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August 14, 2014

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

RE: A.R.S. § 8-817(B)(8) Reports

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 2013-2014 and information related to those submission. For purpose of this report, criminal conduct allegations 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.
>
> (f) Any offense that constitutes domestic violence as defined by § 13-3601 and involves a minor who is a victim of or was in imminent danger during the domestic violence.[1]

[1] As of May 29, 2014, the definition of "criminal conduct allegation" is found in A.R.S. § 8-201(8).

During fiscal year 2013-2014, this office received 143 criminal conduct allegation (CCA) cases from law enforcement agencies located in Yuma County. Of those 143 cases submitted for review, criminal complaints have been filed in 76. Another 15 cases remain under review following a request for further information by this office to the submitting agency. Fifty-four cases were declined.

Of the 76 cases charged in fiscal year 2013-2014, 10 were concluded by conviction and 59 remain open, pending resolution. Nine were dismissed, post-filing.

Of the 54 cases declined, 45 were due to insufficient evidence, and another four were declined for felony prosecution but were referred for review as misdemeanors. Also, two cases were referred and handled by DES-CPS as criminal charges were deemed inappropriate and one was declined because the alleged crime occurred in another jurisdiction.

Arizona Revised Statute § 8-817(B)(8)(a) requires the County Attorney to also prepare a report 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[2] pursuant to our established protocols. Arizona Revised Statute § 8-817(B)(8)(c) also requires that this report indicate the reasons why a joint investigation between a law enforcement agency and CPS did not occur, if such, in fact, did not.

Based on the information provided to this office from law enforcement agencies in Yuma County[3], we report the following:

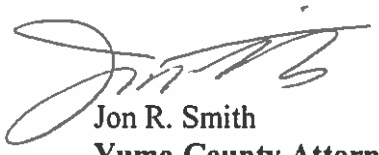
- Number of CCAs Investigated – 127;
- Number of CCAs Jointly Investigated with DES-CPS – 71;
- Number of CCAs not Jointly Investigated and the Reasons Why - 46 (41 – CPS was not available; 2 – events occurred outside the agency's jurisdiction; 1 – law enforcement disagreed facts rose to level of CCA; 1- law enforcement was not available).

[2] As of May 29, 2014, Child Protective Services, or CPS, ceased to exist and was replaced with Department of Child Safety, or DCS. See, A.R.S. § 8-451 (establishing the Department of Child Safety). For purpose of this Report, however, the acronym "CPS" will be used.

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

This concludes our report for the fiscal year 2013-2014. 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,



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JRS:sj