

2012 APAAC Award Nomination List

First	Last	Title	Award	Jurisdiction	Nominating Office
Ken	Flint	Assistant Scottsdale City Prosecutor	Appeals		Scottsdale City Prosecutor's Office
Lacey	Gard	Assistant Attorney General	Appeals		Attorney General's Office
Gerald	Grant	Deputy Maricopa County Attorney	Appeals		Maricopa County Attorney's Office
Kent	Kearney	Assistant Phoenix City Prosecutor	Appeals		Phoenix City Prosecutor's Office
Patricia	George	Assistant Phoenix City Prosecutor	David R. White		Phoenix City Prosecutor's Office
Rachel	Mitchell	Bureau Chief - Sex Crimes Bureau	David R. White		Maricopa County Attorney's Office
Julie	Sottosanti	Deputy Pinal County Attorney	David R. White		Pinal County Attorney's Office
Larry	Wharton	Deputy Pinal County Attorney	David R. White		Pinal County Attorney's Office
Liz	Barrick	Assistant Attorney General	Felony	Large	AZ Attorney General's Office
Lewis	Brandes	Deputy Pima County Attorney	Felony	Large	Pima County Attorney's Office
Suzanne	Cohen	Deputy Maricopa County Attorney	Felony	Large	Maricopa County Attorney's Office
Patricia	Stevens	Deputy Maricopa County Attorney	Felony	Large	Maricopa County Attorney's Office
Greg	Bizzozero	Deputy Pinal County Attorney	Felony	Small	Pinal County Attorney's Office
Greg	Hazzard	Deputy Pinal County Attorney	Felony	Small	Pinal County Attorney's Office
Bill	Hughes	Deputy Yavapai County Attorney	Felony	Small	Yavapai County Attorney's Office
William	Katz	Deputy Yuma County Attorney	Felony	Small	Yuma County Attorney's Office
Brian	McIntyre	Deputy Cochise County Attorney	Felony	Small	Cochise County Attorney's Office
Joel	Ruechel	Chief Deputy Navajo County Attorney	Felony	Small	Navajo County Attorney's Office
Ken	Skousen	Deputy Mohave County Attorney	Felony	Small	Mohave County Attorney's Office
Terry	Jennings	Deputy Maricopa County Attorney	Lifetime Achievement		Maricopa County Attorney's Office
William	Moore	Deputy Maricopa County Attorney	Lifetime Achievement		Maricopa County Attorney's Office
Beth	Barnes	TSRP	Misdemeanor		Mesa City Prosecutor's Office
Mark	Borzuch	Assistant Phoenix City Prosecutor	Misdemeanor		Phoenix City Prosecutor's Office
David	Kall	Deputy Yavapai County Attorney	Misdemeanor		Yavapai County Attorney's Office
Kyle	Mann	Deputy Gila County Attorney/Payson Town Prosecutor	Misdemeanor		Gila County Attorney's Office/Payson Town Prosecutor's Office
Melissa	Moore	Deputy Mohave County Attorney	Misdemeanor		Mohave County Attorney's Office
Michelle	Saavedra	Associate Prosecuting City Attorney	Misdemeanor		Tucson City Prosecutor's Office
Vanessa	Cartwright	Deputy Santa Cruz County Attorney	Rising Star		Santa Cruz County Attorney's Office
Jeremy	Ford	Deputy Graham County Attorney	Rising Star		Graham County Attorney's Office
Kendrick	Wilson	Deputy Pima County Attorney	Rising Star		Pima County Attorney's Office

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2012 Arizona Appeals Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona Appeals Prosecutor of the Year Award*.

Name of Nominee: Ken Flint

Title of Nominee: Assistant City Prosecutor II, Motions and Appeals

Prosecution Office: City of Scottsdale

Years as Prosecutor: 13+ years

Address: 3700 N. 75th Street, Scottsdale, AZ 85251

Telephone: (480) 312-2710 Fax: (480) 312-7795

E-mail: Kflint@scottsdaleaz.gov

Nominated by:

Nominator's Name: Caron Close

Title: City Prosecutor

Agency/Organization: City of Scottsdale

Address: 3700 N. 75th Street, Scottsdale, AZ 85251

Telephone: (480) 312-3161 Fax: (480) 312-7795

E-mail: Cclose@scottsdaleaz.gov

Signature: _____

Date: _____

Arizona Prosecuting Attorneys' Advisory Council

Nomination Criteria 2012 Arizona Appeals Prosecutor of the Year Award

DESCRIPTION: This award is designed to recognize an outstanding appeals prosecutor. Eligible nominees include all full time prosecutors in a city court, county attorney, and/or attorney general prosecution office.

CRITERIA: This award will be given at the APAAC 2012 Summer Conference to one Arizona appeals prosecutor whose work has significantly contributed to the mission of serving victims and seeking justice. This award could be given for one specific appellate case, or for a series of outstanding prosecutorial accomplishments in the past fiscal year.

1. Full name, title, address and phone number of the chief prosecutor nominating the individual prosecutor for this award.
Caron Close, City Prosecutor, City of Scottsdale, 3700 N. 75th Street, Scottsdale, AZ 85251, 480-312-3161
2. Name of the PROSECUTOR you are nominating. Provide a complete listing of the individual's name, title/position, agency, address, and their phone and fax numbers.
Ken Flint, Prosecutor II, City of Scottsdale, 3700 N. 75th Street, Scottsdale, AZ 85251, Phone - 480-312-2710, Fax - 480-312-7795
3. **Written justification** as it relates to the criteria at the top of this page. Please provide an explanation of the nominee's specific prosecutorial accomplishments in the preceding fiscal year, including how the nominee's advocacy was outstanding and exceptional. **This justification should be no longer than 750 words in length.**

Ken has been with our office for 13+ years and has covered every area of courtroom. In the most recent years Ken has been specially assigned to the motions and appeals assignment. This came with the responsibility of not only responding to and covering arguments on all motions and appeals arising out of two of our criminal courtrooms, but also with the requirement to be responsible for bringing new case law, changes in the law and courtroom issues/ solutions to the rest of the team. Ken has accepted this challenge and handled it like the professional he is. In this past year, one of our other Prosecutors voiced a desire to learn this assignment and take on the motions and appeals assignment for the other two courtrooms, but he needed some mentoring in order to handle the assignment. Ken accepted and truly embraced the role of mentor and helped guide this attorney through the learning process to enable him to handling this assignment. With Ken's guidance and help we

now have a new motions and appeals attorney. Thanks to Ken's work and efforts we are confident in knowing there is no issue that can arise that our office cannot handle.

Ken has a great ability to see the issue and frame it such a way that he is extremely successful in his work on motions and appeals. He carries such a wealth of information with him, that even in the heat of the moment you know you can count on Ken for that perfect citation to that perfect case that will answer the question and allow you to continue forward. In the past years Ken has had several published opinions by the Court of Appeals. These successes include; Merlina v. Jejna (App. 2004), Crowell v. Jejna (App. 2007), Buccellato v. Morgan (App. 2008) and Cicoria v. Cole (App. 2009) Ken has successfully argued motions on just about every issue that could be raised in cases prosecuted by our office. In just a snapshot of the work Ken has done this year you would find, State v. Lenkszus, where the issue was raised concerning the lawfulness of a traffic stop based upon a traffic violation and NHTSA nighttime driving clue. In the end the Defense petition was denied. In State v. Rocker, Ken successfully appealed to the Court of Appeals to reverse a granting of Special Action relief by the Superior Court. This will allow our case to continue forward as it should without further delays. Other appellate highlights include successfully defending on appeal to the Superior court the Constitutionality of a Scottsdale Revised Code in Sate v. Harkins and the filing of a Petition for Special Action to the Arizona Supreme Court regarding jury trial rights on first time DUI in State v. Tymm and State v. Massey. Unfortunately this Special Action was rendered moot by the passage of House Bill 2284, which restored the right for jury trial to these offenders. Although these cases demonstrate his ability to win the argument and bring the case back successfully, they are really just the tip of the ice berg when it comes to how valuable Ken is to our office.

While Ken might tell you it is no big deal, he is just doing his job; his co-workers would tell you that it is huge having someone like Ken on your team. There is no legal issue too big or too small for Ken to take on and defend completely and usually successfully. One of his co-workers once described Ken as "911 for prosecutors". Trial work can be stressful and there is nothing like that last minute motion or argument made by Defense counsel in an attempt to move you off your mark or to persuade the court in the wrong direction. But we know that when those issues arise we can look to Ken to know the answer or find the answer.

In addition to his work within our office, Ken has also participated in the educating of Scottsdale Police Officers on issues that arise in his motion practice and how to avoid these issues in their daily police work. Because Ken works with the motions he has a keen understanding of the kinds of issues that are occurring and the impacts they are having on our cases. Ken also helps by bringing new law changes to the police to help them stay current in their work. This valuable work helps to avoid litigation before it even begins by helping law enforcement do their jobs better.

The work Ken does for our Motions and Appeals unit would be enough to qualify for this award. The training he has done within our office and with our Police Department would likewise qualify. But, when you combine the two together you get a real appreciation of how truly valuable Ken is to our office and why I believe he deserves this recognition. Thank you for your consideration of Ken for this award.

4. A brief summary, **not to exceed 150 words in length**, of the nominated prosecutor's accomplishments. This summary will be printed and distributed at the summer conference. **Please note that the summary will be printed exactly as you submit it. Therefore, please submit it in narrative form and be sure it does not exceed 150 words.**

I am pleased to nominate Ken Flint for this award. Ken has been with the City of Scottsdale since December 1998 and he has handled all aspects of Prosecution. In the most recent years Ken has dedicated his efforts to Motions and Appeals. As a motions and

appeals attorney for the City, Ken is responsible for all of the motions and appeals work for two of our criminal courtrooms. Although Ken's ability and understanding of appellate work has always been exceptional, in the past few years Ken has demonstrated he can not only do the work, but can share his knowledge with others. Ken responds to motions and appeals in a timely, efficient and professional manner, but so much more is that Ken mentors, supports and comes to the aid of his fellow employees. It is one thing to know the work and be able to accomplish the deadlines, but it is so much more to be able to make those around you better and to help others accomplish greatness. Any new issues that arise we know we can count on Ken to be prepared to not only address them in court, but also to help others around him understand it and therefore make them better prepared for the challenges they will face.

5. A recent **head-shot photo of the nominated prosecutor**. This photo will be printed with the summary of the prosecutor's nomination.



Please return the nomination to APAAC by 5:00 p.m. on May 25, 2012, at 1951 W. Camelback Rd., Suite 202, Phoenix, AZ 85015 or E-mail by the same deadline to: elizabeth.iniguez@apaac.az.gov.

Arizona Prosecuting Attorneys' Advisory Council

**Nomination Form
2012 Arizona Appeals Prosecutor of the Year Award**

I nominate the following prosecutor for the *Arizona Appeals Prosecutor of the Year Award*.

Name of Nominee: Lacey Alexander Stover Gard

Title of Nominee: Unit Chief, Capital Litigation Section

Prosecution Office: Arizona Attorney General's Office

Years as Prosecutor: 8 (eight)

Address: 400 West Congress, Suite S-315, Tucson, AZ 85701

Telephone: 520-628-6654 Fax: 520-628-6878

E-mail: lacey.gard@azag.gov

Nominated by:

Nominator's Name: Kent E. Cattani

Title: Chief Counsel, Criminal Appeals/Capital Litigation Division

Agency/Organization: Arizona Attorney General's Office

Address: 1275 West Washington, Phoenix, AZ 85007

Telephone: 602-542-8589 Fax: 602-542-4849

E-mail: kent.cattani@azag.gov

Signature: Kent Cattani

Date: June 15, 2012

Lacey Gard serves as the Attorney General's Tucson Capital Litigation Unit Chief. In addition to handling a heavy caseload, she has supervisory responsibilities and reviews briefs prepared by other attorneys. Lacey's writing and analytic skills are exceptional. Her writing is thorough, yet concise, and other attorneys often use her briefs as a template in addressing a variety of complex issues. She helps other attorneys with their writing and was recently asked to teach legal writing at the UofA law School.

During the past year, among other assignments, Lacey capably handled briefing and argument in *State v. Hausner*, a case involving a serial killer who was tried and convicted of multiple murders after an 8-month trial. Lacey also briefed and argued a number of other capital appeals and handled several post-conviction evidentiary hearings, including two in *State v. Atwood*, a high profile child abduction and murder case in Pima County.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Criteria 2012 Arizona Appeals Prosecutor of the Year Award

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CRITERIA: This award will be given at the APAAC 2012 Summer Conference to one Arizona appeals prosecutor whose work has significantly contributed to the mission of serving victims and seeking justice. This award could be given for one specific appellate case, or for a series of outstanding prosecutorial accomplishments in the past fiscal year.

1. Full name, title, address and phone number of the chief prosecutor nominating the individual prosecutor for this award.

Bill Montgomery
Maricopa County Attorney
301 W. Jefferson, 8th Floor
Phoenix, AZ 85003
602-506-3411

2. Name of the PROSECUTOR you are nominating. Provide a complete listing of the individual's name, title/position, agency, address, and their phone and fax numbers.

Gerald Grant
Deputy Maricopa County Attorney
301 W. Jefferson, 2nd Floor
Phoenix, AZ 85003
602-506-7422 phone
602-506-7530 fax

3. **Written justification** as it relates to the criteria at the top of this page. Please provide an explanation of the nominee's specific prosecutorial accomplishments in the preceding fiscal year, including how the nominee's advocacy was outstanding and exceptional. **This justification should be no longer than 750 words in length.**

Jerry works on the most complex cases that come to Appeals Bureau at MCAO. This year, he handled the Rule 32 post-conviction proceeding in *State v. Glassel*, a capital case. He was also assigned to handle the post-conviction proceedings in *State v. Macumber*, a most

challenging case because the conviction was obtained in 1976, and much of the State's files have been destroyed.

In addition to those important and challenging cases, Jerry was assigned to handle the Rule 32 post-conviction proceeding in *State v. May*. May was convicted of multiple counts of child molestation and was sentenced to consecutive sentences totaling 75 years. After unsuccessfully challenging his convictions and sentences on direct appeal, May hired the local law firm of Osborn Maledon, who filed an 80-page petition for post-conviction relief. Jerry countered with an oversized response, addressing each of the claims presented. The trial judge dismissed some of May's claims and set an evidentiary hearing to develop the remaining claims. At some point, PCR counsel identified a conflict of interest and was allowed to withdraw from the case. May then hired a prominent New York City law firm—who was not match for Jerry. After a 3-day evidentiary hearing, the trial court ruled in the State's favor and dismissed the post-conviction proceedings.

