



ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL

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Media Advisory

PUBLIC SAFETY BEGINS WITH PREVENTION
By: **Elizabeth Ortiz**

Recently, the Institute for Justice, the Goldwater Institute and the ACLU took up the mantel of democracy on behalf of the criminals who profit from drugs and money laundering in their political fight to regulate the already heavily regulated civil forfeiture process. There is something of a mystery in how these groups set their priorities because in a classic sense they are stroking this fiddle while Rome literally burns.

The summer heat isn't stoking these flames, but a smoldering societal problem that should be holding the top spot in the list of our collective problems. Last month Phoenix witnessed an event that is not so unusual except for the gruesome details: a seriously- and dangerously- mentally ill couple who had previous encounters with the criminal justice system were free to partake in street drugs that fueled a heinous murder scene that will scar their innocent-bystander neighbors, including children, who became their unwitting caretakers as their mania often spilled into the out of doors.

Led by Kathleen Mayer of the Pima County Attorney's Office, the prosecuting community has for at least 7 years been working with stakeholders at the legislature to find solutions to the public safety threat that looms over every community due to the huge gap between the behavioral health and criminal justice systems. Dangerous people with mental illness so serious that they are either incompetent to stand trial at all or are found guilty except insane are sent to a mental health facility instead of prison. That is often the last we prosecutors see of them—until they show up in the system again having committed another crime, often as horrible as the last.

The conundrum: the criminal justice system cannot hold people accountable if they are not mentally capable of being held accountable and we cannot hold people because of what they might do. The mental health system does not hold people for whom there is no effective treatment; otherwise, huge resources (we have been told up to \$600 per hour) would be diverted from many treatable cases to focus on one non-treatable one.

"Empowering Arizona's prosecutors to administer justice and contribute to public safety through training and advocacy."

Prevention and ongoing treatment before a case escalates to a horrific level is severely lacking. Take the woman who had to keep getting restraining orders as her sister would squat at the home each time she was released from residential treatment. Banned from the homeless shelters because of her unruly behavior, she would cash her SSI check and buy cigarettes, leaving her no money for food or rent. She would steal from her only relative who had neither the financial nor emotional wherewithal to deal with her extreme volatility. There was simply no place for this woman to go; but if there were, there is simply no way to keep her there. Fortunately, she had not resorted to violence, but one could see it coming.

Prosecutors are not trained mental health experts, but we face and deal with this reality every day. While we search for solutions, where are the Institutes of freedom in all this? Here we have a concrete community need that impacts us all and constitutes the real, identifiable source of danger to our communities in these days of shrinking crime rates. Inflamed by the very drug cartels who provide the street drugs to these people who “self-medicate”, it remains a mystery to us why these folks seek to help the cartels by fixing a non-existent problem, while shielding their faces from the heat bearing down on our public safety.