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GILA COUNTY ATTORNEY
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August 1, 2018

Arizona State Senate
Senate President, Steve Yarbrough
Capital Complex
1700 W. Washington
Phoenix, AZ 85007-2890

RE: Gila County Deferred Prosecution

Honorable Senate President: Steve Yarbrough

Pursuant to Statute A.R.S. §11-362 I am sending this report regarding the Gila County Attorney's Office Deferred Prosecution Program.

Deferred Prosecution

The Gila County Attorney's Office Deferred Prosecution program allows low risk defendants who have been charged with crimes to enter into deferred prosecution agreements whereby they admit their guilt and agree to make amends for their crimes in exchange for having their criminal charges deferred for up to two years and sometimes longer if restitution is involved. If they can successfully comply with the terms of their agreement, their criminal charges are dismissed and they avoid having to go through life having a felony conviction. If they are unable to show that they deserve this second chance and fail to comply with the terms of their agreements or if they commit new crimes, their deferred prosecutions are reinstated and they must answer to their original criminal charges in court.

During the dates of January 2017 through December 2017, the Gila County Deferred Prosecution Program had approximately fifty-two (52) individuals on the Deferred Prosecution Program. Twenty-three (23) of those individuals were at the Payson Office in the northern part of the County and twenty-nine (29) individuals in Globe, southern half of the County. Fourteen (14) individuals successfully completed the program during 2017 and thereby never became an expense to the Gila County Probation Department. Additionally, the Gila County Attorney's Office Deferred Prosecution Program collected and distributed to victims \$11,134.06 in restitution in 2017.

Out of the fifty-two (52) individuals in the Deferred Prosecution Program in 2017 nineteen (19), were new enrollees during the calendar year of 2017. Eleven (11) individuals entered the Program in Payson and eight (8) entered the Program in the Globe area. A breakdown of the crimes involved is as follows:

<u>Payson</u>		<u>Globe</u>	
Drugs	18	Drugs	13
Trafficking Stolen Prop	1	Organized Retail Theft	4
Theft	2	Criminal Dam./Theft	5
Child Abuse	2	Criminal Trespass	1
		Identity Theft	1
		Aggravated Harassment	1
		Vapor Releasing Substance	1
		Fraud	1
		Burglary	1
		Shoplifting	1

Out of the fifty-two (52) individuals in the Deferred Prosecution Program in the year 2017; twenty-five (25) remain on the Program, seven (7) have failed and fourteen (14) have completed successful and six (6) were rejected.

The Deferred Prosecution Program continues in Gila County to meet its primary objective of ensuring the accused remain accountable for their actions while allowing those with no criminal history, and thus a low probability of recidivism, to find the correct law-abiding path. Additionally, in all victim related offenses victims are ensured restitution and these offenders pose no additional expense to the overtaxed probation system.

If you have any question or concerns, please do not hesitate to contact me.

Sincerely,



Bradley D. Beauchamp
Gila County Attorney