **Prosecutor: Shawna Brumbaugh**

In re: Sanchez-Borrayo

The defendant and several others committed armed robberies around Phoenix involving different groups of landscapers and an individual walking his dog. They pointed weapons at victims and demanded money and property. The group stole several wallets, iphones and money. The Juvenile was placed on Juvenile Intensive Probation and ordered to pay restitution. **Prosecutor: Elise Herman**

In re: Cardona-Arzeta

The defendant is an 8th grader at an elementary school. He posted a screenshot on his Facebook page that contained threats to shoot up the school. This caused several parents and students to call and come to the school to check on family members. After officers apprehended the defendant he told them he had no intention of shooting up the school and didn't even know the person he was messaging on Facebook. He indicated he posted the message to scare junior high kids. The juvenile pled to interference with an educational institution, a class six undesignated felony. He received a sentence that included 60 hours of community service, attendance at an AMENDS clas, an apology letter and a three-page essay. This was considered a "Clown Threat" case referring to similar incidents occurring in Arizona and across the country in 2016. **Prosecutor: Joneice Burnett**

VICTIM SERVICES DIVISION



Our Victim Services Division has 60 advocates and more than 20 support staff who served more than 46,000 victims in nearly 22,000 cases across Maricopa County in 2016. Our ten specialized bureaus include Child Advocacy, Economic Crimes, two Juvenile Crimes bureaus, Criminal Trials, two Major Crimes bureaus, Victim Information, Compensation and Support. We have advocates who work as part of our K9 Victim Support program, provide home visits to child victims of crime and assist victims who have suffered significant financial losses, in addition to physical injuries – among many other areas. In addition, our Victim Services Division includes advocates versed in multiple languages, provides assistance for the disabled and has advocates and staff who drive our Office's participation in National Crime Victims Week and many community and charitable events including speaking opportunities across the County.

A typical day for an MCAO victim advocate includes accompanying victims, witnesses and families of victims to court, educating them about the criminal justice process and assisting these same people in identifying counseling and financial options as well as community resources to help them. Other advocates may travel to Childhelp to provide advocacy services or meetings with the Attorney General's Office or the Department of Child Safety to provide assistance and expertise on community issues. Advocates volunteer regularly at food drives, holiday toy collections, charities supporting veterans families and many more community associations and organizations.

The Victim Services Division works with grant writers in the Office to secure funds needed to help us address the most critical needs of victims in the criminal justice system. Members of the Victim Services Division are members of support groups and task forces that help guide the process by which victims are served in Maricopa County. They work at community events and experts provide presentations on victims' rights, K9s in the courtroom and crime prevention.

JUVENILE EAST AND WEST BUREAUS

The seven advocates in the two Juvenile Crimes bureaus work to ensure victims' rights are being upheld throughout the juvenile court process. In addition to working on victim issues, these advocates provide the appropriate referrals to address their needs. The Juvenile Crimes Bureaus processed an average of 213 new cases each month last year and advocates spent an average of 52 hours per month attending court and providing emotional support, ensuring victim rights compliance and answering victims' questions. Advocates attended more than 30 victim-related trainings and webinars over the last year and provided Juvenile Crimes presentations to stakeholders of the juvenile justice system.

CHILD ADVOCACY BUREAU

The NACo award-winning Child Advocacy Bureau (CAB) was created in 2012. This bureau provides specialized and high-intensity services to victims of egregious child crimes and their families and is the first such prosecutor's office in the country to provide a home visit program to child victims of crime – often within 24 to 48 hours. The seven advocates in CAB ensure that the rights of our youngest and most vulnerable victims are protected and their voices are heard throughout the criminal justice process, including depositions, trial and sentencing. The CAB assisted with 1,027 hearings and trials last year and completed 214 office visits and trial preparation meetings. The average caseload for these advocates is 87.

NOTEWORTHY CASES

State v. Tracy Watson

The defendant is step-father to the victim. The defendant restrained the 10-year-old victim with zip ties around his wrists and ankles, tied them together and then made the victim lay across a metal power box in the front yard. A concerned neighbor called police. The defendant told police that he was shaming the victim and had done this as a way to embarrass the child for disciplinary reasons. An infrared reading of the box showed that it was 118 degrees. Victim was insightful and mature for his age and addressed the court to explain how he was feeling. The MCAO advocate was at his side the entire time. The defendant received a sentence of 30 days in jail and seven years supervised probation. **Advocate: Elizabeth Cortopassi**

MAJOR CRIMES I AND II BUREAUS

The 17 advocates that work in these two major crimes bureaus provide assistance to victims of violent crimes including harassment, molestation, sex abuse, vehicular crimes and homicide. The Major Crimes bureaus received 2,963 new cases with more than 5,100 total victims in 2016.

