OFFICE OF THE YUMA COUNTY ATTORNEY
250 W. Second Street, Suite G
Yuma, Arizona 85364
Telephone: (928) 817-4300

Jon R. Smith
County Attorney

Roger A. Nelson
Chief Criminal Deputy

William J. Kerekes.
Chief Civil Deputy

Ronald R. Perkins
Director Victim Services

August 12, 2016

The Honorable Doug Ducey
Arizona State Governor
Executive Tower
1700 West Washington Street
Phoenix, AZ 85007

RE: A.R.S. § 8-817(B)(8) Reports

Dear Governor Ducey,

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 2015-2016 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] A.R.S. § 8-201(8)

During fiscal year 2015-2016, this office received 117 criminal conduct allegation (CCA) cases from law enforcement agencies located in Yuma County. Of those 117 cases submitted for review, criminal complaints have been filed in 47. Another 9 cases remain under review following a request for further information by this office to the submitting agency. Fifty cases were declined, 9 were referred for review as misdemeanors and 2 others were referred to diversion programs.

Of the 47 cases charged in fiscal year 2015-2016, 8 were concluded by conviction and 31 remain open, pending resolution. Eight were dismissed, post-filing.

Of the 50 cases declined, 47 were due to insufficient evidence and 1 case was declined because the alleged defendant had been extradited to another jurisdiction to face similar, requested charges.

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 DCS 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 DCS did not occur, if such, in fact, did not.

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

- Number of CCAs Investigated – 197.
- Number of CCAs Jointly Investigated with DCS – 170.
- Number of CCAs not Jointly Investigated and the Reasons Why - 27 (11 – DCS was not available; 1 – Law Enforcement was not available; 11 – events occurred outside the agency's jurisdiction; 2 – Law Enforcement disagreed with the CCA determination; 1 – Victim not in jurisdiction at the time of Report; 1 – DCS not contacted timely).

[2] Yuma County Sheriff's Office, City of Yuma Police Department, City of Somerton Police Department, and Town of Wellton Police Department and City of San Luis Police Department.

This concludes our report for the fiscal year 2015-2016. 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