4. A brief summary, **not to exceed 150 words in length**, of the nominated prosecutor's accomplishments. This summary will be printed and distributed at the summer conference. **Please note that the summary will be printed exactly as you submit it. Therefore, please submit it in narrative form and be sure it does not exceed 150 words.**

Jerry is a gentleman, a scholar, and the consummate professional who ranks among the most successful appellate attorneys in Arizona. Jerry's been in this business for a very long time and he's pretty much done it all—from arguing before the United States Supreme Court three times to arguing issues in misdemeanor criminal cases. Because of his breadth of experience and depth of knowledge, Jerry's opinion is well respected. Although it's taken him a long time to gain this knowledge and experience, Jerry generously shares it all with anyone who seeks his advice and counsel. We are honored to have Jerry working with us in the Appeals Bureau at the Maricopa County Attorney's Office.

5. A recent **head-shot photo of the nominated prosecutor**. This photo will be printed with the summary of the prosecutor's nomination.

Jerry is camera shy.

Please return the nomination to APAAC by 5:00 p.m. on May 25, 2012, at 1951 W. Camelback Rd., Suite 202, Phoenix, AZ 85015 or E-mail by the same deadline to: elizabeth.iniguez@apaac.az.gov.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2012 Arizona Appeals Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona Appeals Prosecutor of the Year Award*.

Name of Nominee: Kent Kearney

Title of Nominee: Assistant City Prosecutor

Prosecution Office: City of Phoenix Prosecutor's Office

Years as Prosecutor: 22 years

Address: 300 W. Washington Street, Phoenix, AZ. 85030-4500

Telephone: 602-256-3506 Fax: 602-534-2693

E-mail: kent.kearney@phoenix.gov

Nominated by:

Nominator's Name: Aarón J. Carreón-Aínsa

Title: Phoenix City Prosecutor

Agency/Organization: City of Phoenix Prosecutor's Office

Address: 300 W. Washington Street, Phoenix, AZ. 85030-4500

Telephone: 602-2618197 Fax: 602-534-2693

E-mail: Aaron.carreon-ainsa@phoenix.gov

Signature: \s\

Date: 6/14/2012

**NOMINATION OF KENT KEARNEY FOR APAAC 2012
APPEALS PROSECUTOR OF THE YEAR**

Kent Kearney has performed outstanding work as an appeals attorney with the City of Phoenix Prosecutor's Office. During this past year, Kent has successfully handled more than thirty-five appeals and petitions for post conviction relief in the Maricopa County Superior Court, Arizona Court of Appeals, and the Arizona Supreme Court. At the same time, Kent handled over one hundred and thirty motions in the Phoenix Municipal Court. Kent's successful motion and appellate practice enables the City of Phoenix to prosecute thousands of criminal cases each year.

Kent is an invaluable asset to the prosecutor's office. As an experienced attorney with over twenty years with the office, Kent teaches and trains new attorneys. As a result of staffing cuts, Kent also was instrumental in developing a program to use student interns and externs from the local law schools in the handling of motions and appeals. He was also recently recognized for an outstanding presentation at the 2012 Mental Health Competency Training Seminar sponsored by the Maricopa County Superior Court.

Kent also performed outstanding work in helping the City of Phoenix to prepare for and defeat all challenges to State's evidence as a result of new evidentiary Rule 702. Due to his and others efforts, the City has encountered no problems in presenting its evidence under the new standards.

Kent is a dedicated and talented appellate attorney whose efforts in city, county, and state courts has been invaluable to the City of Phoenix.

**NOMINATION OF KENT KEARNEY FOR APAAC 2012
APPEALS PROSECUTOR OF THE YEAR**

(Summary)

Kent Kearney has performed outstanding work as an appeals attorney with the City of Phoenix. Kent has successfully handled more than thirty-five appeals and petitions for post conviction relief. At the same time, Kent handled over one hundred and thirty motions in the Phoenix Municipal Court.

Kent is an invaluable asset to the prosecutor's office. Kent teaches and trains new attorneys and law students and has provided assistance to other municipalities throughout the state.

Kent also performed outstanding work in helping the City of Phoenix to prepare for and defeat all challenges to State's evidence as a result of new evidentiary Rule 702. Due to his efforts, the City has encountered no problems in presenting its evidence under the new standards.

Kent is a dedicated and talented appellate attorney whose efforts have been invaluable to the City of Phoenix.

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Arizona Prosecuting Attorneys' Advisory Council

Nomination

David R. White Excellence in Victim Advocacy Award

I nominate the following prosecutor for the *David R. White Excellence in Victim Advocacy Award*.

Name of Nominee: Patricia A. George

Title of Nominee: Assistant City Prosecutor

Prosecution Office: Phoenix

Years as Prosecutor: 10

Address: 300 W Washington, 8th Floor, Phoenix, AZ 85003-2103

Telephone: 602-262-4781 Fax: 602-534-9806

E-mail: patricia.george@phoenixgov

Nominated by:

Nominator's Name: Aarón J. Carreón-Aínsa

Title: City Prosecutor

Agency/Organization: City of Phoenix Prosecutor's Office

Address: 300 W Washington, 8th Floor, Phoenix, AZ 85003-2103

Telephone: 602-262-4781 Fax: 602-534-9806

E-mail: aaron.carreon-ainsa@phoenix.gov

Signature: \s\

June 8, 2012

Date: _____

Arizona Prosecuting Attorneys' Advisory Council

Nomination

David R. White Excellence in Victim Advocacy Award

Victim-centered describes the work of Patricia A. George. She is changing the way Phoenix prosecutes domestic violence and is making the lives of domestic violence victims better by holding abusers accountable. With the Phoenix Police Department, Patricia changed our approach to allow detectives and prosecutors to focus on the most controlling domestic violence offenders.

In ten years with the Phoenix Prosecutor's Office, Patricia has always gone above and beyond her assigned duties to improve the administration of justice. When she was asked to assist in the protocol started by Phoenix Police, she was eager and excited to get to work. She used her experience in the Trial and Charging Bureaus to work closely with detectives to bring charges quickly in appropriate cases. She knew that the more quickly a victim is engaged in the process, the more likely a conviction can be obtained and intervention into the domestic violence dynamic can begin.

In 2008, the Phoenix Police department began following the "coercive control" model. Instead of looking at a single, isolated incident, police officers are now trained to ask background questions of the victims. Detectives receiving the case investigate background information about the defendant and categorize the behavior of the defendant in one of three categories. Those defendants with the most coercive and controlling behavior are given the most attention by the detectives. This is where Patricia's role as a liaison between the Prosecutor's Office and the Police Department is critical.

Patricia meets with detectives from the Family Investigations Bureau to staff cases. She is always available for a cell-phone call from a detective telling her that an abuser has just been booked. She responds immediately to emergency texts from prosecutors and detectives – even responding while she was standing in those long lines at Disneyland! Yes, this should be stressed: Patricia is always "on." One detective recently wrote,

Trish, Just wanted to say thanks for all you have done for me lately. From late night text messages, to phone calls to bounce cases off you, to looking into court for me and putting me on standby. I so appreciate all of it. You are the best!

Expanding upon her existing relationship with Family Investigations Bureau, Patricia, with the assistance of the Prosecutor's Office technology staff, created a detailed DV warrant report. The report takes advantage of crime stat information already imported into the Office's computer database. The report generates a list of warrants by precinct boundaries, so that officers can clear warrants in their own beats.

Patricia developed a "Reverse Public Safety" case procedure with the Maricopa County Attorney's Office (MCAO). When MCAO declines an in-custody DV case, MCAO can now contact Patricia to immediately review the case for misdemeanor charges before releasing the offender. Before this change, the County Turndown would be sent to the police department where a detective would then send the case to Prosecutor's Office for review. Of course, time was passing, and the victim was receiving no assistance, perhaps thinking that nothing would come of it. This was not Victim-Centered.

Patricia worked with the DV Subcommittee of the Maricopa Association of Governments to review DV protocols in misdemeanor cases. This process was an extensive review of both police and prosecution procedures with the goal of tightening and improving case investigation and prosecution.

Finally, Patricia created a subpoena process to obtain jail audio tapes, phone records, and other recorded evidence during misdemeanor investigations. When a court hears the defendant threatening a victim if she comes to court, a court is better able to understand why a victim might not appear for trial.

Patricia is also working to prevent future acts of domestic violence. She and another prosecutor give presentations to students about the dynamics of controlling behavior. After one presentation, a female student disclosed that she was in an abusive relationship and was able to be connected to the school counselor for assistance.

Patricia has developed a relationship with the Veterans Administration that is changing the lives of vets accused of crimes and of victims. More and more, veterans are victims of Post-Traumatic Stress Disorder (PTSD) and thus pose a challenge for the criminal justice system both as perpetrators and victims. Because of Patricia's hard work and innovative spirit, vets are receiving treatment. The Phoenix City Court is accepting plea agreements including even residential treatment. The court is developing a specialized docket for this purpose.

Thanks to Patricia George, domestic violence victims are safer and suspects are being held more accountable.

SUMMARY PAGE

APAAC NOMINATION

DAVID R. WHITE EXCELLENCE IN VICTIM ADVOCACY AWARD

PATRICIA A. GEORGE – PHOENIX CITY PROSECUTOR'S OFFICE

Patricia A. George is Victim-Centered. Improving the life of victims is what drives Patricia. Patricia has changed the way the Phoenix Prosecutor's Office prosecutes domestic violence. For the last nine months, she has been working in a grant position solely focusing on victims of domestic violence. Thanks to Patricia, domestic-violence victims are safer and abusers are being held more accountable.

Patricia acts is not only as a liaison between the Phoenix Police Department and the Prosecutor's Office, but she is a catalyst for change and for prevention of domestic violence. She has developed a relationship with the Veterans Administration, so that veterans, be they victims or abusers can receive specialized treatment. She staffs cases with detectives, expedites the filing of misdemeanor charges on cases that are not filed as felonies, and teaches students about the signs of controlling and abusive behavior to prevent future domestic violence.

#979059

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

David R. White Excellence in Victim Advocacy Award

I nominate the following prosecutor for the *David R. White Excellence in Victim Advocacy Award*.

Name of Nominee: Rachel Mitchell

Title of Nominee: Bureau Chief-Sex Crimes Bureau

Prosecution Office: Maricopa County Attorney's Office

Years as Prosecutor: 19 years

Address: 301 W. Jefferson Street, 5th Floor, Phoenix, AZ 85003

Telephone: 602 506-8556 Fax: 602 506-5893

E-mail: mitchelr@mcao.maricopa.gov

Nominated by: Maricopa County Attorney

Nominator's Name: Bill Montgomery

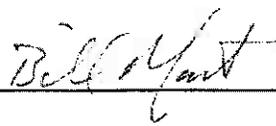
Title: County Attorney

Agency/Organization: Maricopa County Attorney's Office

Address: 301 W. Jefferson Street, Suite 800, Phoenix, AZ 85003

Telephone: 602 506-1260 Fax: 602 506-8102

E-mail: montgomw@mcao.maricopa.gov

Signature: 

Date: 5-29-12

Rachel has been a prosecutor for 19 years. For the past 16 years, since April 1996, she has prosecuted sex crimes and child abuse cases and currently serves as the Bureau Chief of the Sex Crimes Bureau. Not only does she supervise and mentor young attorneys, she also continues to have an active caseload and has received numerous accolades from the victims on cases she has prosecuted.

Rachel is known throughout the state by law enforcement, medical professionals, advocacy center personnel and other prosecutors, as well as private organizations such as churches, as a leader in the child abuse and sexual assault communities. She has devoted countless hours to training law enforcement and other professionals on victim dynamics, trial strategy, investigation techniques, forensic interviewing, and the medical aspects of child abuse and sexual assault. She also has trained nationally for organizations such as the National District Attorney's Association, the Colorado Association of Sex Crimes Investigators (CASCI), Utah Children's Justice Center, the National Children's Protection Training Center, North Dakota State's Attorney's Association, American Professional Society on the Abuse of Children, and the U.S. Attorney's Office, District of Guam.

Rachel also has been the recipient of a number of honors and special recognitions including Maricopa County Attorney's Office Prosecutor of the Year, 2006; Outstanding Child Abuse Legal Professional Award for Excellence from the Arizona Children's Justice Task Force, 2006; Phoenix Police Chief's Unit Award, December 2005; Outstanding Arizona Sexual Assault Prosecutor of the Year presented by the Governor's Office and Attorney General's Office, 2003; as well as a number of individual case recognitions specifically for the Diocese of Phoenix sexual abuse investigation and a case involving an individual's polygamous "marriage" and subsequent decade-long sexual abuse of an 11 year old girl.

Rachel has served on a number of committees designed to assist victims including committees concerning the Prison Rape Elimination Act, Ad Hoc Task Force on Child Prostitution, the Elder Exploitation and Abuse Protocol Committee, the Statewide Sexual Assault Conference Planning Committee, Sexual Assault Kit Revision Committee, the Multi-Disciplinary Protocol for the Investigation of Child Abuse committee, and most recently appeared before the Governor's Child Safety Task Force to underscore the plight of children who are victims of criminal abuse and neglect.

Rachel has been active in the drafting, reviewing, and lobbying of legislation to protect children who are victims of sexual and physical abuse.

One of Rachel's special areas of expertise is abuse that occurs within a religious setting or with religious overtones. Rachel has devoted a great deal of her own time to work with religious institutions to educate them that offenders frequently use religion to access children and gain the trust of those around them. She educates the individuals on the protocols and the law to enable them to develop appropriate policies to protect children and comply with the mandatory reporting law.

Rachel's efforts encompass the true spirit of victim advocacy in that she not only responds to crimes that have been committed, but, through her prosecution, teaching and legislative work has prevented children and others from being victimized. I can think of no one more deserving of this award.

Nomination of Julie Sottosanti
For the 2012 David R. White Excellence in Victim Advocacy Award

Nominator Barbara LaWall
Pima County Attorney
32 N. Stone Avenue
Tucson, AZ 85701
(520) 740-5622
(520) 791-3946-FAX

Individual Nominated: Julie Sottosanti
Deputy County Attorney
Pima County Attorney's Office
Violent Offenses/Gang Unit
32 N. Stone Avenue
Tucson, AZ 85701
(520) 740-5600
(520) 791-3946-FAX

SUMMARY

Julie Sottosanti has been a Deputy County Attorney with the Pima County Attorney's Office since 2007. Recently, she was assigned to the Violent Offenses/Gang Unit. Previously, she worked in the Domestic Violence Unit, where she handled dozens of felony domestic violence cases. Ms. Sottosanti works with victims on a daily basis, gaining their trust and helping them prepare to testify in court. During this last year, Ms. Sottosanti prosecuted a serious stalking case that resulted in a 68-count indictment. The case was extraordinary due to the number of incidents and methods the offender used to stalk his victim. Her hard work resulted in convictions in 65 of the 68 counts. Ms. Sottosanti gives victims a voice in the courtroom and is a fierce advocate who fights to obtain justice for victims. She works tirelessly to ensure the most serious offenders in Pima County are held accountable. I am pleased to nominate Julie Sottosanti for APAAC's 2012 David R. White Excellence in Victim Advocacy Award.