NOTEWORTHY CASES

State v. Christopher Blankenship

A Phoenix Police Sergeant was working off duty patrolling the Blue Cross Blue Shield building when he saw the defendant walking across the private gated parking lot. The Sgt. asked the defendant where he was going and he responded he was just walking through. Then the officer asked for identification and the defendant took off running. The officer called for backup and when it arrived, the defendant had barricaded himself in a short stairwell at a nearby church. The officers took cover behind their vehicles as the defendant started shooting several rounds at them. As bullets flew by them, both officers fired back, ultimately striking the defendant in the knee and shoulder. The defendant was apprehended and taken to a nearby hospital. During his interview the defendant mentioned he was attempting "suicide by cop," but that they didn't get him in the right spot. The advocate worked with Phoenix Police to request police presence at the sentencing hearing to support the officer victims. The defendant was sentenced to two flat terms of 15 years each to run consecutively.

Advocate: Marti Crockatt

State v. Robert Martin

A domestic violence offender had a hearing to modify release conditions. The victim went to court and was visibly shaking when she saw the defendant. The victim calmed herself by petting MCAO K-9 Tori. The victim relaxed as testimony continued. The advocate was able to position Tori to sit with light pressure against the victim's legs, providing comfort, support and strength. After the hearing the victim thanked the advocate and told her that "petting Tori makes me feel relaxed." The victim also told the advocate that having Tori next to her made it easier to sit through the lengthy proceeding. In these types of violent cases, advocates and the MCAO K-9s offer needed comfort to victims in need. **Advocates: Mary Picard and Tori**

CRIMINAL TRIALS BUREAU

The seven advocates in the Criminal Trials Bureau assist victims and families involved in cases including robberies, aggravated assaults, and cases where officers are the victims. The Bureau received 1,955 cases last year that included 2,988 victims. These advocates spent more than 400 total hours in court, averaging more than 58 hours per month, per advocate.

NOTEWORTHY CASES

State v. Jamal Thomas

This 17-year-old defendant was charged with assault while at Canyon State Academy. A hearing was scheduled and asked for the advocate's assistance with communicating the various court rulings and the process for a Guardian Ad Litem. The family had previously expressed some frustration at the process. The advocate attended the hearing and was able to express the family's concerns. She was successful in getting the court to appoint a well-respected Guardian Ad Litem and were pleased when they left the hearing. Often advocates have to speak and appear for court, representing victims and victims' families in a respectful and professional manner.

Advocate: Michelle Montijo

ECONOMIC CRIMES BUREAU

The Economic Crimes Bureau was created in 2014 and assists victims who have suffered a major financial loss and often times no physical injuries. The seven advocates work with individual and business victims, handling different kinds of economic loss, including identity theft, burglary, fraud, shoplifting and animal cruelty. In 2016, there was a total of \$2,744,196 ordered in restitution related to cases in the Economic Crimes Bureau. In addition these advocates processed more than 3,000 new cases. Caseloads in the Economic Crimes Bureau averaged 50 cases per advocate.

NOTEWORTHY CASES

State v. Christopher Ahner

A Costco employee's backpack went missing at the store and inside the backpack was the victim's wallet including his credit/debit cards. The victim contacted the police and together they determined that the cards had been used at Best Buy, Cobblestone and Walgreens. Police viewed video surveillance of the suspect using the card at the retail locations. The defendant was sentenced to 4.5 years in prison. The victim and his family were financially devastated and lived in constant fear of being re-victimized until the locks were changed. The victim was needed to show up in court and identify the defendant and he was very anxious about being in the same room with the defendant. The advocate assisted and met with the victim inside the victim room. The court ultimately ordered restitution in the amount of \$2263.00 and the victim had the courage to opt in to post-conviction rights. **Advocate: Beatriz Ramirez**

VICTIM INFORMATION & RESOURCE BUREAU

This bureau includes a combination of four advocates and restitution specialists who perform day-to-day advocacy for victims in Intake and the Regional Courts. The addition of restitution specialists improved the advocates' work with victims and helped uphold the victim's right to restitution.

VICTIM COMPENSATION BUREAU

The four advocates and four claim specialists in the Victim Compensation Bureau help crime victims and their families deal with the impact of crime by providing compensation to pay some of the expenses that are a direct result of the crimes they have suffered. These can include medical care, mental health counseling and lost wages. They also assist with funeral expenses. Last year this Bureau was able to provide more than \$1,870,000 to victims in need.

In 2016, four Restitution Specialist positions were created in the MCAO Victim Services Division. The Restitution

Specialist's primary role is to fill gaps in victim services. Restitution Specialists are tasked with collecting and assembling victim restitution information, coordinating with attorneys, victim advocates, and staff members and preparing the thorough paperwork required for court. Having an organized and detailed restitution package for prosecutors to present at sentencing increases the likelihood that the defense will stipulate to the request and/or the Judge will order restitution. Prior to these specialist positions being created at the MCAO, these tasks often fell to the assigned advocate and prosecutors who often did not have the time to prepare the comprehensive assessments the courts are seeking. High caseloads and other responsibilities frequently left the victim in the position of having to follow-up and pursue restitution on their own. The MCAO Restitution Specialist position/program won a NACo Achievement Award in 2017.

OPERATIONS DIVISION



TRAINING BUREAU

From jury selection to organizing a complex case, the MCAO Training Bureau provides a wealth of educational resources on a wide range of topics for prosecutors, paralegals and support staff. In 2016, the Training Bureau presented roughly 70 different courses and offered more than 30 courses online for employees to access at their convenience.

