COUNTY ADMINISTRATOR'S OFFICE
PIMA COUNTY GOVERNMENTAL CENTER
130 W. CONGRESS, FLOOR 10, TUCSON, AZ 85701-1317
(520) 724-8661 FAX (520) 724-8171

C.H. HUCKELBERRY
County Administrator

November 8, 2018

J. Arthur Eaves, Attorney
Sanders + Parks Attorneys at Law
3030 North Third Street, Suite 1300
Phoenix, Arizona 85012

Re: **Pima County Attorney's Recommendation for Anti-Racketeering Fund Indirect Expenditures**

Dear Mr. Eaves:

Enclosed is a November 7, 2018 memorandum from the Pima County Attorney regarding a number of recommended Anti-Racketeering Fund indirect expenditures for community outside agencies. Included in the information is an analysis from the Chief Civil Deputy County Attorney demonstrating his review of the request and confirmation that the recommendations are consistent with purposes for authorized uses by State law regarding Anti-Racketeering Funds.

I request your review of each of the funding requests and a written response from you before the November 20, 2018 Board of Supervisors meeting, as these requests will be placed on the Board's Agenda for consideration.

Sincerely,

C.H. Huckelberry
County Administrator

CHH/anc

Enclosure

c: The Honorable Chairman and Members, Pima County Board of Supervisors
The Honorable Barbara LaWall, Pima County Attorney

Barbara LaWall
Pima County Attorney

Pima County Attorney's Office
32 N. Stone Avenue
Suite 1400
Tucson, AZ 85701

Phone (520) 740-5600
Fax (520) 740-5495

www.pcao.pima.gov

MEMORANDUM

To: County Administrator C.H. Huckelberry

Cc: The Honorable Chair and Members, Pima County Board of Supervisors

From: Pima County Attorney Barbara LaWall BL

Date: November 7, 2018

Re: Indirect Expenditures of County Attorney's Anti-Racketeering Funds to Outside Agencies

Enclosed are the applications for indirect expenditures to outside community-based programs from the Pima County Attorney's Anti-Racketeering Funds, submitted in accordance with Board of Supervisors Policy C 6.3. I respectfully request this item be placed on the Board of Supervisors November 20, 2018 meeting for their approval.

Each application includes the community organization's individual application describing their project and request for funds in sufficient detail to show that the proposed use of monies from the fund is authorized by law and Board Policy C 6.3. Attached to each application is a copy of the Memorandum from the Chief Civil Deputy demonstrating that he has reviewed the request and confirmed that it is consistent with purposes or uses authorized by state law. The application also includes a Certification signed by me affirming that the proposed indirect expenditure is for a use authorized by law and the Board Policy.

Project Graduation $15,000 ($5,000 each for Ironwood Ridge, Canyon Del Oro and Amphitheater High Schools), University High School Parent Association Graduation Night ($5,000), Neighbors for Justice, Inc. ($5,000), 88-Crime, Inc. ($5,000), and Southern Arizona Children's Advocacy Center ($10,000), and Emerge Center Against Domestic Abuse ($10,000) **2018 applications are continuation of their respective 2017 programs that were previously reviewed and approved by your outside legal counsel Sanders + Parks on February 16, 2018**. Anti-Racketeering funding of important community-based programs such as these is supportive of and consistent with law enforcement efforts, policies and initiatives, including programs relating to drug and crime prevention for youths, programs that

serve victims of crimes, substance abuse prevention and education programs, and more.

These documents should provide sufficient information to permit you and the Board to verify that Project Graduation, University High School Parent Association Graduation Night, Neighbors for Justice, Inc., 88-Crime, Inc., and Southern Arizona Children's Advocacy Center indirect expenditure are authorized by law.

Enclosures

Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy

DATE: 10/29/18

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 10/29/18 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).

☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).

☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).

☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).

☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).

☑ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* (2009) (*Guide*) & Interim guidelines section V.B. (July 2014), specifically subsec(s) 1(k) .

☑ These monies will provide support of a community-based program (*see* the *Guide*, Interim guidelines sections V.B.1.l. (July 2014)). The *Certification by Community Organization Applicant* and *Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.

☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).

☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).

Notes/Special Instructions:

State funds

Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator

DATE: October 29, 2018

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS.

Subaccount: Treasury ____ Justice ___ State _x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Project Graduation (PG) for Amphi, CDO and Ironwood Ridge High Schools All Night Grad Party 2019 helps provide a safe, alcohol and drug free all-night chaperoned graduation celebration for high school seniors. PG is a non-profit organization with a mission to save young lives by providing safe, sober and supervised graduation night celebrations on the campuses of these 3 schools. The mission of PG is to prevent substance use and abuse by underage graduates and to avoid deadly crashes, The mission of this origination supports and is consistent with law enforcement objectives, Each school will receive $5,000 each for a total of $15,000.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization: Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS

Executive Director/Agency Head: Susan Leader (IRHS), DeDe Betten/Stefani Noe (CDO), Jeanne Davis (AHS)

Law Enforcement Agency: Pima County Attorney's Office

Date 9/20/18 Amount requested $15,000 ($5,000 for each of the 3 schools)

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes,** however transfers to community-based programs, whose missions are supportive of and consistent with a **law enforcement** effort, policy, or initiative are permitted.

> NOTE: **A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds.** To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

Project Graduation is an alcohol and drug-free all-night graduation celebration for high school seniors and is modeled after the National Grad Night Networks established by the U.S. Department of Transportation. The mission of Project Graduation is to save young lives by providing a safe and sober graduation night celebration on the campuses of Ironwood Ridge, Canyon Del Oro and Amphitheater High Schools on graduation night.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Project Graduation is an alcohol and drug-free all-night graduation celebration for high school seniors and is modeled after the National Grad Night Networks established by the U.S. Department of Transportation. The mission of Project Graduation is to save young lives by

providing a safe and sober graduation night celebration on the campuses of Ironwood Ridge, Canyon Del Oro and Amphitheater High Schools on graduation night.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

Consistent with the initiatives by Pima County Attorney's Office, such as the Uber collaboration during the holiday seasons to provide safe alternative transportation for Tucson area residents, Project Graduation implements events that target community and youth safety. Just as holiday celebrations hold inherent impaired driving risks, graduation nights are statistically among the most dangerous nights in the lives of our teens. The all-night venues across three Amphitheater District high schools provide on-campus, alcohol and drug free celebrations. Here, departure is restricted without parent notification and security staff is in place to ensure their safety. By preempting dangerous situations on our roadways for over 1200 teens and their communities across three respective nights, we join local law enforcement and Pima County Attorney's Office in the goal of eradicating impaired driving.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

Funding will be used to purchase entertainment, music, security, decoration, scholarship tickets for students in need; all to benefit nearly 460 graduates at each school (over 1200 collectively) for their safe and sober all-night events which span approximately 9 hours each. All funds go toward the events. There are no administrative salaries or costs.

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

		Yes	No
A.	Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I.D. Number: 11-3660162	x	
B.	Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	x	
C.	Applicant agrees to account separately for all anti-racketeering funds received.	x	
D.	Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	x	
E.	Applicant is in compliance with federal civil rights laws.	x	
F.	Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	x	
G.	No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	x	
H.	Applicant agrees not to use funds for personal or political purposes.	x	
I.	Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	x	

Susan M. Leader
Print Name of Requesting Agency Director

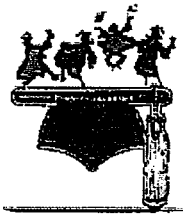
Susan M. Leader
Signature of Requesting Agency Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara LaWall
Print Name of Chief Law Enforcement Officer

Barbara LaWall
Signature of Chief Law Enforcement Officer

Date 9/25/18



Project Graduation Ironwood Ridge High School
PO Box 69392
Oro Valley, AZ 85737

September 19, 2018

County Attorney Barbara LaWall
Pima County Attorney's Office
32 N. Stone Avenue, Suite 1400
Tucson, AZ 85701

Dear Ms. LaWall:

On behalf of Ironwood Ridge High School (IRHS) Project Graduation, we respectfully submit to you this letter requesting consideration for benefit of the Pima County anti-racketeering funds.