WRITTEN JUSTIFICATION

I am honored to nominate Deputy County Attorney Julie Sottosanti for the *2012 David R. White Excellence in Victim Advocacy Award*. Ms. Sottosanti has been a prosecutor for almost five years and is dedicated to prosecuting criminals who victimize the weak and vulnerable – those who cannot protect themselves.

Ms. Sottosanti's career at the Pima County Attorney's Office began in the Misdemeanor Unit, where she developed a keen interest in domestic violence cases. She worked in the Felony Domestic Violence Unit also until she was transferred to the Violent Offenses/Gang Unit in 2011. Even after being transferred to this new assignment, Ms. Sottosanti continued to work on domestic violence cases and always made herself available to assist new attorneys in the unit.

Not only has Ms. Sottosanti tried significant cases to a jury this year, but she also conducted numerous preliminary hearings in domestic violence cases. Ms. Sottosanti connects with victims and provides support and encouragement early on in the case. Her early contact with domestic violence victims at the preliminary hearing stage fosters a relationship of trust with the victims and demonstrates to the offender that the victim will offer testimony in court against them, thus ensuring that the offender will be held accountable.

Last year, Ms. Sottosanti tried *State v. Leo Rodriguez*. In March 2009, Leo Rodriguez' wife of six years decided to leave her abusive and controlling husband. She obtained an order of protection, found a new place to live, and got a job. But, Mr. Rodriguez was not willing to let the relationship end. He terrorized the victim by stalking her on a daily basis for six months. Not only did Mr. Rodriguez stalk his victim in the traditional manner by following her and showing up wherever she was, but he also used text messages, email, and the internet to invade every aspect of her life. He even managed to take her children from a previous relationship away from her, by lying to a judge, stating that the children were his.

The victim did all she could to hide from the defendant. She moved away from him and reported all the stalking incidents to law enforcement. Unfortunately, the order of protection, the police intervention, and her efforts to avoid him did not work. Shockingly, the investigation revealed that the defendant had befriended a police officer who was helping him locate the victim.

The facts of the case were presented to Ms. Sottosanti for review. The case was remarkable because of the sheer volume of information that Ms. Sottosanti had to sift through and scrutinize. Hundreds of violations had to be screened for provability. She and law enforcement gathered evidence in the form of phone records, internet records, and computer records and were able to charge Mr. Rodriguez with 68 felonies, including stalking, aggravated harassment, identity theft, and computer fraud.

At the beginning of the case, the victim could not bear the thought of being in the same room as the stalker and testifying against him terrified her. However, Ms. Sottosanti

worked closely with the victim and prepared her for the process; she spent hours helping to build up her self-confidence. Ms. Sottosanti personally examined hundreds of pages of phone records and other documents in preparation for trial. She litigated the admissibility of exhibits in a hearing that spanned three days. She created persuasive and comprehensive trial exhibits that chronicled the defendant's six-month reign of terror over his victim. As a result of Ms. Sottosanti's commitment to securing justice for the victim, the victim was able to appear in court with confidence and tell her story. After a two-week trial, the defendant was convicted of 65 of 68 counts. The victim in this case has expressed her eternal gratitude to Ms. Sottosanti for her hard work and dedication to this case. Ms. Sottosanti's tireless efforts forever changed this victim's life.

The Rodriguez case is but one example of Ms. Sottosanti's relentless pursuit of justice for victims who suffer violence and terror at the hands of those who are supposed to love and protect them. Ms. Sottosanti gives victims a voice in the courtroom and is a fierce advocate, fighting to obtain justice for victims. She works tirelessly to ensure that the most serious offenders in Pima County are held accountable. For her ongoing efforts to provide justice to victims, I am very pleased to nominate Ms. Sottosanti for APAAC's 2012 *David R. White Excellence in Victim Advocacy Award*.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

David R. White Excellence in Victim Advocacy Award

I nominate the following prosecutor for the *David R. White Excellence in Victim Advocacy Award*.

Name of Nominee: Larry Wharton

Title of Nominee: Deputy County Attorney

Prosecution Office: Pinal County Attorney's Office

Years as Prosecutor: 17.5 years

Address: P.O. Box 887, Florence, AZ 85132

Telephone: (520) 866-6271 Fax: (520) 866-5580

E-mail: Lawrence.Wharton@pinalcountyz.gov

Nominated by:

Nominator's Name: James P. Walsh

Title: Pinal County Attorney

Agency/Organization: Pinal County Attorney's Office

Address: P.O. Box 887, Florence, AZ 85132

Telephone: (520) 866-6271 Fax: (520) 866-6423

E-mail: James.Walsh@pinalcountyz.gov

Signature: 

Date: 5/24/2002

Larry Wharton is a long distance runner. He constantly trains for and participates in marathon and other distance events. He is also a consistent champion for victims. Larry is friendly, outgoing, and always speaks well of others. When he passes someone in the hallway he remembers personal things about that person and has a positive greeting. Even though he is busy with both felony and justice court caseloads, if you stop by his office to talk, he makes you feel as if he has all the time in the world to focus on you. Larry treats the victims in his cases with that same level of personal respect and dignity. He speaks with them and he is always willing to address their concerns. Crime victims can be very difficult and distracting to the case resolution process. However, Larry treats all victims with professional courtesy and with an understanding to resolve their concerns with the endurance of a long distance runner. Where others may falter, Larry excels and breaks down the communication barriers that a difficult victim can push into the process.

Usually, you only hear from victims who are upset about a prosecutor. Yet, with Larry, the victims praise his interest and sincerity he takes in their cases. In a Taking the Identity of Another case out of Dudleyville, Arizona, the victim advocate reported that the victims were "really happy" with Larry's efforts. In another case, the Burglary victims had a difficult time understanding the criminal justice system. Larry worked with them to guide them through the plea process and sentencing. When elderly victims of an Armed Robbery came to court, Larry met with them and took the time to discuss the court process with them. In yet another instance, he carefully explained the plea agreement with a Domestic Violence victim and answered her questions. When describing Larry, the victim advocates' consistent comment is that he is easy to get hold of even in "victim" emergencies and keeps them "in the loop" about developments in their cases. To Larry, every victim is important and he goes over and above to also make certain that legal entity victims are "in the loop" too.

Whether a victim is the victim of a major felony or a simple misdemeanor assault, Larry treats all victims as the same. Larry works in a Justice Court directly with unrepresented defendants and the victims of their crimes. It is a very up close and personal type of practice with no victim advocates to available to assist the victims. According to the Justice of the Peace and the Justice Court employees, Larry uses his great personal skills to listen and consider the needs of the victims. He is pleasant, patient, and treats people very well. In one specific instance, the court staff reported that a difficult victim was having trouble with the defendant, her ex-husband, and kept calling Larry about the situation. Larry patiently listened to her concerns and on the date of the hearing, Larry calmly assisted her through the process. She left feeling she had been treated very well by the criminal justice system.

Larry Wharton is a strong advocate for victims in Pinal County. He consistently responds to the victims' questions and concerns about their cases in a professional and positive manner.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

Large Jurisdiction

Small Jurisdiction

Name of Nominee: Liz Barrick

Title of Nominee: Assistant Attorney General

Prosecution Office: Office of the Attorney General

Years as Prosecutor: 12

Address: 1275 West Washington, Phoenix, AZ 85007

Telephone: (602) 542-3881 Fax: (602) 542-8490

E-mail: Liz.barrick@azag.gov

Nominated by:

Nominator's Name: Andrew Pacheco

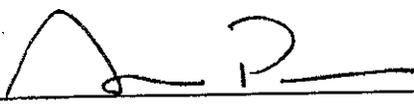
Title: Criminal Division Chief

Agency/Organization: Office of the Attorney General

Address: 1275 West Washington, Phoenix, AZ 85007

Telephone: (602) 542-8527 Fax: (602) 542-5997

E-mail: Andrew.pacheco@azag.gov

Signature: 

Date: 5/25/11



OFFICE OF ATTORNEY GENERAL TOM HORNE

Criminal Division

MEMORANDUM

TO: Elizabeth Ortiz, APAAC Executive Director

FROM: Andrew Pacheco, Criminal Division Chief

DATE: May 25, 2012

RE: Felony Prosecutor of the Year Nomination

Liz is passionate about prosecuting drug cases. She works tirelessly with our law enforcement partners to ensure that every investigation is successful and legally sound. Liz works nights and weekends and is available to assist law enforcement on a 24 hour a day basis. She carries an exceptionally large active caseload of over 140 defendants in addition to several investigations and is known for achieving efficient and judicious results. She is relied upon by her colleagues and law enforcement statewide for her command of drug trafficking and wiretap related law and procedure.

During the past year, Liz supervised and prosecuted 6 complex wiretap investigations. The aggregate seizures in these cases include 500 pounds of methamphetamine, 300 pounds of cocaine, 1600 pounds of marijuana, 12 pounds of heroin, and substantial monetary seizures.

**Nomination of Lewis Brandes
for 2012 APAAC Felony Prosecutor of the Year Award**

Nominator Barbara LaWall
Pima County Attorney
32 N. Stone Avenue
Tucson, AZ 85701
(520) 740-5622
(520) 791-3946-FAX

Individual Nominated: Lewis Brandes
Deputy County Attorney
Pima County Attorney's Office
Property Unit
32 N. Stone Avenue
Tucson, AZ 85701
(520) 740-5600
(520) 791-3946-FAX

SUMMARY

Lew Brandes has been a prosecutor in the Pima County Attorney's Office for more than 20 years. He has served in almost every unit in the Office, and is currently assigned to the Property Crimes Unit. As one of the most experienced prosecutors in the Office, he is often called upon to try difficult homicide cases. Last year, Mr. Brandes tried nine felony jury trials, obtaining eight convictions. Two of the cases were incredibly difficult, gang-related, first degree murders, and another was a serial, armed robbery case. He is an advocate for crime victims, and an articulate, talented prosecutor who is committed to the pursuit of justice. I am honored to nominate him for APAAC's 2012 *Felony Prosecutor of the Year Award*.

WRITTEN JUSTIFICATION

Lew Brandes joined the Pima County Attorney's Office in March 1989. He has served in many units in the office, and is currently assigned to the Property Crimes Unit, where he prosecutes cases involving residential burglars and thieves, armed robbers, murderers, and individuals who profit from trafficking in stolen goods. He seeks maximum accountability on repeat and dangerous offenders who prey on others in the community. Mr. Brandes prosecutes his cases with meticulous attention to detail and works closely with law enforcement to ensure that the cases he presents at trial are complete and thoroughly investigated. He is a dedicated advocate for crime victims, and an articulate, talented prosecutor who is absolutely committed to the pursuit of justice. Last year, Mr. Brandes tried nine felony jury trials and obtained convictions in eight of them.

Mr. Brandes also tried several repetitive career criminals who support themselves by stealing from others, and he tried several burglary and trafficking in stolen property cases last year, obtaining guilty verdicts in all but one. One of the cases involved three defendants who broke into several businesses in one night. Each of the defendants has prior felony convictions. The trials were severed, and Mr. Brandes tried the case to two different juries. All three defendants were convicted of all counts and are serving 6, 10, and 12 years in prison. This type of case involving career criminals is indicative of the types of crimes Mr. Brandes routinely prosecutes.

Mr. Brandes does not shy away from any type of case, and he often volunteers to take on challenging and difficult gang homicides. In October 2011, Mr. Brandes tried **Andre Lightsey-Copeland** for first degree murder in connection with a shooting outside a local strip club. The club was a known hub for gang and narcotics activity. Because the police had previously attempted to crack down on illegal activities within the club, its patrons, employees, and managers were reluctant to cooperate with law enforcement in the investigation. The only eyewitness to the shooting was the defendant's friend who had been with him at the time of the shooting and was not entirely cooperative in the investigation. Despite these difficulties, Mr. Brandes presented the case to a jury over the course of nine days and obtained a second degree murder conviction.

In April 2012, Mr. Brandes tried **State v. David Gomez**, which involved another shooting outside an infamous bar in Tucson. To say that the case was difficult is an understatement. The victim, Ricardo Rios, shot an unarmed man in the parking lot of a bar at closing time. After the shooting, Rios walked away and headed to his car. David Gomez approached Rios from behind and shot him in the head, killing him. The witnesses consisted of a parking lot full of people who were uncooperative with law enforcement, and those who cooperated had credibility problems. Despite these challenging evidentiary problems, Mr. Brandes managed to convince a jury to convict David Gomez of first degree murder.

State v. Victor Lobato: In February 2010, a number of Tucson area businesses were victimized by a serial armed robber. The robber wore a surgical mask; thus, no victim was able to identify him. The robber either wore gloves or did not touch anything in the businesses, leaving no physical evidence. The robberies were strikingly similar to some armed robberies that local law enforcement had investigated in 2006, in which Victor Lobato had been convicted and placed on probation. Police put Lobato in a lineup and a witness, who had seen the suspect in a parking lot putting on his mask, identified him. Lobato was charged with 38 counts involving 12 separate armed robberies. The prosecution was assigned to Mr. Brandes, who prepared the case and organized the evidence and witness statements. The counts were severed into separate trials. Mr. Brandes tried the first case in December 2011, obtaining convictions for armed robbery. The remaining counts are still pending.

In addition to trying cases, Mr. Brandes provides assistance and advice to less experienced lawyers, and is always willing to help others in the Office.

Mr. Brandes is a prosecutor who is relentless in his pursuit for justice for crime victims and the community. For his commitment to justice, for his many contributions to the community, and for helping to make the community a safer place, I am extremely pleased to nominate Lew Brandes for APAAC's *2012 Arizona Felony Prosecutor of the Year Award*.

Arizona Prosecuting Attorneys' Advisory Council
Nomination Form
2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

 X Large Jurisdiction Small Jurisdiction

Name of Nominee: Patricia Stevens and Suzanne Cohen

Title of Nominee: Deputy County Attorneys

Prosecution Office: Maricopa County Attorney's Office

Years as Prosecutor: Patricia Stevens-17 years and Suzanne Cohen-14 years

Address: 301 W. Jefferson Street, 4th Floor, Phoenix, AZ 85003

Telephone: 602 506-5780 Fax: 602 506-7950

E-mail: stevensp@mcao.maricopa.gov and cohensu@mcao.maricopa.gov

Nominated by: Maricopa County Attorney

Nominator's Name: Bill Montgomery

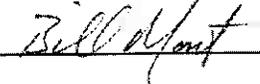
Title: County Attorney

Agency/Organization: Maricopa County Attorney's Office

Address: 301 W. Jefferson Street, Suite 800, Phoenix, AZ 85003

Telephone: 602 506-1260 Fax: 602 506-8102

E-mail: montgomw@mcao.maricopa.gov

Signature: 

Date: 5-29-12

Arizona Prosecuting Attorneys' Advisory Council
Nomination
2011 Arizona FELONY Prosecutor of the Year Award
(Long Version)

The Maricopa County Attorney's Office would like to nominate Deputy County Attorneys Patty Stevens and Suzanne Cohen to receive recognition as 2011 APAAC Felony Prosecutors of the Year.