The Training Bureau also offers New Employee Orientation sessions once a month, a weekly Legal Support Training Track as well as regular training on Support Staff Essentials and Paralegal Essentials. The Bureau is staffed with three attorneys including a Bureau Chief, a paralegal and a Legal Support Training Manager.

COMMUNITY OUTREACH

The MCAO Community Affairs team had a busy year. Two community affairs coordinators, one supervisor and a long list of MCAO employee volunteers worked together in 2016 to handle hundreds of community events, speaking engagements and safety presentations, reaching more than 40,000 residents.

MCAO staff presented the Red Ribbon drug prevention program at 59 classes for more than 7,000 students. Safe Kids Summer hosted 28 events for 2,000 kids.

In Friday Night Football Patrol's best year ever, volunteers collected 8,612 drug- and alcohol-free pledges from teens. Since the program began in 2011, more than 20,000 teens have signed the pledge.

Shred-A-Thons continue to be successful. We hosted seven Shred-A-Thons and four prescriptions drug take-backs, collecting nearly 200 tons of shredded documents and more than 100 pounds of prescription drugs.

Charitable campaigns are an important part of employee service. MCAO employees contributed more than \$13,000 through casual day sticker sales to donate to various charities.

The Speakers Bureau continues to book several speaking engagements and presentations to schools, HOAs, community and civic groups – and volunteer experts from all parts of the Office participate. In 2016, we accepted invitations to more than 200 of these presentation opportunities serving more than 7,000 people.

Finally, the Office answered the call to participate in 54 community events around the County. These included safety days and domestic violence education, back-to-school round-ups and senior forums. More than 300 MCAO employee volunteers staffed booths at these community events and educated citizens on criminal justice, situational awareness, safety at home and on the Internet.

APPEALS BUREAU

The Appeals Bureau is comprised of 12 attorneys, two paralegals and four support staff members tasked with handling all appellate matters on behalf of the State in cases originating in Maricopa County. The Bureau also oversees the Extraditions Unit, which is responsible for ensuring that defendants who have left Arizona are returned to the jurisdiction to face justice. In 2016, the Appeals Bureau filed ten State's Appeals, 122 Special Actions and 235 Responses to Petitions for Post-Conviction Relief.

NOTEWORTHY CASES

State v. Philip Brailsford (Special Action)

The MCAO filed the State's response to a Petition for Special Action in *State v. Philip Brailsford* in which the Petitioner demanded unrestricted and unconditional access to the body cam footage. The petitioner argued that as a crime victim she was entitled to the video and Judge Myers abused his discretion by ordering portion of the video to remain sealed pending trial. The Court of Appeals declined jurisdiction the day after the State's comprehensive response. **Prosecutor: Amanda Parker**

CIVIL SERVICES DIVISION



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, certain public records requests and defends legal actions, lawsuits and claims brought against the County.

The Civil Services Division has a staff of more than 80 attorneys, paralegals and support staff and is organized into five practice groups: Land Use and Transactional Practice Group, Government Advice, Litigation, Human Resources and Tax Practice. Essentially the Civil Services Division is a law firm within a government structure – but isn't a separate government entity.

LAND USE AND TRANSACTIONAL PRACTICE GROUP

This practice group is responsible for advice and representation to many of the departments of County government that are involved in the development of the County's physical infrastructure, such as the Department of Air Quality, Environmental Services, Housing Authority, Planning and Development, Public Works, Real Estate, and Solid Waste Management. This Group also represents several boards, committees and commissions including the Board of Adjustment, Facilities Review Committee, Parks and Recreation Commission and MCDOT Development Services.

NOTEWORTHY MATTERS *This practice group works with the public to resolve conflicts and bring parties into compliance.*

Environmental Services Department

Maricopa County instituted an awareness and education campaign this year related to Zika and other mosquito-borne illnesses. The Department of Health Services reported that upwards of 80 percent of those infected have mild or no symptoms at all. The Zika virus is a serious risk for pregnant women because it can cause severe birth defects. This heightened awareness resulted in the County asking for assistance in preparing a procedure to expedite obtaining search warrants when circumstances justify the need. The Land Use Practice Group assisted Maricopa County Justice Courts and Environmental Services prepare these materials, as well as a court script and related procedures.

Solana Generating Station, Gila Bend, AZ

This huge solar generating facility was constructed by the U.S. subsidiary, AZ Solar One, LLC, "ASO." This facility received financial assistance from the U.S. Department of Energy for the purpose of producing electricity for

delivery and sale to APS. Beginning in June 2014 and continuing through January 2016, MCAQD inspections of the facility revealed numerous permit and rule violations which resulted in nine enforcement cases against ASO. An Order of Abatement was also issued to the company in February 2015. Representatives met several times to review the violations and seek to negotiate a fair and reasonable penalty. At those meetings MCAO Civil Services Division attorneys served as counsel to MCAQD and ultimately agreed that, in full settlement of its violations, ASO will pay MCAQD \$1.5 million in three annual installments of \$500,000.