Project Graduation is a drug and alcohol free, all night celebration immediately following graduation ceremonies and is modeled after the National Grad Night Network developed by the Department of Transportation. Throughout each school year, an all-volunteer work force of parents and community members plan and create an event to ensure that our graduates enjoy a safe and sober environment.

Project Graduation at IRHS is marking its 16th year of keeping its graduates off the streets on this risky night which our surrounding communities have directly benefitted. It is a fact that tragedies occur on graduation nights. According to the Oro Valley Police Department, we have not had a single incident since Project Graduation's inception in 2004.

To continue this tradition each year, we rely, in part, on the generosity of our community businesses to help meet our financial needs. However, over the last several years, we have lost some important sponsors to help offset costs for entertainment, decorations, food, security and scholarship tickets for students in need of financial assistance for attending this event.

As a 501c3 non-profit organization recognized by the Internal Revenue Service (ID# 11-3660162), Project Graduation IRHS prides itself on building an event that marks a milestone safely and securely for IRHS' students, families and the Oro Valley community at large.

Please help us continue to make a difference by contributing to our Project Graduation program. Thank you for your consideration.

Sincerely yours,
DeDe Betten
Event Chair, Project Grad IRHS

Project Graduation-Ironwood Ridge High School is a 501(c)(3) nonprofit organization. Federal Tax ID# 11-3660162. No goods or services were provided in consideration of this gift.

Project Graduation

Canyon Del Oro High School

25 W Calle Concordia Drive
Oro Valley, AZ 85704
696-5578

September 19, 2018

Barbara LaWall
Pima County Attorney's Office
32 N Stone Ave
Tucson, AZ 85701

Dear Barbara LaWall:

Canyon del Oro High School volunteers are working on the 16th Annual Project Graduation event for this year's graduates. Project Graduation is an all night safe and sober celebration for all of our graduating seniors. Contributions from the business community are essential to providing the best graduation celebration out there! We could use your help with the following:

- Sponsorships—cash donations to sponsor entertainment or materials purchased
- Prize donations—anything a graduate would like; merchandise or gift cards
- Scholarship Tickets—donations to cover the cost of tickets for some students

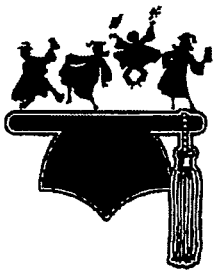
Oro Valley Police Chief Daniel G. Sharp stated, "Project Graduation is no longer just an *event*. Project Graduation is part of the fabric of what makes Oro Valley such a great place to live. We model behavior for our youth, we show them we care about them, and we demonstrate there's civic responsibility and that as a community we can all unite for a common purpose. Our community is a better place to live and work as a result of this thing we call Project Graduation. It clearly has enriched our community."

We are depending on your support this year to help underwrite the highly anticipated event at CDO. It is our partnership with you that lets us look with confidence to the future, knowing that Project Graduation will be an established part of our high school for each graduating class.
Please send or deliver your donations or gift certificates to:

Canyon del Oro High School
Project Graduation
25 W. Calle Concordia
Oro Valley, AZ 85704

Thank you,

Betsy Leader
CDO Project Graduation
Public Relations



September 19, 2018

Barbara LaWall
Pima County Attorney's Office
32 N Stone Ave
Tucson, AZ 85701

Dear Barbara LaWall:

Amphitheater High School volunteers are working on the 16th Annual Project Graduation event for this year's graduates. Project Graduation is an all-night safe and sober celebration for all of our graduating seniors. Contributions from the business community are essential to providing the best graduation celebration out there! We could use your help with the following:

- Sponsorships—cash donations to sponsor entertainment or materials purchased
- Prize donations—anything a graduate would like; merchandise or gift cards
- Scholarship Tickets—donations to cover the cost of tickets for some students

Oro Valley Police Chief Daniel G. Sharp stated, "Project Graduation is no longer just an *event*. Project Graduation is part of the fabric of what makes Oro Valley such a great place to live. We model behavior for our youth, we show them we care about them, and we demonstrate there's civic responsibility and that as a community we can all unite for a common purpose. Our community is a better place to live and work as a result of this thing we call Project Graduation. It clearly has enriched our community."