Between August, 2005, and June, 2006, an apparent serial robber, rapist, and killer stalked citizens of the greater Phoenix area. Nine people were murdered, eight women were sexually assaulted, and more than a dozen others were assaulted and robbed. There were a total of 33 victims that were eventually identified. Evidence gathered at crimes scenes along with descriptions of the assailant given by surviving victims began to point toward a single suspect. That suspect became known locally as the "Baseline Killer" due to geographical boundaries associated with his crimes. However, for nearly one year scores of investigators from agencies around the metropolitan area were unable to find the break they needed to catch the perpetrator. Ultimately, a combination of hard-nosed investigation, ballistic evidence, and DNA led to the arrest of a violent ex-convict named Mark Goudeau. Goudeau had recently been released from prison after serving a lengthy sentence for a near fatal assault on a woman many years earlier.

Goudeau was initially charged with a number of crimes related to the kidnap and sexual assault of two young women (for which he was tried by Suzanne Cohen, was convicted, and was sentenced to serve over 400 years in prison). Other charges were withheld until the entire investigation could be put together. In January 2007, the Baseline Killer case was presented to the grand jury. The presentation took two days, and resulted in a 74 count indictment. The State filed a notice of intent to seek the death penalty in March, 2007. After several years of pretrial motions and procedures, the case was finally ready for trial in April, 2011.

Jury selection began on April 19, 2011. The trial lasted until a final verdict was reached on October 31, 2011. There were 12 separate crime scenes that had to be sequentially described. 165 witnesses testified during the trial, many more than one time due to the complexity of the litigation. There were over 28,000 pages of reports and documentation related to the case. After 7 days of deliberation, the jury found the Mark Goudeau guilty of 67 of the original 74 counts in the indictment, including nine charges of first degree murder, and sentenced him to death. In addition, Goudeau was sentenced to over 1200 years in prison for the non-capital crimes by the court. The final sentencing hearing was held on December 5, 2011, over six years after Goudeau's crime spree began.

Additionally, DCAs Stevens and Cohen worked with the surviving family members of homicide victims and surviving victims of sexual assaults to prepare them for the trial, address their concerns, and answer their questions. The commitment by DCAs Stevens and Cohen to the crime victims helped ensure that the victims received justice from the outcome, as well.

Deputy County Attorney's Patty Stevens and Suzanne Cohen devoted countless hours to the litigation in the Baseline Killer case, including years of pretrial preparation, motion practice, and complex trial preparation. They worked together as a well-oiled machine, and never wavered in their commitment to make sure that Mark Goudeau was held fully accountable for the heinous crimes he committed that terrorized a city for nearly one year. Even among those who dedicate their professional careers to capital prosecution, a case like the Baseline Killer case is a rare challenge and opportunity. Patty Stevens and Suzanne Cohen are most deserving of recognition from APAAC for their phenomenal efforts in pursuit of justice for the victims of the Baseline Killer.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

Large Jurisdiction

Small Jurisdiction

Name of Nominee: Greg Bizzozero & Greg Hazard

Title of Nominee: Deputy County Attorney

Prosecution Office: Pinal County Attorney's Office

Years as Prosecutor: Greg Bizzozero: 19 years; Greg Hazard: 7 years

Address: P.O. Box 887, Florence, AZ 85132-0887

Telephone: (520) 866-6271

Fax: (520) 866-5580

E-mail: Greg.Bizzozero@pinalcountyaz.gov; Greg.Hazard@pinalcountyaz.gov

Nominated by:

Nominator's Name: James P. Walsh

Title: Pinal County Attorney

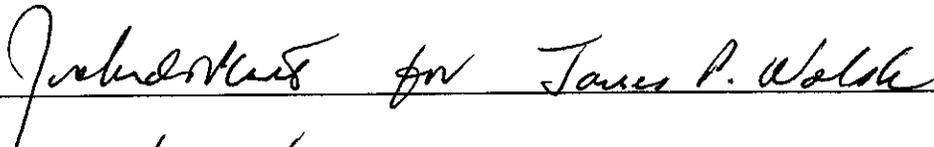
Agency/Organization: Pinal County Attorney's Office

Address: P.O. Box 887, Florence, AZ 85132-0887

Telephone: (520) 866-6271

Fax: (520) 866-6423

E-mail: James.Walsh@pinalcountyaz.gov

Signature:  for James P. Walsh

Date: 05/24/2012

In May, 2012, Greg Bizzozero teamed up with another prosecutor, Greg Hazard, to combine their unique skills to prosecute a high profile vehicular manslaughter case: *State v. James Neuman*. The defendant drove the wrong way on U.S. 60 and hit an oncoming vehicle head-on – killing the driver. He was charged with 2nd Degree Murder. Test results showed the defendant was impaired with prescription medications and marijuana. Greg Hazard skillfully directed the examination of the state's expert who explained to the jury the effects of the drugs in the human body. The defendant alleged several defenses: he did not commit a voluntary act of driving because he was in an "automatic state", akin to "sleep driving" due to other health issues and sleep apnea. He also alleged the he was taking medications, as strictly prescribed by his doctor and, therefore, his behavior was not reckless nor criminal. As to the marijuana, he alleged that he had not used it at least 24 hours prior to the incident.

The defense employed a highly paid expert to support the defense and Greg Bizzozero was able to masterfully cross examine him and catch him in numerous inconsistencies and point out many times where he failed to consider or omitted important facts in reaching his conclusions. The jury found the defendant guilty of Manslaughter, a class 2 dangerous felony. The length of trial was two weeks. Both of these prosecutors made extraordinary efforts to understand the scientific principles involved in order to direct the flow of expert testimony towards supporting the State's position and discrediting the defense's position.

In July and August, 2011, Greg Bizzozero also tried another high profile murder case. This one, *St. v. David Paulson*, involved a premeditated murder in Apache Junction. The defendant and the victim's former girlfriend conspired to murder the victim in a love-triangle dispute. The defendants and the victim were teenagers. The ex-girlfriend lured the victim into a pickup truck while the defendant was lying hidden under a blanket behind the front passenger seat. Upon a signal from the ex-girlfriend, the other defendant reached over the seat, grabbed the victim with one hand and stabbed him numerous times. The defense argued that the victim was the aggressor and that this was a case of self defense. The jury found him guilty of First Degree murder.

Greg Bizzozero has also been using his years of experience to hone his closing argument skills. In *State v. Abel Hinojoso*, the defendant was found guilty of Aggravated Assault, a class 3 dangerous felony. Greg's closing argument was so masterfully done that before the verdict came down the very experienced defense attorney sent an email to Greg's supervisor, stating: "I wanted to let you know that his final argument was just terrific. I have heard a lot of them and his was really memorable, he did a lot of work and handled every argument I had." This case was tried in November, 2011.

In January, 2012, Greg Bizzozero tried a prison case, *State v. Gilbert Martinez*, where the defendant murdered his cellmate because the victim "disrespected" him. The defendant retaliated by ambushing the victim and taking him down with one punch and then stomped on the victim's head for 15-20 minutes to make sure he was dead. At trial, the defendant claimed he acted in self defense. The defendant was found guilty of First Degree Murder.

In January, 2012, Greg Hazard handled a complicated trial involving extensive DNA evidence. In *State v. Angel Hernandez-Diaz*, the defendant was observed driving a stolen truck near the City of Maricopa. After a high speed chase the defendant fled on foot and at one point, as he was about to be apprehended, pointed a gun at a pursuing police detective and fled into the dark. After a three-hour search, the defendant was found hiding inside a car parked in a fenced commercial yard about 200 yards from the defendant's home. The defendant denied driving the truck. DNA was collected from the truck's steering wheel, the gear shift, and from two guns found inside. Each item tested excluded the defendant.

To counter the "CSI effect" on the jury, Greg used his understanding of the DNA collection and analysis process to help the DNA expert educate the jury as to the limits of DNA evidence. He brought out on direct examination that the defendant could have driven the truck without leaving behind trace DNA. He was convicted of Theft of Means of Transportation, Unlawful Flight, and two counts of Misconduct Involving Weapons.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

Large Jurisdiction

Small Jurisdiction

Name of Nominee: Bill R. Hughes

Title of Nominee: Deputy Yavapai County Attorney

Prosecution Office: Yavapai County Attorney's Office

Years as Prosecutor: 10 (I think – I will check!!)

Address: 255 East Gurley, Prescott, AZ 86301

Telephone: 928 777-7352 Fax: _____

E-mail: Bill.hughes@co.yavapai.az.us

Nominated by:

Nominator's Name: Sheila Polk

Title: Yavapai County Attorney

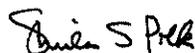
Agency/Organization: Yavapai County Attorney

Address: 255 East Gurley, Prescott, AZ 86301

Telephone: 928 777-7352 Fax: _____

E-mail: Sheila.polk@co.yavapai.az.us

Signature:



Date: May 24, 2012



Yavapai County Attorney

255 East Gurley Street
Prescott, AZ 86301
(928) 771-3344 (Criminal)
(928) 771-3338 (Civil)
Facsimile (928) 771-3110

SHEILA POLK
Yavapai County Attorney

Nomination of Bill Hughes Arizona Felony Prosecutor of the Year Award (Small Jurisdiction)

I am writing to nominate Deputy Yavapai County Attorney Bill R. Hughes for the award of Arizona Felony Prosecutor of the Year. Some of you may recognize Bill's name from seminars past. I previously nominated him in 2003 for the Misdemeanor Prosecutor of the Year and in 2008 for the present award. In 2012, Bill is more deserving than ever, and his repeated nominations are a testament to the high quality of work that he consistently produces for this office and the public that we serve. In an office filled with exceptional prosecutors, Bill has been a stand-out from his first days with this office; after ten years on the job, Bill still approaches felony prosecution with the same zeal and top quality work that resulted in his previous nominations.

To quote from my 2008 nomination letter: "Bill Hughes joined the Yavapai County Attorney's Office in 2002 and has rapidly worked his way up from justice court prosecutor to supervising attorney. Bill has become the 'go-to' attorney in the office, and has stepped up to the plate time and again when office needs have arisen. [B]ill has repeatedly been asked to fill positions beyond his level of experience; each time, he has not only cheerfully agreed to serve where needed, but has quickly developed the skills necessary to perform the job." Those words still ring true today, as evidenced by his exemplary performance as a prosecutor and supervisor, and as demonstrated in his temporary assignment as Acting Chief Deputy for three months when my Chief Deputy was on orders.

Bill wanted to remain active in the courtroom even as a supervisor and active he has been. Along with his supervisory duties, Bill has maintained a full felony caseload involving the worst types of crimes, including child sex crimes and murder. He started the fiscal year by completing the Sedona Sweat Lodge case that he co-chaired with me. That case involved the deaths of three people at the hands of a self-help guru during a sweat lodge ceremony.

To give you a flavor of the type of litigation and complexity involved in this case, consider that almost all of the 56 participants inside the sweat lodge resided outside Arizona, with many living in Canada; the three deceased victims all had extensive families, terribly traumatized by the loss of their vibrant and healthy loved ones; the list of potential trial witnesses approached 90 in number; 500 of the 900 marked exhibits were admitted at the trial; there was over 8000 pages of disclosure; and over 200 non-disclosure pleadings were filed. This case was defended by a defense team of no less than five lawyers, four from the big city of Los Angeles that were exceptionally gifted in the art of ambush, and presided over by a pro tem judge who,

upon his recent retirement, has returned to his former job at our public defender's office. I will let your imaginations run from there.

As co-counsel, I had the opportunity over the long four months of trial to observe firsthand Bill's devotion to the case, to the truth, to our ethical obligations under a constant barrage of mud and muck, Bill's exemplary integrity, and his outstanding personal trial performance. He helped sort through the extensive amount of evidence and witness testimony and, utilizing his paramedic background and knowledge, artfully carved up the defense medical experts on cross-examination. I was so impressed with his technique that I have requested the video taken by the live courtroom cameras in order to produce a training video for prosecutors statewide. Bill, with perfect courtroom demeanor, maintained his calm during the storm of defense tactics that challenged legal and ethical standards at every turn. I would, and will, take Bill as co-counsel any day over any attorney, especially the \$550 dollar per hour per attorney defense team that we suffered through every day of trial.

In spite of the all-consuming nature of the sweat lodge case, Bill supervised our Verde office and handled other trials in addition to that heavy workload. Adults trolling the internet for potential child victims is a persistent problem. Our Sheriff's Office took a proactive role in trying to deal with some of these predators and nabbed six of them at roughly the same time. The local media dubbed them the "Yavapai Six" in an apparent effort to dramatize their plight at being "entrapped." Bill successfully tried two of these predators; one has been sentenced and the other awaits his sentencing. I suspect the second defendant isn't too eager to receive his sentence as the first one received 205.5 years in prison!

Bill is a quite warrior. He tries cases without fanfare. Victims love him, as do the police and support staff, because he makes himself available and keeps an active dialogue with them. Bill helps others that need it and is always willing to provide guidance to the less experienced attorneys. He brings humor to the office that is always appreciated.

Inside the courtroom, Bill is an incredible advocate for justice who consistently displays professionalism in both work product and behavior. He is well respected throughout the bar where he is active in our local bar association, and the bench holds him in high regard.

However, Bill is not a one dimensional man. Outside the office, he is a new father of a beautiful baby girl (nicknamed "P.V. Bethany"). He is an avid reader, shooter, and outdoorsman who loves to camp in the remote beauty of Arizona's outdoors. He is a handyman that is able to make many of his home and vehicle repairs. He even maintains a rental home that is on the Prescott Registry of Historical Homes.

Bill constantly models professionalism, hard work, intelligence, thoughtfulness, integrity, good humor, camaraderie and human decency to everyone. I can think of no more deserving prosecutor for this year's Outstanding Felony Prosecutor than Bill Hughes.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

Large Jurisdiction

Small Jurisdiction

Name of Nominee: William Katz

Title of Nominee: Deputy County Attorney

Prosecution Office: Yuma County Attorney's Office

Years as Prosecutor: 3 ½

Address: 250 W. 2nd Street, Suite G Yuma, AZ. 85364

Telephone: 928-817-4300

Fax: 928-817-4301

E-mail: William.katz@yumacountyaz.gov

Nominated by:

Nominator's Name: Jon Smith & Roger Nelson

Title: County Attorney & Chief Criminal Deputy

Agency/Organization: Yuma County Attorney

Address: 250 W. 2nd Street, Suite G Yuma, AZ. 85364

Telephone: 928-817-4300

Fax: 928-817-4301

E-mail: jon.smith@yumacountyaz.gov

William Katz

Felony Prosecutor of the Year (Small Jurisdiction):

William Katz joined our office in the fall of 2008. He grew up in Michigan, and graduated from Tulane Law School. When he showed up for his job interview he was extremely enthusiastic about being a prosecutor. We were so impressed with Will that we hired him that day. He has not disappointed.