Flood Control District

ABC Sand and Rock, Co., Inc., filed a federal 1983 action against the Flood Control District, the County and individual employees of the District. The plaintiff is seeking a preliminary injunction either ordering the District to issue it a permit of short duration or enjoining the District from seeking a court order shutting down the unpermitted mining operations in the floodplain. A two day hearing was held on July 21-22 on the equitable relief and ABC Sand was found to be in violation of floodplain regulations. A \$240,000 fine was imposed.

Attorneys from the Land Use and Transactional Practice Group attend regular seminars and presentations on topics such as environmental enforcement training in order to enhance and expand the services they are asked to provide to clients and customers.

GOVERNMENT ADVICE PRACTICE GROUP

This practice group provides legal advice and representation to County officers, including the Board of Supervisors, Clerk of the Board of Supervisors, Sheriff, Recorder, Treasurer, School Superintendent, and the County Attorney. This Group also provides legal advice to many departments in County government that report to the County Manager, including the Office of Management and Budget, Justice Courts, Public Health, Public Fiduciary, Medical Examiner, Animal Care and Control, Materials Management, and Facilities Management and other social and human services functions on matters ranging from public records requests, open meeting laws, intergovernmental agreements, procurement law, and general duties and authority of the Departments.

NOTEWORTHY MATTER

Feldman vs. Secretary of State

The Plaintiffs filed suit alleging that the State's new law prohibiting "ballot harvesting" and the State's longtime practice of rejecting ballots cast by voters who were voting out-of-precinct, were violations of the Voting Rights Act and the U.S. Constitution. The District Court denied the Plaintiffs' two motions for preliminary injunctions on each issue. Although the County settled the claim on lines at polling places, the County has not been dismissed from the case on the out of precinct claim. The Plaintiffs appealed the ballot harvesting bill and the 9th Circuit heard oral arguments in late 2016. Later in a 2 to 1 decision, the 9th Circuit panel ruled against the Plaintiffs' emergency request for injunctive relief and then the Court granted en banc review. The Plaintiffs appealed the denial of injunctive relief on the out of precinct ballot claim and the MCAO filed the Appellee's Brief.

Arizona Democratic Party v. Reagan

The Arizona Democratic party filed a Complaint and Motion for Preliminary Injunction alleging that the October 10th deadline for voter registration violated the National Voter Registration Act, the U.S. Constitution, and State law, because several counties' offices were closed due to the Columbus Day holiday. Plaintiffs alleged that voter registrations should be accepted through Tuesday, Oct. 11th. On Oct. 20th, the Court accelerated the hearing on both the preliminary injunction and the Complaint and gave the Defendants until 11:30 on Oct. 21st to file their answer. Later Judge Logan denied plaintiffs any relief because of their tardiness in filing their claims.

Mental Health Appeals

1 CA-MH 15-0084.: The Appellant was a jail inmate who was transported to Desert Vista as an outpatient for evaluation. The Appellant refused a physical exam in jail before being transported to DV, and no physical exam was conducted by DV or either evaluating psychiatrist, in part because they knew that he had refused an exam at the jail. The Appellant alleges his due process rights were violated by not receiving a physical exam. In a



published opinion, the Court of Appeals upheld the treatment order, stating that the evidence showed Appellant was not cooperative with treatment while in jail, and the evaluating physicians declined to conduct a physical exam based on Appellant's "agitated, largely nonverbal and uncooperative behavior." Under these circumstances, the physical examination requirement was excused, and the physicians' evaluations were sufficient to support the treatment order. The Opinion also clarifies that the 2012 revisions to the statute eliminated the requirement that both evaluating physicians conduct a physical exam, and now the statute only requires one exam, which may be conducted by other hospital staff and reviewed by the evaluating physicians.

1 CA-MH 15-0107. The Appellant, an undocumented immigrant, was ordered by the court at DV into treatment at the Arizona State Hospital. The Arizona State Hospital filed this appeal, alleging that it cannot legally treat this patient and asked that it be vacated. This is a placement and treatment dispute between Maricopa Integrated Health System (MIHS) which owns and operates Desert Vista, and ASH.

Maricopa County Sheriff's Office

The General Government Advice Practice Group drafted a User Agreement for MCSO to provide use of the Arizona Automated Fingerprint Identification System (AFAFIS) Full Access System Terminal (FAST) site at MCSO to the police departments in the following cities, towns and tribes: Gilbert Police Department; (Town of Gilbert); Surprise Police Department (City of Surprise, Arizona); Buckeye Police Department (City of Buckeye); Goodyear Police Department (City of Goodyear); El Mirage Police Department (City of El Mirage); Paradise Valley Police Department (Town of Paradise Valley); Maricopa County Juvenile Courts; Gila River Police Department; Apache Junction Police Department (Town of Apache Junction); San Carlos Apache Police Department; and the Salt River Police Department.

