Maricopa County Attorney

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August 7, 2018

Elizabeth Ortiz, Executive Director
Arizona Prosecuting Attorneys' Advisory Council
1951 W. Camelback Rd., Suite 202
Phoenix, Arizona 85015

Re: The Maricopa County Attorney's Office Annual Activity Report on the Multidisciplinary Protocol for the Investigation of Child Abuse, Fiscal Year 2018 Report

Dear Elizabeth:

The Maricopa County Attorney's Office hereby provides the ***Maricopa County Attorney's Office Annual Activity Report on the Multidisciplinary Protocol for the Investigation of Child Abuse Fiscal Year 2018 Report*** as required by Arizona Revised Statute § 8-817.

This version of the report, in addition to the Multidisciplinary Protocol, is also available at the Maricopa County Attorney's Office website, http://www.maricopacountyattorney.org/.

Sincerely,

Bill Montgomery
Maricopa County Attorney

enclosure

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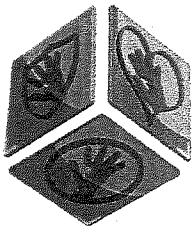
The Maricopa County Attorney's Office Annual Activity Report on the Multidisciplinary Protocol for the Investigation of Child Abuse



August 2018

SUMMARY

Arizona Revised Statute (A.R.S.) §8-817 requires each County Attorney to independently prepare and submit an Annual Report of Activity under the "Multidisciplinary Protocol for the Investigation of Child Abuse." The legislation directs that the report be independently prepared and submitted to the Governor, the Speaker of the House of Representatives, the President of the Senate and the Secretary of State without any input from or communication with other reporting entities.

Prosecution Activity – Maricopa County Attorney's Office (MCAO)
July 1, 2017 to June 30, 2018

- The following table represents MCAO activity on the number of cases presented for review under these A.R.S. codes, the number of persons charged and final dispositions.[1]

Maricopa County Attorney's Office	NUMBER OF CASES PRESENTED FOR REVIEW	NUMBER OF PERSONS CHARGED	DISPOSITIONS
Totals	4,016	2,575	3,682

[1] Includes Arizona Revised Statutes 13-1102, 1103, 1104, 1105, 1303, 1304, 1404, 1405, 1406, 1410, 1417, 3212, 3552, 3553, 3554, 3601, 3623.

- **Number of Cases presented for review** reflects law enforcement reports (referrals) received by the MCAO, which totals 4,016 cases during fiscal year 2017-18.

- The Arizona Department of Child Safety (DCS) is a referring law enforcement agency in our case management system, but in nearly every instance a traditional law enforcement agency is listed as the referring agency.

- **Persons charged** does not equal the number of cases presented for review because defendants may be charged in multiple cases and each statistical category presented is independent of each other.

- **Dispositions** include cases completed by Deputy County Attorneys that resulted in pleas (47.0%), furthered to law enforcement for more information (4.5%), referred to other agencies for prosecution (4%), conviction (4%), acquittal (10.0%) or dismissal (30.54%). A total of 3,682 cases reached final disposition. Cases disposed during this reporting period may have been submitted prior to this period. Dispositions may or may not represent the same cases reported in the "Number of Cases Presented for Review" section.

- **Reasons why charges were not pursued** include 1) no reasonable likelihood of conviction; 2) referred to another agency for prosecution; 3) the charges were used as an aid to prosecute another pending matter; or 4) unable to locate witness(es).

- ***Note:*** Each of the three statistical categories reflects a separate query into a unique part of our Case Management System. Therefore each category is independent of each other and the same cases/persons are not necessarily included in each. This data is from July 1, 2017 through June 30, 2018.

2017-18 MCAO Accomplishments

- The MCAO continues to partner with Arizona law enforcement and criminal justice professionals to improve the way they investigate and prosecute cases of domestic violence and child abuse. These training sessions address topics including best practices for investigating child sex abuse. Related to these specialized training events are the various joint operation apprehensions in 2017-18 that resulted in the arrest and conviction of several unregistered sexual offenders.

- The MCAO continues to regularly provide experts from our Speakers Bureau for presentations to schools and other agencies on the importance of "Mandatory Reporting."

- In November 2017, the MCAO was awarded a $1.1M grant from the U.S. Department of Justice Bureau of Justice Assistance through its Sexual Assault Kit Initiative (SAKI) Grant Program. The grant is being used to continue the Office's ongoing initiatives to test previously untested sexual assault evidence kits. With this support, the MCAO is seeking justice on behalf of victims of sexual assault, including children. To date, the Office has charged 10 SAKI cases; three of which are matters where the victim was a minor at the time of the criminal incident.

- The Child Abuse Diversion program continues within the MCAO. The program is available as a charging alternative (pre-file) and participants who successfully complete the program can avoid criminal charges. Through a community-based provider, offenders have the opportunity to attend

group sessions, treatment therapy and completion of a parenting workbook. This program offers prosecutors another option to help seek justice for child victims.

- The annual "Don't Leave Me Behind" Vehicular Heatstroke Awareness Campaign was launched this Spring and Summer and continues the MCAO education initiative to the community about the dangers of leaving kids and pets in hot cars. Deaths associated with hot cars are completely preventable and the MCAO strives to achieve its goal of zero incidents of children left in hot cars each campaign year.

- Important legislation passed in the 2018 Arizona Legislative Session that will protect children includes:

    - HB 2494 aims to end hot car deaths of children and pets by giving good Samaritans and Arizona Humane Society animal cruelty investigators an additional tool to save a life when necessary.

    - HB 2245 prohibits bail for predators charged with sexual conduct with a minor or child molestation under specific circumstances.

The current version of the "Multidisciplinary Protocol for the Investigation of Child Abuse" is always available at the Maricopa County Attorney's Office website (http://www.maricopacountyattorney.org/), in addition to the 2017-18 version of the Annual Report of Activity from the MCAO. An extensive five-year revision of the entire Protocol was also completed in early 2016 and is available on our website.

Sincerely,

Bill Montgomery
Maricopa County Attorney