He started with us right out of law school, and began by prosecuting misdemeanor cases. During his first year he had about 40 misdemeanor bench trials, and 6 jury trials. He was moved into a felony unit and did not slow down. He has had 23 felony jury trials in the last 2 ½ years. Those included a major drug smuggling case, a sexual assault, sexual conduct with a minor and a First Degree murder case.

During the past year he has had 7 felony jury trials, all convictions. Those trials included charges such as aggravated assault, sexual assault, importation of marijuana, and attempted 2nd degree murder. Although he has had quite a few jury trials, he is always looking for ways to improve his trial skills. He participated in the intermediate advocacy training this year and we received very positive reviews of his performance. He looks for opportunities to help other attorneys in our office as well. He even volunteered to help another attorney by drafting a special action to the court of appeals.

Will is currently prosecuting two death penalty cases. Both cases are scheduled for trial this year. One involves the beating and strangulation of a prominent local physician. The other involves the brutal beating death of NAPA auto parts driver by a group of gang members. The case involving the doctor has been very complex. There are a number of challenging scientific issues, expert testimony and DNA issues. There were weeks of pre-trial hearings involving myriad issues raised by both the defense and the state. In the end, Will prevailed on all of the issues.

He has the ability to connect with the victims in his cases. A victim in one of his cases, who lost her son to a drunk driver, spoke at a victim's rights event this year and praised him for his hard work, compassion and dedication. She felt that Will cared about her and worked hard to ensure justice was served. Sometimes it is not easy to be both a good trial attorney and to have the people skills necessary to work well, and connect with, the victims in a case. Will has the ability to do both very well.

His work ethic is already legendary. It is not unusual to see Will at the office 10 o'clock at night, and working on weekends. He is always more prepared than his adversary, and will never be outworked by any defense attorney. He has the respect of the law enforcement community, the judges and even the defense bar. He is truly deserving of the honor of prosecutor of the year.

Brief Summary

Will started with our office in the fall of 2008. From that day until now, Will has been a tireless advocate for justice. He grew up in Michigan, and graduated from Tulane Law School. He

started with us right out of law school, and began by prosecuting misdemeanor cases. During his first year he about 40 misdemeanor bench trials, and 6 jury trials. He was moved into a felony unit and did not slow down. He has had 23 felony jury trials in the last 2 ½ years. Those included a major drug smuggling case, a sexual assault, sexual conduct with a minor and a First Degree murder case. He had had 7 felony jury trials this year and is currently prosecuting two death penalty cases that will go to trial this year. He is smart, articulate, fearless, and ethical; all of the qualities to be admired in a great prosecutor.

Arizona Prosecuting Attorneys' Advisory Council
Nomination Form
2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

Large Jurisdiction Small Jurisdiction

Name of Nominee: Brian McIntyre

Title of Nominee: Deputy County Attorney

Prosecution Office: Cochise County

Years as Prosecutor: 7

Address: P.O. Drawer CA Bisbee, AZ 85613

Telephone: 520-432-8700 Fax: 520-432-4208

E-mail: bmcintyre@cochise.az.gov

Nominated by:

Nominator's Name: Edward Rheinheimer

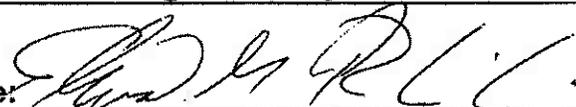
Title: Cochise County Attorney

Agency/Organization: Cochise County Attorney's Office

Address: P.O. Drawer CA Bisbee, AZ 85613

Telephone: 520-432-8700 Fax: 520-432-4208

E-mail: erheinheimer@cochise.az.gov

Signature: 

June 5, 2012

Date: _____

My nominee for felony prosecutor of the year, small jurisdiction, is Brian McIntyre. Brian has been with the Cochise County Attorney's Office for almost seven years and, in that time, has proved himself to be invaluable to the office. Sometimes it's difficult to articulate a deputy's value to the office when his/her contributions are made without fireworks and fanfare and without the sort of self-promotion at which some people excel. Brian is exactly the sort of prosecutor who, on one hand, operates under the radar, without the aforementioned fireworks and fanfare, but who, on the other hand, is recognized by everyone else in the office as a solver of problems, both large and small. In a way, such a prosecutor becomes a victim of his own competence because much of his time then becomes spent assisting other people solve their problems. As a consequence, that person is left with less time to handle his own work. Brian both assists others and handles his own caseload, seemingly, without even breaking a sweat. And, make no mistake, his own caseload is formidable. He not only accepts the difficult cases which are assigned to him; he also seeks out the most difficult, most complicated and most complex cases. One would think, in looking at his workload, that he works double shifts for twice the salary.

On top of the sheer quantity of work that Brian does, the quality of his work is, without exception, first-rate. This, of course, is another reason why so many in the office seek him out for assistance. Somehow, there just seems to be more than 24 hours in his day.

Brian has outstanding working relationships with all of the investigators and police officers with whom he works and has the kind of credibility with them that when he says he need follow-up investigation, they don't question, or challenge him, they simply do what he asks. He has the same sort of rapport and relationship with victims. He is able to interact with the angry, frustrated victim in such a way that he can, all at once, defuse the situation; explain what is happening to the victim and why; and make the victim see that we prosecutors are on the victim's side. In other words, along with the quantity and quality of his work, he has an impeccable "bedside" manner with both police and victims.

In the past year, Brian tried and won a multi-week first degree murder case in which there was no direct evidence and which had to be proved by scientific and medical circumstantial evidence. He is also co-counsel on a two-defendant capital murder case which likewise is short on direct evidence and long on very difficult, very complex forensic and medical evidence. I have no doubt that the work he does on this case will be as good as anyone in the state is capable of.

I would not trade Brian McIntyre for any other prosecutor in the state and I think that says as much as anything else I can say as far as why Brian McIntyre deserves to be Prosecutor of the Year.

Arizona Prosecuting Attorneys' Advisory Council
Nomination Form
2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona FELONY Prosecutor of the Year*.

Large Jurisdiction Small Jurisdiction

Name of Nominee: Joel Ruechel

Title of Nominee: Chief Deputy Criminal Attorney

Prosecution Office: Navajo County Attorney's Office

Years as Prosecutor: _____

Address: PO Box 668, Holbrook, AZ 86025

Telephone: (928) 524-4026 Fax: _____

E-mail: Joel.ruechel@navajocountyaz.gov

Nominated by:

Nominator's Name: Brad Carlyon

Title: Navajo County Attorney

Agency/Organization: Navajo County Attorney's Office

Address: PO Box 668, Holbrook, AZ 85901

Telephone: (928) 524-4019 Fax: _____

E-mail: Brad.carlyon@navajocountyaz.gov

Signature: Brad Carlyon 05/25/2012

Justification: Joel Ruechel

Joel Ruechel is a career prosecutor who has been with the Navajo County Attorney's Office since he graduated from Arizona State University College of Law in 1984. Joel is the chief deputy criminal prosecutor and one two homicide prosecutors. Joel's nomination is not only based on his outstanding performance in trial this year highlighted by two guilty verdicts in difficult jury trials, but also the respect and fear the criminal defense bar has of Joel's trial skills and their unwillingness to take cases to trial with him.

Even in serious homicide cases defense counsel will often times except plea agreements to the charges rather than take Joel to trial. One example involved defendant Marcus Joe who entered his grandmother's home in order to rob her for drug monies. When his grandmother confronted him, Marcus Joel stabbed her numerous times with a knife. He also found his teenage cousin hiding in the house and attempted to kill her so there would be no witnesses to his crime. Rather than take the case to trial, the defendant accepted a plea agreement to second degree murder and other counts. At sentencing, Joel convinced the judge to impose a sentence of 97 years in the Arizona Department of Corrections.

Another example concerns the case of a double homicide in an upscale gated community in Show Low. A couple was violently killed with knives by two landscape workers who then strolled their cars and jewelry and anything of value and were fleeing to Mexico. One was able to escape across the border and the second, Aleksys Lomeli-Garcia was apprehended at the border in Douglas. Again, rather than taking Joel to trial the defendant pled guilty to two counts of 1st degree murder and other charges. Sentencing is scheduled for June 22, 2012.

Occasionally, against the advice of his counsel, a defendant will take Joel to trial. Michael Fuqua, took Joel to trial two times. Fuqua was charged for trying to solicit a fellow jail inmate to murder the informant against him in another case. Joel had previously convicted Fuqua of discharge but the Court of Appeals remanded for retrial based on ineffective assistance of counsel. In the first re-trial, defense counsel spent the trial attacking Joel and his skills. The trial ended in a hung jury as one juror said she would never believe anything a cop would say.

In the 2nd re-trial, Fuqua represented himself so he could engage in the unethical behavior his prior attorneys refused to do. Ignoring court orders, Fuqua in his opening, closing and testimony made numerous statements that were ruled inadmissible or that he came up with to fit with what he wanted to say. Compounding Joel's problems, the two primary witnesses, the informant and the person solicited to commit the murder, refused to testify because of fear that Fuqua would have the murder. Joel was able to keep the jury focused on the facts and they quickly returned with a guilty verdict.

Joel's trial of John Larsgard made international news. Larsgard was a Norwegian who had been in the country for over 10 years and had a history of aggressive and violent behavior that has always gotten out of trouble by manipulating the media and telling the prosecutors that he would self deport back to Norway. During the *Standing on the Corner* celebration in Winslow, Larsgard used his car as a weapon and tried to run over numerous people.

Larsgard tried to make himself out to be the victim of an angry mob who surrounded his car and attacked him for innocently going the wrong way on a one way street. The defense attorney was of the nasty sort who would demean Joel in front of the jury. And the judge refused to grant any prosecution motion – as the Judge said during break, less chance that way of being reversed on appeal. The jury was out less than 2 hours before returning with guilty verdicts.

Joel lives with his wife in Holbrook. Their 3 children are attending NAU.

Summary: Joel Ruechel

A career persecutor with over 27 years at the Navajo County Attorney's Office, Joel Ruechel concentrates on homicides and serious felony offenses. Besides his duties as the Chief Deputy Criminal Attorney, Joel often handles the most serious and high profile cases. One trial involved a Norwegian trying to run over people in Winslow during the *Standing on the Corner* celebration that made international news. The second was a murder for hire case where by the victim and person solicited to commit the murder refused to testify because they feared for their lives. Most telling of Joel's skill and reputation is the fact that most defense attorneys would rather have their clients plead then go to trial against Joel. Even then Joel achieves amazing results. In the Torreon double homicide one defendant has pled straight to up to 2 1st degree murder counts. In a case where the defendant stabbed his grandmother to death and tried to kill his cousin, the 18 year old defendant pled and was sentenced to 97 years in prison.

Arizona Prosecuting Attorneys' Advisory Council
Nomination Form
2011 Arizona FELONY Prosecutor of the Year Award

I nominate the following prosecutor for the Arizona FELONY Prosecutor of the Year.

Large Jurisdiction Small Jurisdiction

Name of Nominee: Ken Skousen

Title of Nominee: Deputy County Attorney

Prosecution Office: Mohave County Attorney's Office

Years as Prosecutor: 21 years

Address: P.O. Box 7000, Kingman, Arizona 86402-7000

Telephone: (928) 753-0719 Fax: (928) 753-2669

E-mail: Matt.Smith@mohavecounty.us

Nominated by:

Nominator's Name: Matthew J. Smith

Title: Mohave County Attorney

Agency/Organization: Mohave County Attorney's Office

Address: P.O. Box 7000, Kingman, Arizona 86402-7000

Telephone: (928) 753-0719 Fax: (928) 753-2669

E-mail: Matt.Smith@mohavecounty.us

Signature: Matthew J. Smith

Date: 5/23/2012

MOHAVE COUNTY ATTORNEY'S OFFICE

Which of the following would you not want to volunteer to try: A) A homicide in which the crime scene is bulldozed over before it is discovered; B) A case in which all the witnesses are deeply into drugs; C) An 11-year old case; D) A retrial of another prosecutor's case; E) A second full retrial of a case

What if a single case contained all of the above? If you were Ken Skousen, you would smile and say "Sure, I'll do it." In his 21 years with the Mohave County Attorney's Office, Ken has gladly accepted some of the most difficult, problem filled cases. His junk-yard dog mentality enables him to persevere through them and obtain convictions while earning the gratitude of other prosecutors who are glad he took the case so they didn't get stuck with it. His hard work and even keel is greatly appreciated.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form Arizona Prosecutor LIFETIME ACHIEVEMENT Award

I nominate the following prosecutor for the *Arizona Prosecutor Lifetime Achievement Award*.

Name of Nominee: Terry Jennings

Title of Nominee: Deputy County Attorney

Prosecution Office: Maricopa County Attorney's Office

Years as Prosecutor: 34

Address: 222 East Javelina, Mesa

Telephone: 602-506-0855 Fax: _____

E-mail: jennings@mcao.maricopa.gov

Nominated by: Maricopa County Attorney

Nominator's Name: Bill Montgomery

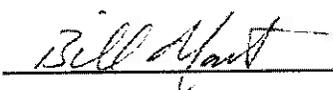
Title: County Attorney

Agency/Organization: Maricopa County Attorney's Office

Address: 301 W. Jefferson Street, Suite 800, Phoenix, AZ 85003

Telephone: 602 506-1260 Fax: 602 506-8102

E-mail: montgomw@mcao.maricopa.gov

Signature: 

Date: 5-29-17

Summary:

Terry Jennings has served as a prosecutor with MCAO for 34 years. He primarily specialized in sex crimes cases and was a key contributor to the development of MCAO current sex crimes specialization and protocols. He prosecuted the first priest sex abuse case in Maricopa County. He was also a prosecutor in the prosecution of Father Dale Fushek another high profile sex abuse case involving a priest. In addition to his work in sex crimes, Terry has also supervised other special prosecution areas in the office including Vehicular Crimes, Gangs, Drug Enforcement and Family Violence. In the community he helped to create the Center Against Family Violence in Mesa and to develop their protocols. In recognition of his 34 years of service, he is a deserving recipient of APAAC's Lifetime Achievement Award.

Written Justification:

A prosecutor's duty is advocacy for the community and for the victims and their loved ones. That advocacy is evidenced in Terry Jennings' career-long dedication to the victims of sex crimes in Arizona. Terry's distinguished career has impacted our community in an everlasting way.

Terry Jennings has worked as a dedicated public servant for Maricopa County since he began his career 36 years ago in 1976. He worked as a bailiff for Judge Mel McDonald while he was waiting to get hired by the Maricopa County Attorney's Office.