Attorneys from the Government Advice Practice Group provided advice on the measles outbreak in the Eloy Detention facility. By June 2016, there were 19 confirmed measles cases. These attorneys also assisted in creating emergency preparedness materials and providing advice and information to law enforcement on the release of vital records and cause of death certifications

LITIGATION PRACTICE GROUP

This practice group handles claims and lawsuits by and against the County, its agencies, officials and employees acting in the course and scope of their duties and employment. The Litigation Group also coordinates Public Records Requests having to do with lawsuits against the County.

NOTEWORTHY MATTERS

Maricopa County vs. Russell Ranch LLC, CV2015-005614

This case involved the attempt to collect administrative fines against a home builder who violated Planning Department building permits. The parties agreed to a settlement and the defendant paid the County \$50,000.

Kloberdanz v. Arpaio, et. al. – CV13-02182-PHX-JWS

A seven-day jury trial was held in this matter. The Plaintiff alleged one Section 1983 claim of excessive force against MCSO deputies and posse members who were represented by the Civil Services Division. The Plaintiff also sued another MCSO deputy for excessive force as well as a number of state law tort claims; however this deputy was represented by outside counsel. The jury returned a verdict in favor of the two people represented by the MCAO finding they did not use excessive force during the arrest of the Plaintiff. As to the third deputy, the court granted a directed verdict as to the malicious prosecution claim and the jury found in his favor on the false arrest claim. A mistrial was declared as to the remaining claims of excessive force, battery and intentional infliction of emotional distress as a unanimous verdict could not be reached.

Amelia Finley v. MCSO, CV2014-02609

Plaintiff Amelia Finley filed a section 1983 claim against four MCSO deputies who mistakenly arrested her during a search of her nephew who had allegedly committed a homicide. The Plaintiff was briefly detained and released

after the deputies determined she was not the person they were looking for. The District Court granted the Defendants' Motion for Summary Judgment, finding that no reasonable jury could conclude that (1) her temporary detention was unlawful and (2) Defendants had used excessive force in detaining her.

HUMAN RESOURCES PRACTICE GROUP

This practice group advises the County on human resource issues and legal matters involving County employees. In 2016, the Practice Group provided comprehensive legal advice and assistance to the Maricopa County Board of Supervisors regarding certification of the election canvass for the Secretary of State. They coordinated all aspects of the meeting to avoid possible public protests and disruptions.

NOTEWORTHY MATTERS

Melendres, et al. v. Arpaio, CV2007-02513-PHX

Pursuant to the Court's final order requiring Bias Free Policing and 4th / 14th Amendment training, the Civil Services Division, along with MCAO Training and Development, coordinated to deliver and staff annualized combined MCSO training. This involved the delivery of thousands of hours of training to sworn law enforcement personnel who must successfully pass an exam to remain certified for duty. Additionally, the Civil Services Division and Training and Development recruited and submitted three additional MCAO instructor candidates for vetting and approval to the litigants and the federal monitor team to assist in the delivery of next year's Court ordered MCSO training.

Subrogation Matter for the Employee Self-Insured Benefits Trust Fund

The MCAO Civil Division advises the Maricopa County Employee Benefits Department on claims for reimbursement of the cost of medical care and treatment paid out of the County's self-insured benefits trust fund. Maricopa County has a statutory right under Arizona Revised Statute § 12-962 to recover the cost of medical care and treatment paid by the County on behalf of one of its health plan participants as a result of injuries caused by a third party. Per the County's contract with CIGNA, subrogation services are provided by Xerox Recovery Services, Inc. ("Xerox"), which includes investigating, asserting, and negotiating liens for reimbursement to the County trust fund.

In 2011, a participant in the County's health plan was injured when a vehicle driven by a third party struck her while she was walking across a parking lot. As a result of the accident, payments were made out of the County benefits trust fund for her medical care and treatment totaling \$71,676.37. The injured member retained legal counsel to pursue a personal injury lawsuit against the driver. Mr. Rosen was informed by Xerox of the County Plan's lien and right of reimbursement from any settlement or judgment obtained against the driver. In late 2013, after a series of negotiations, an agreement was reached whereby the County would waive or compromise part of its lien and accept \$33,500. However, Mr. Rosen failed to deliver payment to Xerox. For two years, requests for payment made to Mr. Rosen were ignored. MCAO assumed efforts to enforce the County Plan's lien and obtain payment of the \$33,500 agreed to in settlement of that lien. MCAO advised the Board of Trustees for the Benefits Trust that litigation might be necessary in order to collect amounts owed to the County. MCAO sent communications to the injured party and her counsel, Mr. Rosen, as a final attempt to avoid litigation. In early 2016, Mr. Rosen delivered to MCAO the payment of \$33,500 owed to the Benefits Trust Fund.



TAX PRACTICE GROUP

This practice group represents the County on property tax appeals and provides counsel to the County Assessor and Treasurer in interpreting tax statutes, defending property tax values and collecting levied taxes. The Tax Practice Group filed successful dispositive motions in a number of property tax appeal cases resulting in dismissals of those cases with no loss of tax revenues to the County, the school districts, or to the special districts that depend on those funds.

