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The Honorable Janice K. Brewer
Arizona State Governor
Executive Tower
1700 West Washington Street
Phoenix, AZ 85007

Dear Governor Brewer,

Pursuant to A.R.S. § 8-817(B)(8)(b), we are submitting the following information addressing the number of criminal conduct allegation cases submitted to this office for review during fiscal year 2012-2013 and information related to those submission. For purpose of this report, "criminal conduct allegations" (hereinafter CCAs) is defined by Arizona statute as,

> [A]n allegation of conduct by a parent, guardian or custodian of a child that, if true, would constitute any of the following:
>
> (a) A violation of § 13-3623 involving child abuse.
>
> (b) A felony offense that constitutes domestic violence as defined in § 13-3601.
>
> (c) A violation of § 13-1404 or 13-1406 involving a minor.
>
> (d) A violation of § 13-1405, 13-1410 or 13-1417.
>
> (e) Any other act of abuse that is classified as a felony.[1]

[1] A.R.S. § 8-801(2)

During fiscal year 2012-2013, this office received 133 criminal conduct allegation cases from law enforcement agencies located in Yuma County. Of those 133 cases submitted for review, criminal complaints have been filed in 58. Another 19 cases remain under review following a request for further information by this office to the submitting agency. Fifty-six cases were declined.

Of the 58 cases charged in fiscal year 2012-2013, 15 were concluded by conviction and 25 remain open, pending resolution. Eighteen were dismissed, post-filing.

Of the 56 cases declined, 47 were due to insufficient evidence, and another 6 were declined for felony prosecution but were referred for review as misdemeanors. Also, 3 cases were referred and handled DES-CPS.

Arizona Revised Statute § 8-817(B)(8)(a) requires the County Attorney to prepare a report by August 15 following the end of the prior fiscal year that contains the following the number of CCAs investigated in Yuma County and the number of such CCA investigation reports that were jointly investigated with CPS pursuant to our established protocols. Arizona Revised Statute § 8-817(B)(8)(c) also requires that this report also indicate the reasons why a joint investigation between your agency and CPS did not occur, if such did, in fact, not.

Based on the information provided to this office from law enforcement agencies in Yuma County[2], we report the following:

- Number of CCAs Investigated: 125
- Number of CCAs Jointly Investigated with DES-CPS: 117
- Number of CCAs not Jointly Investigated and the Reasons Why: 8 (2 - child not available; 2 – child victim an adult at time of receipt of CCA; 2 – CPS not available)

[2] Yuma County Sheriff's Office, City of Yuma Police Department. At the time of this writing, Reports were still pending form the City of San Luis Police Department, City of Somerton and Town of Wellton Police Department. Once received, this Report will be amended to reflect the same.

This concludes our report for the fiscal year 2012-2013. Should information come about that was not known at the time of this submission, we will promptly supplement the same. Thank you for your continued attention to these matters.

Very truly yours,

Jon R. Smith
Yuma County Attorney

JRS:sj