Once hired by the Maricopa County Attorney's Office in 1978, he began his prosecutorial career in the Trial Bureau. During that assignment, he had the opportunity to appear before Justice (then Judge) Sandra Day O'Connor. On one such occasion, the defendant was facing 1.875 years. Judge O'Connor asked him to explain what that meant to the defendant. Terry, in his typically humorous style, happily complied, and proceeded to break down the sentence into years, days, and hours.

As a Deputy County Attorney in the Trial Bureau, he became one of a handful of prosecutors who handled sex offenders and was selected as the Bureau Chief of that Trial Bureau. Sex Crimes eventually became his specialty and led to his involvement in the creation of the first Sex Crimes Bureau in the office in 1986 and his appointment as the Bureau Chief of that bureau. To lure attorneys to the Sex Crimes Bureau, he negotiated a deal to offer attorneys covered parking, one out of state seminar per year, and a promise to a limited number of cases in their caseloads. This seemed to work as the bureau soon was staffed with prosecutors who specialized in sex crimes cases. As the first Bureau Chief of the bureau, he initiated the staffing procedures that are still used at MCAO today in Sex Crimes cases and Homicide cases. As the Bureau progressed, Terry initiated a protocol that resulted in the videotaping of interviews of child victims and physical examinations in sex cases.

When the Southeast facility was opened in 1991, Terry became one of the first Bureau Chiefs at SEF where he oversaw the Sex Crimes, Vehicular, Drug Enforcement, Gang, and Family Violence cases for ten years. While there, he found himself working with officers on drug case search warrants one night and at vehicular fatalities the next. His sex crimes expertise did not lie dormant though as he always carried a caseload, and successfully convicted the first priest sex abuse case in Maricopa County, Father John Giandelone.

Terry's outstanding accomplishments included community service efforts as well. He helped to create the Center Against Family Violence in Mesa, and worked with the Mesa Police Department to establish the center's policies and protocol. He received the distinguished Governor's Award for Excellence in 1991 for this work. He also served on the Governor's Task Force for Child Sex Abuse and helped establish policy and protocols for the State of Arizona. On one occasion, the Idaho Governor's Office asked him to speak to a group of legislators, prosecutors, police and distinguished officials about mandatory sentencing in sex cases, which was being considered by the Idaho legislature.

After ten years as a supervisor at SEF, he returned to MCAO's downtown office to continue his work in prosecuting sex offenders. Here, he assisted his supervisor, Cindi Nanetti, with the prosecution of difficult and often high profile sex abuse cases.

In 2002, he transferred back to SEF and worked in the Pretrial Bureau charging felony and misdemeanor cases. He worked for many supervisors in the last 10 years including our current APAAC Director, Elizabeth Ortiz. In those 10 years as a charging attorney, Terry has become proficient in the assessment of all sorts of crimes and shared this knowledge by teaching new Mesa detectives about charging standards in the office. During that time, he was called upon for his sex crimes expertise to assist in the prosecution of Father Dale Fushek, another prominent priest.

Terry will retire from MCAO in June of this year. He does not intend to end his life-long service to his community, however, because he plans to return to the office following his retirement as a part-time charging attorney.

Terry is a deserving recipient of APAAC's Lifetime Achievement Award to recognize his many years of service to the citizens of Maricopa County and the State of Arizona in recognition of the significant positive impact he has had in the lives of the numerous victims he has assisted over the years.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form Arizona Prosecutor LIFETIME ACHIEVEMENT Award

I nominate the following prosecutor for the *Arizona Prosecutor Lifetime Achievement Award*.

Name of Nominee: William Moore

Title of Nominee: Deputy County Attorney

Prosecution Office: Maricopa County Attorney's Office

Years as Prosecutor: 33

Address: 301 W. Jefferson Street, 8th Floor, Phoenix, AZ 85003

Telephone: 602 372-7350 Fax: 602 372-0191

E-mail: Moore@mcao.maricopa.gov

Nominated by: Maricopa County Attorney

Nominator's Name: Bill Montgomery

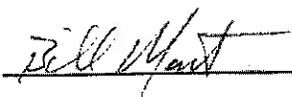
Title: County Attorney

Agency/Organization: Maricopa County Attorney's Office

Address: 301 W. Jefferson Street, Suite 800, Phoenix, AZ 85003

Telephone: 602 506-1260 Fax: 602 506-8102

E-mail: montgomw@mcao.maricopa.gov

Signature: 

Date: 5-29-12

Summary:

Bill Moore has dedicated almost 40 years to public service. Bill began his career as a staff legal advisor to the Arizona State Senate in 1973, moving to the Maricopa County Attorney's Office in 1979. Bill has spent productive time in nearly every bureau of the Office and handled virtually every type of criminal case prior to becoming a Bureau Chief in the Trial Division. Highlights of Bill's trial experiences include a conviction of serial rapist, Michael Johnson, known as the "Eastside rapist" who was eventually sentenced to over one hundred years in prison. Bill also convicted a defendant known as "Gentle Ben" who used a tomahawk to kill a patron in a bar fight. Bill's most important and lasting legacy will be the many outstanding prosecutors that he supervised, mentored and trained, that continue to serve with distinction and who will mentor and train others into the future.

Written Justification:

William (Bill) Moore began what is approaching a 40 year career in public service in 1973 when he was hired as a staff legal advisor to the Arizona State Senate. As a staff legal advisor, Bill was specially assigned to the Senate Judiciary Committee and the Transportation Committee. Bill served in this position until March of 1979, when he joined the Maricopa County Attorney's Office as a trial attorney.

For the last thirty-plus years, Bill has devoted his time and his talents to community service as a career prosecutor dedicated to the pursuit of justice. Bill's career has spanned the terms of five Maricopa County Attorneys, beginning with Chuck Hyder. In 1979, The Maricopa County Attorney's Office consisted of only four bureaus (Homicide, Organized Crime, Juvenile and Trial Bureau) and only sixty attorneys! Today, there are at least four bureaus in almost every Division and over 300 attorneys.

After his initial assignment to the Trial Bureau, Bill spent time on the west side of Maricopa County charging cases, handling preliminary hearings and functioning as a legal advisor to police officers who shared his office space and worked closely with him. Bill also taught constitutional law and search and seizure at the police academy and at Phoenix College during a few of these years. As Bill's trial experience developed, he was assigned to handle sex crimes cases. For several years he specialized in the prosecution of sexual assault cases. One notable highlight was Bill's trial of serial rapist, Michael Johnson, who was also known in the media as the East Side Rapist. Bill's performance in that trial resulted in a jury conviction and a sentence in excess of one hundred years for Johnson.

Bill spent approximately two years in the Homicide Bureau, where he tried a number of cases including a memorable bar fight where the implement of death was a tomahawk and the Defendant, known as "Gentle Ben," was convicted. Bill followed up by working in the Organized Crime Bureau doing wire-taps on investigations related to illegal gambling and large scale sales and transportation of illegal drugs. Bill also spent time in the Drug Bureau fighting the war on drugs and in the Vehicular Crimes Bureau handling aggravated driving while under the influence cases and alcohol related vehicular aggravated assaults.

After many years as a trial attorney, Bill was promoted to the position of Bureau Chief in the Trial Division. Bill spent five years with Trial Bureau B overseeing the work of young attorneys, mentoring and sharing his acquired prosecutorial wisdom and trial experience with them. Meriting special mention is that many of the attorneys that received the benefit of Bill's supervision in Trial Bureau B went on to achieve their own recognition later as senior trial attorneys and/or Bureau Chiefs at Maricopa County Attorney's Office, the Arizona Attorney General's Office and other prosecuting agencies around the State of Arizona.

After his service as a supervisor, Bill next put his accumulated vast legal knowledge and skills to work at the Charging Bureau at the County Attorney's Southeast Facility in Mesa and then at the downtown Charging Bureau where he divided his time between charging cases and presenting cases to the grand jury.

In 2010, Bill was recognized by the Maricopa Board of Supervisors who presented him with an award for his thirty years of dedicated service to the citizens of Maricopa County. In the fall of 2010, Bill retired from the County Attorney's Office. Clearly however, Bill missed his colleagues and his role as a prosecutor and, within just a few months, he returned to the Office where he continues, on a part-time basis, to review cases for charging and presenting cases to the grand jury.

Bill has had a long and distinguished career in public service which, fortunately, continues until his next "retirement." Whenever Bill decides to finally "call it a day" in his professional life, personal accomplishments notwithstanding, Bill's most important and lasting legacy will arguably be the many outstanding prosecutors that he supervised, mentored and trained, that continue to serve with distinction and who will mentor and train others into the future. Bill's long and successful career as a prosecutor makes him a worthy recipient of APAAC's Lifetime Achievement Award.

Brief summary

Beth Barnes is Arizona's Traffic Safety Resource Prosecutor. With her combination of positive, welcoming attitude, and excellent, thorough, and timely advice, it is no wonder Beth's expertise is in such demand. Beth teaches about the latest traffic-related prosecution issues throughout Arizona. In short, Beth trains on almost every conceivable traffic-safety related topic, in practically every type of venue, to every type of audience - and does it all extremely well.

When Rule 702 of the Rules of Evidence changed regarding expert witness testimony, Beth was a one woman army of information. She assisted with briefs, trial strategy, training, and sample questions. She has worn out more than one Blackberry with the volume of e-mails to which she responds.

Beth's passion for traffic-safety issues and willingness to continually go above-and-beyond the call of duty make her the ideal recipient of the APAAC Misdemeanor Prosecutor of the Year Award. (147 words/150 allowable)

If you have a question about DUI law in Arizona, the person to ask is Beth Barnes. Beth is Arizona's Traffic Safety Resource Prosecutor (TSRP), a position designed to "provide training, education and technical support to traffic crimes prosecutors and law enforcement agencies throughout their state." (TSRP Manual) Just as major highways in Arizona connect travelers to every part of the state, Beth connects prosecutors, police officers, and crime lab personnel across Arizona.

Beth has coordinated *amici* briefs for significant appellate court decisions, most notably on actual physical control and the source code of the Intoxilyzer. She answers innumerable e-mail questions each month on issues from jury selection to strategy in closing argument. Though she is housed in the City of Phoenix Prosecutor's Office, you can just as often find her teaching in Tucson or at the Maricopa County Attorney's Office or on the phone with a prosecutor in Yavapai County discussing a jury instruction question. Of the many ways to measure Beth's performance as a Traffic Safety Resource Prosecutor, perhaps the most telling is the fact that chief prosecutors, police departments, sheriffs' offices as well as conferences of judges continue to ask for her training presentations.

Although Beth spends a considerable amount of time training felony and misdemeanor prosecutors around Arizona, she also teaches law enforcement officers, and strives to increase public awareness on numerous traffic-safety related issues. Beth speaks to high school students to educate them about the perils of drinking and driving – from taking a life to the sheer monetary cost of a conviction. In short, Beth trains on almost every conceivable traffic-safety related topic, in practically every type of venue, to every type of audience - and does it all extremely well.

Despite an intensive group training schedule, Beth manages to quickly respond to a high volume of individual requests for assistance. Beth has worn out more than one Blackberry responding to voluminous e-mail requests. She serves as a source on all things traffic – her training expertise ranges from technical legal issues surrounding the amendment of complaints, to DUI specific topics such as phlebotomy, HGN, and retrogrades, to more general presentations regarding alcohol in society. When Rule 702 of the Rules of Evidence changed regarding expert witness testimony, Beth was a one woman army of information. She assisted with briefs, trial strategy, training, and sample questions.

Whether she is at a saturation patrol on the weekend or rolling up her sleeves to do whatever is helpful at a conference, she dedicates many hours to her work. It is not unusual for Beth to conclude a cross-country trip followed by an early-morning presentation and then rush off to a committee meeting - all to make the streets of Arizona safer. Beth has even used her own personal vacation time to train others. Beth does not watch a clock or ever think "it's not my job."

With the combination of Beth's positive, welcoming attitude, and the excellent, thorough, and timely advice she provides, it is no wonder her expertise is in such demand. Although Beth deserves to receive the APAAC Misdemeanor Prosecutor of the Year Award for her incredible training efforts alone, it is her passion for traffic-safety issues, and her willingness to continually go above-and-beyond the call of duty that make her the ideal recipient. (535 words/750 allowable)

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

2011 Arizona MISDEMEANOR Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona MISDEMEANOR Prosecutor of the Year*.

Name of Nominee: MARK E. BORZYCH

Title of Nominee: ASSISTANT CITY PROSECUTOR

Prosecution Office: PHOENIX

Years as Prosecutor: 6

Address: 300 W. WASHINGTON, PHX., AZ 85003

Telephone: 602-262-6461 Fax: 602-534-9806

E-mail: mark.borzych@phoenix.gov

Nominated by:

Nominator's Name: Aarón J. Carreón-Aínsa

Title: City Prosecutor

Agency/Organization: City of Phoenix Prosecutor's Office

Address: 300 W. WASHINGTON, PHX., AZ 85003

Telephone: 602-262-4781 Fax: 602-534-9806

E-mail: aaron.carreon-ainsa@phoenix.gov

Signature: \s\

Date: June 6, 2012

APAAC Nomination

Arizona Misdemeanor Prosecutor of the Year Award

Mark E. Borzych – Phoenix City Prosecutor's Office

The charge is driving while impaired. The State's blood test result is .081.

"Hmm," you think, "this will be interesting." Oh, the defendant's expert retested the blood and says that the true reading is only as high as .078 and as low as .068. "This will be a very interesting trial," you say to yourself, as you give the file to Mark.

In the early morning hours of December 18, 2011, a suspect rolled through a stop sign at approximately 10 miles per hour. As he accelerated from the "California stop," the suspect squealed his tires. The officers stopped the suspect in front of his own house - which he had passed while the officers were behind him. An odor of alcohol and blood shot watery eyes led to field sobriety tests. The defendant put his foot down once during the one-leg stand, stepped off of the line twice during the walk-and-turn test, and had all 6 cues of HGN. The blood test came back at a .081. Armed with these facts, Mark Borzych did what he does best, he went to trial.

Mark takes every case he prosecutes as a challenge to utilize a new trial strategy or to hone his already exemplary cross-examination skills. Mark has an astounding ability to poke holes in a defendant's story and to address both the factual and legal weaknesses of a case. In this case, the defendant was polite and cooperative with the officers. He agreed to do the field sobriety tests, though he had a previous head injury from being pistol whipped. He explained that he had just moved into the home he drove past on the night the officers stopped him. The defense called two expert witnesses – one of whom retested the defendant's blood sample and obtained a result of .078, but testified the true result could be as low as a .068.

The case did not go unnoticed around the courthouse. As the jurors filed in with the verdict, several defense attorneys lined up in the gallery in time to hear the foreperson announce that the defendant was guilty on both counts, impaired and per se.