NOTEWORTHY MATTERS *Below is a representative sample of tax appeal cases handled by the Tax Practice Group in 2016.*

San Clemente Apartments v. MC, TX2014-000433

Maricopa County was awarded sanctions in the stipulated amount of \$990.00 against Douglas Johns of Fraser Ryan Goldberg & Arnold for late disclosure of plaintiff's expert witness report. The expert witness report was 36 days late, and was not disclosed until 13 days after Maricopa County filed its motion for summary judgment.

Northern Park Re-Evaluation

A re-evaluation of the Northern Parkway was undertaken to update traffic numbers, economic assumptions and uses for the parkway corridor. Project funding and phasing of the improvements are also being reviewed and a status of the re-evaluation is expected later in 2016.

INVESTIGATIONS DIVISION



The Investigations Division is comprised of 52 sworn and 14 civilian employees who provide a broad range of services to support the criminal prosecution functions of the County Attorney’s Office. Each of the crime bureaus in the MCAO is aligned with one of six bureaus in the Investigations Division tasked with conducting a variety of critical tasks, from locating witnesses and serving subpoenas to providing follow up and investigative support to law enforcement. The Investigations Division also conducts background checks and provides other specialized support services for the Office including internal investigations to ensure compliance with professional standards.

In 2016, the Investigations Division...

- Located 5,109 victims and witnesses
- Served 4,926 subpoenas
- Participated in 528 arrests
- Served 191 summons
- Completed 567 background investigations
- Conducted 1,342 case interviews
- Processed 1,060 Grand Jury Subpoenas

The MCAO Investigations Division is the only law enforcement agency of its kind in the United States to be fully accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The Investigations Division was selected as a Flagship agency in 2010 and participated in a Gold Standard assessment in April 2016.

MCAO Cold Case Investigations to date

- Reviewed 309
- Solved 6
 - Cleared by arrest 5
 - Exceptionally cleared* 4
- Not workable 60
- Current/in process 30

*Self-defense or suspect dead.

APPENDIX



Top Ten Violent Offenses Charged January – December 2016

Rank	Charge Description	# of Offenses	% of Total Offenses (31,655)
1	Aggravated Assault	2,397	7.6%
2	Armed Robbery	536	1.7%
3	Assault	237	0.7%
4	Robbery	122	0.4%
5	First Degree Murder	121	0.4%
6	Second Degree Murder	67	0.2%
7	Aggravated Robbery	62	0.2%
8	Aggravated Domestic Violence	56	0.2%
9	Sexual Assault	56	0.2%
10	Manslaughter	42	0.1%

Source: MCAO Filings by Highest Ranked Charge.

Top Ten Property Offenses Charged January – December 2016			
Rank	Charge Description	# of Offenses	% of Total Offenses (31,655)
1	Theft Of Means Of Transportation	793	2.5%
2	Burglary In The Third Degree	704	2.2%
3	Burglary In The Second Degree	596	1.9%
4	Forgery	465	1.5%
5	Criminal Trespass In The First Degree	439	1.4%
6	Theft	409	1.3%
7	Trafficking In Stolen Property, Second Degree	289	0.9%
8	Taking Identity of Another	284	0.9%
9	Organized Retail Theft	224	0.7%
10	Shoplifting	202	0.6%

Source: MCAO Filings by Highest Ranked Charge.

Top Ten Non-Drug Offenses January – December 2016			
Rank	Charge Description	# of Offenses	% of Total Offenses (31,655)
1	Aggravated Assault	2,397	7.6%
2	Theft Of Means Of Transportation	793	2.5%
3	Misconduct Involving Weapons	710	2.2%
4	Burglary In The Third Degree	704	2.2%
5	Burglary In The Second Degree	596	1.9%
6	Armed Robbery	536	1.7%
7	Forgery	465	1.5%
8	Criminal Trespass In The First Degree	439	1.4%
9	Theft	409	1.3%
10	Trafficking in Stolen Property, Second Degree	289	0.9%

Source: MCAO Filings by Highest Ranked Charge.



Top Ten Drug Offenses January – December 2016			
Rank	Charge Description	# of Offenses	% of Total Offenses (31,665)
1	Possession Or Use Of Marijuana	4,794	15.1%
2	Possession Or Use Of Dangerous Drugs	4,664	14.7%
3	Possession Or Use Of Narcotic Drugs	2,515	7.9%
4	Possession Of Drug Paraphernalia	847	2.7%
5	Sale Or Transportation Of Marijuana	352	1.1%
6	Possession Of Marijuana For Sale	324	1.0%
7	Possession Of Narcotic Drugs For Sale	308	1.0%
8	Possession Of Dangerous Drugs For Sale	287	0.9%
9	Sale Or Transportation Of Dangerous Drugs	240	0.8%
10	Sale Or Transportation Of Narcotic Drugs	170	0.5%

Source: MCAO Filings by Highest Ranked Charge.