Mark has been a prosecutor with our office for six years, and he completes a jury trial nearly every week. Mark has a well-deserved reputation for going the additional mile and never shying away from a challenge. He is thorough in his preparation, skilled in cross-examination, and knowledgeable about how to effectively counter defense challenges.

Another example of Mark's ability to prevail under difficult circumstances is illustrated by his handling of another case of impaired driving in which proving that the defendant was actually the driver was the biggest issue. After the vehicle was stopped, the officer saw it shaking and heard arguing, but due to dark window tinting, he could not tell whether anyone moved inside the vehicle. When the officer contacted her, the defendant was seated in the driver's seat, but when interviewed, she adamantly denied driving, insisting at least five times that she was not the driver. Instead, she claimed the passenger made her switch seats because he was driving on a suspended license.

Defendant took the stand at trial, and through her tears, again denied she was the driver. But she also provided a gem, which Mark used to convince the jury she was, in fact, the driver. Defendant claimed she was in the back seat of the car when it was stopped and also claimed that she always takes her shoes off when she gets in a car. The officer, however, saw her shoes on the front driver's seat floorboard. Mark used this seemingly insignificant detail to his advantage, pointing out the improbability that the defendant stopped to grab her shoes as she hurdled over the seat to take the driver's seat before the officer approached.

These are just a couple of examples of the many difficult cases Mark Borzych has handled over the last year. They are prime examples of how he takes whatever he is given and, through his calm demeanor and ability to explain the facts and law to a jury in a way that is easily understood, obtains convictions in even the most difficult of cases.

He achieves because he cares; he prepares his cases. It is common for Mark to be working late into the evening and on weekends contacting witnesses and developing his cross-examination of a defense expert.

#979168/#979026

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

2011 Arizona MISDEMEANOR Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona MISDEMEANOR Prosecutor of the Year*.

Name of Nominee: David Kell

Title of Nominee: Deputy Yavapai County Attorney

Prosecution Office: Yavapai County Attorney's Office

Years as Prosecutor: 1-2 (I think – I will check!!)

Address: 255 East Gurley, Prescott, AZ 86301

Telephone: 928 777-7352 Fax: _____

E-mail: David.kell@co.yavapai.az.us

Nominated by:

Nominator's Name: Sheila Polk

Title: Yavapai County Attorney

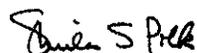
Agency/Organization: Yavapai County Attorney

Address: 255 East Gurley, Prescott, AZ 86301

Telephone: 928 777-7352 Fax: _____

E-mail: Sheila.polk@co.yavapai.az.us

Signature:



Date: May 24, 2012

David Kell—Misdemeanor Prosecutor of the Year

Among all the bright eyed and enthusiastic young lawyers (fresh out of law school and eager to take on the world as a prosecutor in Yavapai County), David Kell stood out in the crowd. He was certainly eager and bright eyed, and he was definitely fresh out of law school, but he wasn't exactly, well, the *youngest* one in the crowd. In a world where second careers are often pursued to *leave* the rat race or a high stress job, David ran head-long into one of the most challenging careers on the planet---criminal prosecutor. During the past year, Dave has proven that he has everything his younger colleagues have, and then some!

Following an internship with the Yavapai County Attorney's Office while in law school, David came to work as a prosecutor in justice court. During the past year, David has single-handedly prosecuted all of the misdemeanor cases in Prescott Justice Court, known for its high volume and a largely uncooperative defense bar.

In 2011, an officer known for his frequent DUI arrests was terminated from his agency. The circumstances surrounding his termination required disclosure pursuant to *Brady*, and jeopardized the resolution of a dozen pending DUI cases. Despite the obvious difficulties, David's tenacity and persuasiveness (probably a result of his years as CEO and co-owner of several successful businesses) resulted in the DUI conviction of ten of those defendants. While many other prosecutors would have given up when faced with the specter of a tainted material witness, David found ways to prove his cases in spite of that burden.

David's experience in the business world has served the office well. Seeing a need for training in specific topics, he volunteered to arrange presentations by law enforcement for newer attorneys. He is a willing teacher and mentor to newer attorneys, and is an excellent role model. His pragmatic and roguish view of the world is as great a source of humor to his co-workers as it is frustrating to his adversaries in the courtroom. In trial, David's lethal humor and razor sharp arguments are difficult to overcome.

Despite his successful career and years of experience in business, David is humble and has shown a willingness to learn from the ground up. His uncomplaining willingness to occupy the "gun closet"—a tiny office previously used to store guns seized during drug raids—is a true example of his humility and commitment to the job. David brings life experience as well as a unique perspective to his job as a prosecutor, and the world is a better place for it.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

2011 Arizona MISDEMEANOR Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona MISDEMEANOR Prosecutor of the Year*.

Name of Nominee: Kyle Mann

Title of Nominee: Deputy County Attorney and Town of Payson Prosecutor

Prosecution Office: Gila County Attorney's Office and Payson Town Attorney

Years as Prosecutor: 4

Address: 1400 E. Ash Globe, AZ 85501

Telephone: 928-402-8630 Fax: 928-425-3720

E-mail: kmann@co.gila.az.us

Nominated by:

Nominator's Name: Daisy Flores & Timothy Wright

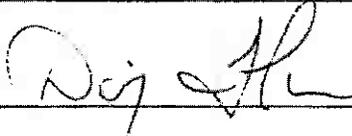
Title: Gila County Attorney & Payson Town Attorney

Agency/Organization: Gila County Attorney's Office & Payson Town Attorney's Office

Address: 1400 E. Ash Globe, AZ 85501

Telephone: 928-402-8630 Fax: 928-425-3720

E-mail: dflores@co.gila.az.us

Signature: 

Date: 5-25-12

JOINT NOMINATION

Arizona MISDEMEANOR Prosecutor of the Year Award
KYLE MANN

DEPUTY GILA COUNTY ATTORNEY
AND
TOWN OF PAYSON PROSECUTOR

Kyle Mann began working with the Gila County Attorney's Office September 16, 2008. He *sort of* left the County Attorney's Office September 2011. We say *sort of* as due to a unique partnership we now get to share Kyle and thus we offer this joint nomination with the Town of Payson. In this day and age, government is being forced to do more with less. Kyle Mann is helping both Gila County and the Town of Payson do just that. After spending 3+ years as a full time Deputy County Attorney, Kyle was hired by the Town of Payson as its prosecutor. As a cost saving measure to the Town of Payson, Kyle was hired as a 90% time employee and he continues to work for the County Attorney on a part time basis. For both offices he handles the misdemeanor caseload and therefore he is the misdemeanor prosecutor for Payson and all of northern Gila County while also previously serving as a member of the Tonto Search and Rescue, currently serving as a Boy Scout Troop Leader and also assisting the local students with mock trial.

Filling a position like this, working at two different locations with two different secretaries under two different bosses and for two different public entities, takes a special kind of employee and a unique prosecutor. Kyle is that unique employee and prosecutor. He excels in his work having not lost a misdemeanor jury trial during his four years as a prosecutor. Often a nomination points to a large case or significant matter that has been handled with grace and poise; there is no individual case that we can offer that would make a seasoned prosecutor sigh in admiration. But Kyle brings to prosecution that steady and constant grace, poise and sense of humor on every case, whether it is the regular DUI case or the unusual barking dog feuding neighbors, Fish and Game bear baiting case with electronic monitor, cruelty to animals (horses), or reckless driving in Payson. He also deals with some of the most interesting individuals including the mind controlled victim being psychically monitored and manipulated by his pedicurist, which is a story in itself and our space is limited. Needless to say, every day is a new adventure in rural Arizona justice court and municipal court.

In addition, Kyle should be Misdemeanor Prosecutor of the Year if for no other reason than his great fashion sense and courtroom demeanor. Per Judge Dorothy Little, "He is always well dressed ...I can assure you if his colors are a bit off he gets fashion advice from my staff. Mr. Mann always has the proper demeanor in court as he was apparently taught to fight fair and he enjoys a good match, but only if it is a fair fight. He is a great representative for any office and a true officer of the Court. Mr. Mann does indeed enjoy a fair fight and when a party answers a question with the wrong answer Mr. Mann is persistent in obtaining the answer he is looking for. There are many times when a party to a case blurts out something that surprises everyone in the courtroom and of course it is only proper decorum not to laugh out loud or even crack a smile or snicker during court (after court is a totally different story). Mr. Mann does a great job in

maintaining proper decorum, although at times you can tell it is with great difficulty. He uses tactics like a dry cough or repeating what the person said verbatim. (I think this is an attempt to see how well others can maintain proper decorum). Mr. Mann is always an appropriate gentleman and never uses bad language; although it is quite obvious he enjoys repeating words that some defendants use and in court he encourages witnesses to use their exact words "for the record". He will quickly and with sheer excitement read into the record appropriate curse words and enunciate them quite well. It's kind of like a kid getting his favorite piece of candy!"

In sum, on behalf of the Gila County Attorney's Office, the Town of Payson and our courts we heartily nominate Kyle Mann for Misdemeanor Prosecutor of the Year.

SUMMARY:

Kyle Mann started with GCCA in 2008 and we now share him with the Town of Payson. He works there 90% of the time and for GCCA the rest. For both offices he handles all misdemeanors and is truly the misdemeanor prosecutor of northern Gila County. Working at two different locations with two different secretaries under two different bosses and for two different public entities takes a special kind of employee and prosecutor. Kyle is that excellent prosecutor (having never lost a misdemeanor jury trial) and he handles all cases with grace and poise - whether it is the regular DUI case or the mind controlled victim being psychically monitored and manipulated by his pedicurist. He also has great fashion sense and courtroom demeanor. Per Judge Dorothy Little, "He is always well dressed[if] his colors are a bit off he gets fashion advice from my staff. [He] always has the proper demeanor in court ... he is a great representative for any office and a true officer of the Court."

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

2011 Arizona MISDEMEANOR Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona MISDEMEANOR Prosecutor of the Year*.

Name of Nominee: Melissa Moore

Title of Nominee: Deputy County Attorney

Prosecution Office: Mohave County Attorney's Office

Years as Prosecutor: 1 ½ years

Address: P.O. Box 7000, Kingman, Arizona 86402-7000

Telephone: (928) 753-0719 Fax: (928) 753-2669

E-mail: Matt.Smith@mohavecounty.us

Nominated by:

Nominator's Name: _____

Title: Mohave County Attorney

Agency/Organization: Mohave County Attorney's Office

Address: P.O. Box 7000, Kingman, Arizona 86402-7000

Telephone: (928) 753-0719 Fax: (928) 753-2669

E-mail: Matt.Smith@mohavecounty.us

Signature: Matthew J. Smith

Date: 5/23/2012

MOHAVE COUNTY ATTORNEY'S OFFICE

Melissa Moore brought more than her three years' experience to the Mohave County Attorney's Office when she was hired. She brought a big smile, a great attitude and a passion for prosecution.

While her three years at the Las Vegas City Prosecutor's Office did not afford her any jury trials (due to Nevada laws), she immediately started winning them with her study, hard work and enthusiasm. Her poise and preparation has convinced several juries of impairments despite low B.A.C.'s.

Melissa is willing to help other prosecutors with whatever needs to be done. She did double duty training her replacement while getting a felony caseload. Her cheerful attitude and professionalism makes her a great asset to the office.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form

2011 Arizona MISDEMEANOR Prosecutor of the Year Award

I nominate the following prosecutor for the *Arizona MISDEMEANOR Prosecutor of the Year*.

Name of Nominee: Michelle Saavedra

Title of Nominee: Associate Prosecuting City Attorney

Prosecution Office: City of Tucson Prosecutor's Office

Years as Prosecutor: Three

Address: 103 E. Alameda, 5th Floor, Tucson AZ 85701

Telephone: 520.791.4104 Fax: 520.791.4905

E-mail: Michelle.saavedra@tucsonaz.gov

Nominated by:

Nominator's Name: Baird S. Greene

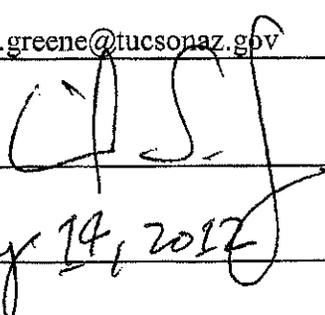
Title: Deputy City Attorney for the City of Tucson

Agency/Organization: City of Tucson Prosecutor's Office, Tucson City Attorney's Office

Address: 103 E. Alameda, 5th Floor, Tucson AZ 85701

Telephone: 520.837.3352 Fax: 520.791.4905

E-mail: Baird.greene@tucsonaz.gov

Signature: 

Date: May 14, 2017

MICHELLE SAAVEDRA
ASSOCIATE TUCSON CITY PROSECUTOR
2012 APAAC MISDEMEANOR PROSECUTOR OF THE YEAR
NOMINATION

Exemplary: it is the one word that accurately describes the accomplishments of Michelle Saavedra, Associate Tucson City Prosecutor. It is a term used by colleagues, staff, victims, and judges to describe the level of professionalism and motivation exhibited by Michelle in her day-to-day work as a prosecutor. With each passing year, Michelle continues to shine and set herself apart as a truly dedicated prosecutor.

Michelle began her career with the Tucson City Prosecutor's Office in 2008 where she quickly excelled at prosecuting a large variety of crimes. It was, however, in the area of DUI prosecution where Michelle's star truly began to shine. In her first year and a half of trying DUI cases, Michelle tried approximately 27 DUI jury trials. Those first juries placed Michelle at a level of litigation experience far greater than one would expect in such a short time. Since her first impressive year and a half, Michelle has gone on to try a total of approximately 53 DUI jury trials. In addition, Michelle volunteered her talents and time by co-chairing approximately 7 more DUI jury trials with new prosecutors or with 38(D) law students.

Since January 2012, Michelle has worked tirelessly in her new domestic violence (DV) assignment. Michelle handles all of the DV cases in two separate courtrooms, and backs up the DUI prosecutors in both of those courtrooms, covering all of their DUI jury trials, hearings and pretrials if they are sick or on vacation. Michelle has represented the State in 11 DV bench trials, procuring convictions in all of those cases except one. During this time period, Michelle also helped train two new DUI prosecutors.

Michelle has also excelled in her work with law school interns and 38(D) students. The office coordinator for 38(D) students remarked that Michelle is always her first choice to work with students. Michelle has been described as being "very patient and willing to explain." A colleague recently commented that "it's rare to have someone as willing [as Michelle] to take time out of an already busy work day to train people and answer questions."

As impressive as the quantity of Michelle's work, it is the *quality* of that work that truly sets her apart. One judge commented that Michelle makes "smart and reasonable plea offers, knows when to dismiss a case, and is very good at dealing with the unrepresented defendants, the victims and the defense attorneys." This judge went on to describe Michelle as "pleasant," "professional," and "a pleasure to have" in the courtroom. Another veteran judge commended Michelle for being one of the "best litigators" she has ever worked with. Michelle receives consistently good praise from her supervisors, and received very favorable feedback from a police officer who sought out a supervisor after being in court with Michelle to commend her work on a DV case. The officer praised the manner in which she handled the defendant, judge and victim, commenting that in less capable hands the result might have been very unfavorable.