Top Traffic Offenses January – December 2016			
Rank	Charge Description	# of Offenses	% of Total Offenses (31,655)
1	Aggravated Driving Or Actual Physical Control While Under The Influence Of Intoxicating Liquor Or Drugs	1,599	5.1%
2	Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs	917	2.9%
3	Unlawful Use of Means of Transportation	232	0.7%
4	Unlawful Flight From Law Enforcement Vehicle	211	0.7%
5	Driving While License Suspended, Revoked, Cancelled Or Refused Or In Violation Of License Restrictions	62	0.2%
6	Excessive Speed	25	0.1%
7	Reckless Driving	19	0.1%
8	Leaving Scene Of An Injury Accident	16	0.0%
9	Leaving The Scene Of A Damage Accident	21	0.0%
10	Leaving Scene Of A Serious Injury Accident	15	0.0%

Source: MCAO Filings by Highest Ranked Charge.

DUI Offenses January – December 2016			
Rank	Charge Description	# of Offenses	% of Total Offenses (31,655)
1	Aggravated Driving Or Actual Physical Control While Under The Influence Of Intoxicating Liquor Or Drugs	1,599	5.1%
2	Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs	917	2.9%
3	Aggravated Operating or Actual Physical Control of Motorized Watercraft While Under the Influence of Intoxicating Liquor or Drugs	5	0.0%
4	Extreme Driving Or Actual Physical Control While Under The Influence Of Intoxicating Liquor Or Drugs	2	0.0%
5	Agg DUI-Lic Susp/Rev For DUI	2	0.0%

Source: MCAO Filings by Highest Ranked Charge.

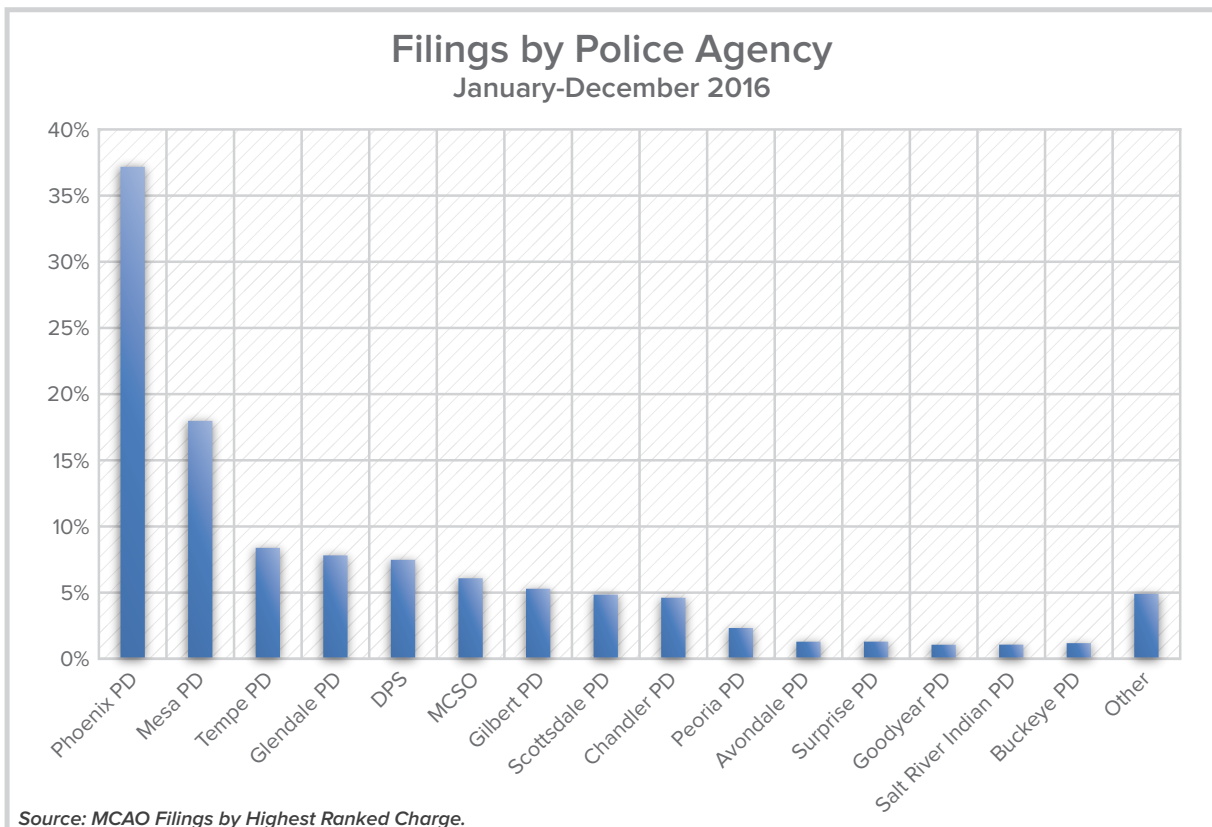
Top Ten Offenses by Gang Members January – December 2016			
Rank	Charge Description	# of Offenses	% of Total Gang Offenses (2,023)
1	Possession Or Use Of Dangerous Drugs	263	13%
2	Aggravated Assault	198	9.8%
3	Possession Or Use Of Marijuana	194	9.6%
4	Possession Or Use Of Narcotic Drugs	156	7.7%
5	Misconduct Involving Weapons	119	5.9%
6	Theft Of Means Of Transportation	107	5.3%
7	Armed Robbery	88	4.3%
8	Burglary In The Third Degree	72	3.6%
9	Burglary In The Second Degree	55	2.7%
10	Threatening Or Intimidating	42	2.1%

Source: MCAO Filings by Highest Ranked Charge.



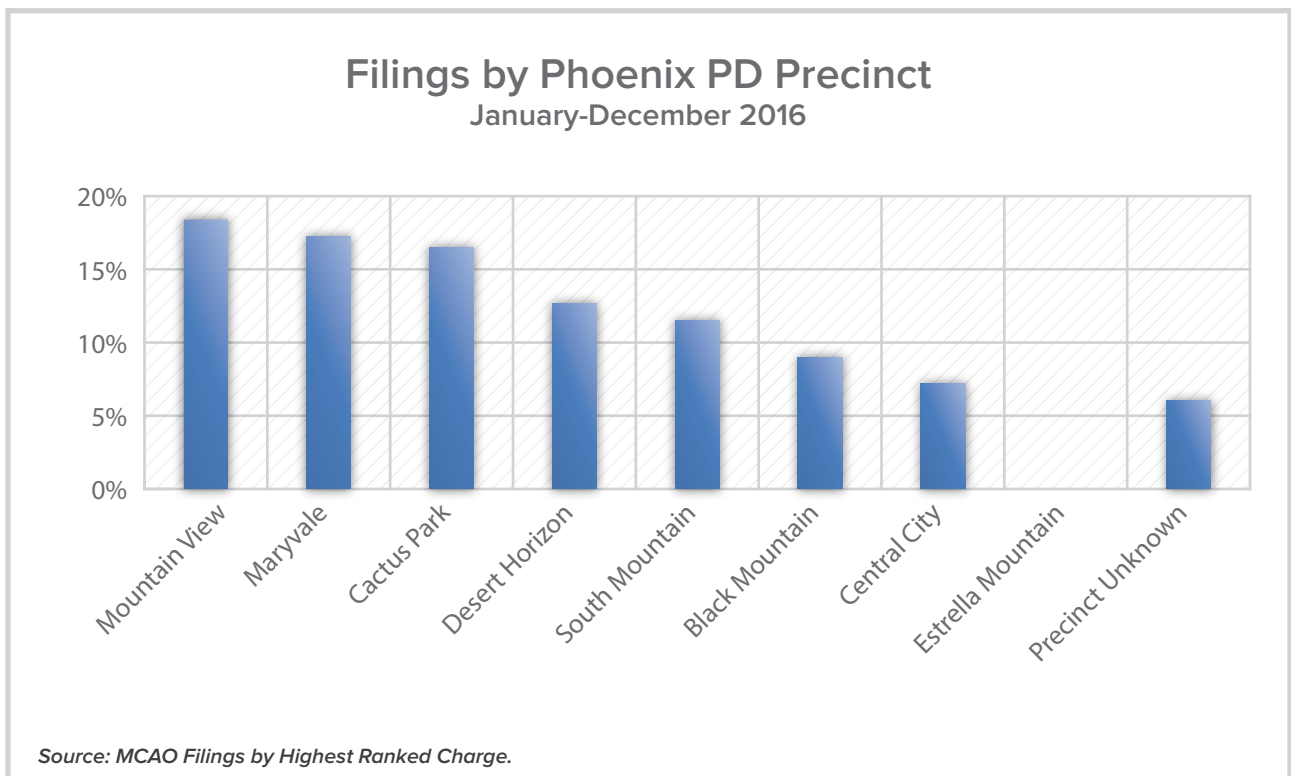
Filings by Police Agency January – December 2016		
Agency	# of Filings	% of Total Filings (31,655)
Phoenix Police Department	10,325	32.6%
Mesa Police Department	5,005	15.8%
Tempe Police Department	2,327	7.4%
Glendale Police Department	2,200	6.9%
Department of Public Safety	2,094	6.6%
Maricopa County Sheriff's Office	1,710	5.4%
Gilbert Police Department	1,497	4.7%
Scottsdale Police Department	1,354	4.3%
Chandler Police Department	1,306	4.1%
Peoria Police Department	662	2.1%
Avondale Police Department	382	1.2%
Surprise Police Department	375	1.2%
Goodyear Police Department	347	1.1%
Salt River Indian Police Department	328	1.0%
Buckeye Police Department	316	1.0%
Other	1,417	4.5%

Source: MCAO Filings by Highest Ranked Charge.



Phoenix Police Department – Filings by Precinct January – December 2016		
Precinct	# of Filings	% of Phoenix PD Filings (10,325)
Mountain View	1,903	18.4%
Maryvale	1,777	17.2%
Cactus Park	1,710	16.5%
Desert Horizon	1,319	12.7%
South Mountain	1,195	11.5%
Black Mountain	1,026	9.0%
Central City	742	7.0%
Estrella Mountain	9	0.0%
Precinct Unknown	644	6.0%

Source: MCAO Filings by Highest Ranked Charge.





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