Michelle's outstanding work has drawn attention outside the Tucson City Prosecutor's Office. She is an extremely valuable APAAC instructor. In October 2010 Michelle presented on the

Jury Selection Process and Strategies at APAAC's Basic Advocacy/ Introduction to Prosecution course, and taught again in January 2012. In October 2011 Michelle presented a course on courtroom demeanor to new officers at the Southern Arizona Law Enforcement Training Center (SALETC). In 2010 Michelle received the Southern Arizona DUI Enforcement Award for Prosecution of Misdemeanor DUIs. Additionally, Michelle was one of only 2 prosecutors chosen by APAAC to attend the NDAA/NHTSA "Train the Trainer" course in Layton, Utah in March 2011. She was chosen to attend another NDAA "Train the Trainer" course in September 2011 in Phoenix, Arizona, designed to teach training/critiquing techniques to those supervising and/or training current and future capital litigators.

Michelle has thrown herself into her current DV assignment with her usual enthusiasm. She has devoted time to inter-office DV meetings, attended the DV Task Force meeting on strangulation cases, and expressed her desire to learn more about the prosecution of DV cases both with and without the presence of a victim.

Michelle is a prosecutor with dedication, enthusiasm, talent and limitless potential. She is an effective and respected advocate for the State. Michelle has committed herself to training, teaching and becoming a better prosecutor in addition to carrying a full DUI/DV caseload. It is with great pleasure that we recommend her to APAAC for consideration as the 2012 Prosecutor of the Year.

Baird Greene
Deputy City Attorney, City of Tucson
May 14, 2012

Nomination – Rising Star Award 2012

Vanessa Cartwright, Santa Cruz County

It is with pleasure that we nominate Vanessa Cartwright for the Rising Star Award. Vanessa has been prosecuting for 2.5 years and we are so fortunate that she chose Santa Cruz County to do so. Arizona proudly has many prosecutors with diverse experiences who are great in our field. Like those prosecutors, Vanessa's success in the wide variety of cases she has prosecuted would certainly impress you. So, in order to show that she is in a field of her own, and to show her tenacious pursuit of justice, a few examples are in order.

After only 2 weeks on the job, Vanessa had her first preliminary hearing, and it was a difficult one. The defendant was charged with Sexual Conduct With A Minor and Aggravated Assault. Vanessa was shell-shocked with the rude, aggressive behavior of the defense attorney followed by the judge finding no probable cause. But she didn't shy away from the case. She believed in the victim and was determined to fight for her and to hold the defendant accountable. Vanessa re-evaluated the case, and filed the charges again a few weeks later. The defendant eventually pled guilty to Aggravated Assault. Her involvement in the case did not end with the conviction. During the last two years, Vanessa has stayed in touch with the victim, and even became her senior year mentor.

Vanessa prosecuted Rodney Nelson for Child Pornography. The defense attorney requested a probation plea agreement because the defendant was an ailing 72 year old man with strong family support and no prior criminal history. Vanessa considered the mitigation but decided that the nature of the pictures and his dangerous, predatory behavior could not be ignored. He is currently serving an 8 year prison term.

Vanessa had a car theft and fraud case involving a 1999 Volkswagen Beetle that was owned by a low-income man from Tucson. The car was not relatively expensive, but it was extremely valuable to the victim. Vanessa took that to heart. She tried negotiating a probation plea agreement, but the defendant refused to stipulate to paying restitution, so Vanessa took the case to trial. Omar Castillo is now serving a 5 year prison sentence – and is ordered to pay full restitution.

When our office needs someone to step up and volunteer, Vanessa is one of the attorneys we can always count on. Our office opened up a position designated to assist federal agencies with state drug prosecutions. She volunteered to take on the challenge even though, at first, it was out of her comfort zone. In that capacity she has responded to countless after-hours calls advising on operations, assisting with search warrants, and making charging decisions. She prosecuted drug load cases, alien smuggling cases, and money laundering cases totaling in excess of 1.5 million dollars. She also quickly learned how to conduct forfeitures, and successfully forfeited property, including a house, numerous vehicles and money forfeitures.

One of her cases while in the drug unit involved a fourteen year old girl who had \$100,000 strapped to her body. Her older brother was an accomplice. Vanessa accepted the case for prosecution of both teenagers. That could have concluded Vanessa's involvement with the case, but she dug further for the truth. The evidence showed that the children's mother coordinated the smuggling from Mexico. When the mother entered the United States, Vanessa charged her with child abuse and money laundering. The mother is currently serving a jail term, and will be deported.

These examples show that Vanessa is not just a prosecutor who does a great job in handling the cases assigned to her. She goes the extra mile to make sure defendants are held accountable for the crimes they commit and the injury they inflict. Her pursuit of justice is unshakable. She challenges herself, and with her example, challenges all new prosecutors (and those of us who are not quite as new) to do our very best.

Arizona Prosecuting Attorneys' Advisory Council

Nomination Form 2012 Arizona Prosecutor Rising Star Award

I nominate the following prosecutor for the *Arizona Prosecutor Rising Star Award*.

Name of Nominee: Jeremy O. Ford

Title of Nominee: Deputy County Attorney

Prosecution Office: Graham County Attorney's Office

Years as Prosecutor: 1

Address: 800 W. Main Street Safford, Arizona 85546

Telephone: 928.428.3620 Fax: 928.428.7200

E-mail: jford@graham.az.gov

Nominated by:

Nominator's Name: Kenneth Angle

Title: County Attorney

Agency/Organization: Graham County Attorney

Address: 800 W. Main Street Safford, Arizona 85546

Telephone: 928.428.3620 Fax: 928.428.7200

E-mail: kangle@graham.az.gov

Signature: KAA

Date: 5-25-12

Jeremy O. Ford

Jeremy Ford is the definition of a Rising Star, graduating from law school in 2010; Jeremy started his career with a civil firm. Knowing his true calling was in prosecution, he sought a position as a prosecutor. Fortunately for the residents of Graham County, Jeremy, who has proven to be a born prosecutor, joined the Office in January of 2011. Within weeks, Jeremy distinguished himself as one who could grasp the concepts of complex criminal litigation and excel as an advocate for the State.

Shortly after joining the office it was clear that Jeremy was ready for cases involving serious felony offenses. In his short tenure with the County Attorney he has gone from handling misdemeanors in the Justice Courts, to lead counsel on a First Degree Murder case.

Where so many new attorneys are terrified of the Courtroom, Jeremy took every opportunity he could to get in front of judge and jury. Doing everything from volunteering to handle motion hearings on suppression issues for his colleagues to conducting an in absentia jury trial on a case that most prosecutors would have let linger in the warrant files, Jeremy has given his all in pursuing justice.

One of many highlights in Jeremy's young career is a jury trial against a three time convicted felon with prior violent history. Within days of being released from prison, the defendant started making trouble in the Safford area. Late one evening the defendant stole two 24 packs of beer from a local store and threatened that he would kick the ass of anyone who called the police. What at first glance was nothing more than a misdemeanor beer run was analyzed by Jeremy and re-filed as theft by extortion, a class 4 felony. The defendant declined a very reasonable plea offer. Jeremy convicted the defendant at trial and secured a ten year prison sentence. Based on a good analysis of the case and doing a little extra leg work, Jeremy took a dangerous felon off the streets.

Jeremy has been entrusted with the most serious felony cases. Currently he is prosecuting a serious offense which left the victim with a jaw broken in several places, multiple surgeries and thousands of dollars in medical bills. Jeremy has successfully negotiated the case which will not only take this felon off the streets, but will secure an initial up front restitution payment to assist the victim with his medical expenses.

Most noteworthy is Jeremy being entrusted with a first degree murder prosecution. The prosecution of this first degree murder case involves an interesting theory for felony murder and some complicated facts. The allegations are that the victim was shot and killed from the outside of his residence in the night. The suspect returned the next morning to burglarize the residence. The issue of charging felony murder involved whether in the course of and in furtherance of the burglary or, attempted burglary, a person caused the death of the victim. Jeremy analyzed the

facts of the case by himself and came up with the recommendation for felony murder. Jeremy took the case to a preliminary hearing and successfully argued felony murder under at least two theories. Jeremy argued that killing the victim the night before the burglary was in furtherance of the burglary the next day because the victim was no longer alive to prevent the burglary. He convinced the Judge that the death of the victim was in the course of and in furtherance of the overall burglary. In addition, Jeremy argued that the suspect was attempting to burglarize the residence when the victim was killed even though the burglary was not completed on the evening of the death. Jeremy has been able to take a complicated set of facts, with numerous witnesses, and explain them in a clear and concise manner.

In addition to his full load of criminal cases, Jeremy has taken on many civil responsibilities in our small office. Jeremy handles our adoptions and complex zoning issues. He also handles all Title 36 mental health actions. After taking the time to teach himself the ins and outs of Title 36 cases, Jeremy reworked the manner in which Title 36 cases are handled in Graham County. By adopting his approach, Graham County has already saved thousands of dollars in mental health bills.

In summary Jeremy has distinguished himself as not only a brilliant and talented attorney, but has the seasoning of a veteran prosecutor with years of experience. Jeremy is truly a rising star!

150 word Summary:

With just over a year as a prosecutor, Jeremy Ford has become one of the most trusted prosecutors in the Office of the Graham County Attorney. From starting as a justice court misdemeanor prosecutor to becoming lead prosecutor on a first degree murder case in just over a year, Jeremy has distinguished himself as a brilliant advocate for the State and the people of Graham County. In addition to working on two murder cases, Jeremy handles a full caseload of serious felony cases including aggravated assault, fraudulent schemes, burglary and trafficking in stolen property cases. Coupling his success in the court room with several jury trial victories with the expertise he has brought to the civil concerns of the office, Jeremy has proven himself as a rising star.

Nomination of Kendrick Wilson for the Rising Star Award

Nominator Barbara LaWall
Pima County Attorney
32 N. Stone Avenue
Tucson, AZ 85701
(520) 740-5622
(520) 791-3946-FAX

Individual Nominated: Kendrick Wilson
Deputy County Attorney
Pima County Attorney's Office
Domestic Violence Unit
32 N. Stone Avenue
Tucson, AZ 85701
(520) 740-5600
(520) 791-3946-FAX

SUMMARY

Kendrick Wilson has been a Deputy County Attorney in the Pima County Attorney's Office since March 2010, prosecuting misdemeanor cases and now is assigned to the Felony Domestic Violence Unit. He is a prosecutor passionately dedicated to pursuing justice and serving victims, particularly domestic violence victims. Learning that there is a strong documented connection between animal abuse and cruelty and domestic violence, this year, Mr. Wilson helped create an *Animal Welfare Court* in the Consolidated Justice Court. The Court is an innovative program designed to focus on the specific problem of animal cruelty, targeting the most serious offenders.

In his short time with PCAO, Mr. Wilson has demonstrated a passion for working with victims, assisted with the creation of innovative programs, and tirelessly pursued justice for the residents of Pima County. He is most definitely a rising star.

WRITTEN JUSTIFICATION

Kendrick Wilson has been a prosecutor with the Pima County Attorney's Office since March 2010. As a new prosecutor, he developed an interest in animal cruelty cases and quickly educated himself on the cycle of violence that starts with animal abuse. He learned that batterers who abuse pets are more dangerous and use more violent and controlling behaviors than those who do not harm animals, and that animal abuse and cruelty were often signs of future criminality. He learned that defendants involved in violent acts against animals present a real danger to the public that must be addressed, and he discovered that animal abuse and cruelty often accompany other serious crimes including drug offenses, gang activity, weapons violations, sexual assault, and domestic violence.

As he saw animal cruelty cases come through the consolidated Justice Court, Mr. Wilson recognized that the various precincts within the Court were inconsistent in their treatment of animal cruelty offenders. He also noticed that offenders were not being held accountable and educated appropriately on the consequences of their behavior.

In an attempt to address these issues, Mr. Wilson suggested the creation of an *Animal Welfare Court*. He presented his idea to the Justice Court bench, Animal Control, and the Probation Department. The three entities joined forces and developed the *Animal Welfare Court*. This is the first court of its kind in Arizona. Participation in the *Animal Welfare Court* is reserved for the most serious misdemeanor animal cruelty offenders. The goal of the program is to provide treatment and education specific to the offenses of animal abuse and cruelty. His input and ideas were instrumental to the creation of the program. Even though Mr. Wilson has moved on to a felony domestic violence assignment, he still dedicates his time to continuing the program.

Mr. Wilson's dedication to solving problems and strengthening the prosecution of certain offenders continued in the Domestic Violence Unit. Almost immediately, he recognized the need for all team members in the Unit to be aware of the status of cases and the status and desires of victims involved in the cases. He suggested and ultimately organized weekly unit case status meetings in collaboration with victim advocates. He also recognized the need for a coordinated preliminary hearing calendar to ensure coverage in all felony domestic violence cases. He voluntarily assumed this task, and continues to manage the calendar to ensure that all cases are covered.

Additionally, as Mr. Wilson and others in his Unit faced challenges in obtaining convictions in felony aggravated assault strangulation cases, he recognized that PCAO needed to change its approach to these cases. It disheartened him to see juries convict defendants on lesser offenses based on defense arguments regarding lack of physical evidence of strangulation. Rather than shy away from these types of cases and try to plead them, he faced the issue head-on. Specifically, he recognized that the State needed to present expert testimony on the effects and mechanisms of strangulation, and just how little pressure an offender need apply to a victim to restrict breathing. Mr. Wilson reached out to various experts to discuss the issue, and he found an expert who agreed to testify for free in one of his cases.

Mr. Wilson's hard work paid off. With the expert testimony, he obtained PCAO's first felony conviction on a domestic violence aggravated assault strangulation case.

Mr. Wilson's work ethic and collaborative skills are not lost on his co-workers and supervisors. Given his creativity, problem-solving skills, and relationship with co-workers, Mr. Wilson was recently selected to serve as a peer advisor on PCAO's training committee. In that capacity, he helps identify the training needs of co-workers in the felony units and he makes recommendations to administration regarding topics for training. He also volunteers to help the misdemeanor domestic violence attorneys with charging, case preparation, and general advice.

Simply, Mr. Wilson is the definition of a team player. Rather than dwelling on problems and issues, he finds ways to solve them. His ideas are innovative, creative, effective, and demonstrate an absolute commitment to the pursuit of justice for crime victims. He maintains a positive disposition no matter how adverse the circumstances. I am fortunate to have such a fine prosecutor in my office, and am extremely pleased with the work he has done in just two years. I am honored to nominate Kendrick Wilson for *APAAC's Rising Star Award*.