We are depending on your support this year to help underwrite the highly anticipated event at AHS. It is our partnership with you that lets us look with confidence to the future, knowing that Project Graduation will be an established part of our high school for each graduating class.

Please send or deliver your donations or gift certificates to:

Amphitheater High School
Project Graduation
125 W. Yavapai Rd.
Tucson, AZ 85705

Thank you so much,

Marian Johnson

Marian Johnson
Project Graduation Decorating Committee Chair
Business Breakfast and OV Cup Committee Member
Amphi High Project Graduation
125 W Yavapai Road
Tucson, AZ 85705

Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy

DATE: 11/5/18

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 10/31/18 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).

☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).

☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).

☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).

☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).

☑ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* (2009) (*Guide*) & Interim guidelines section V.B. (July 2014), specifically subsec(s) 1(k) .

☑ These monies will provide support of a community-based program (*see* the *Guide*, Interim guidelines sections V.B.1.l. (July 2014)). The *Certification by Community Organization Applicant* and *Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.

☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).

☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).

☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:

University High School Parent Association Graduation Night 2019; state funds; approved under 2018 Joint Guidelines

Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator DAS

DATE: October 31, 2018

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: University High School Parent Association
Graduation Night

Subaccount: Treasury ____ Justice ___ State _x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

University High School Parent Association Graduation Night 2019 helps provide a safe, alcohol and drug free all-night chaperoned graduation celebration for approximately 250 University High School (UHS) seniors. University High School Parent Association (UHSPA) is a non-profit organization whose mission includes providing supervised graduation night celebration on the University High School campus. UHS Graduation Night prevents substance use and abuse by underage graduates and to avoid deadly crashes. This supervised program administered by UHSPA supports and is consistent with law enforcement objectives and will receive $5,000.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization UNIVERSITY HIGH SCHOOL PARENTS ASSOCIATION

Executive Director/Agency Head: MARIAN BENZ, PRESIDENT
(520) 232-5900
UHSPA@UHS-PA.ORG

Law Enforcement Agency PIMA COUNTY ATTORNEYS OFFICE

Date: May 31, 2018 Amount requested $5,000.00

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with **a law enforcement** effort, policy, or initiative are permitted.

> NOTE: **A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds.** To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

UNIVERSITY HIGH SCHOOL GRADUATION NIGHT is a "shut in" celebration for graduating Seniors of University High School (TUSD, Tucson), to be held on or about MAY 23-24, 2019, at Rincon/University High School. This celebration has been held annually since 2012, and has been highly successful in maintaining nearly 100% attendance of graduating Seniors, with a 0% accident/injury record. The purpose of the activity/program is to provide graduating Seniors a safe, secure and alcohol/drug-free alternative to traditional, off-campus graduation parties. Unfortunately, graduation night is statistically one of the most hazardous for our high school students. The community benefits substantially from our program, which allows 250+ graduating Seniors to have a fun, well-planned and safe celebration to look forward to after Graduation Ceremonies are done. Dozens of people work all year to plan and present this event, which serves the community as one of the most successful "safe graduation" celebrations in Arizona. Our team invests literally hundreds of hours, representing substantial community service by our parents, students and teachers.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

One of the stated goals of Tucson/Pima County law enforcement is protection of the community. Local agencies spend millions of dollars each year addressing DUI, drug and sex offense violations. Unfortunately, our high schools are not immune to these problems, especially on Graduation Night. UHS Graduation Night directly addresses these concerns by providing a safe environment for graduation Seniors to celebrate this special, once-in-a-lifetime event. We are proud of our 0% accident/injury record, which means that 100% of the Senior class at UHS has enjoyed graduation in a safe and fun way!

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

UHS Graduation Night is a "shut in" celebration, held at the North Gym and surrounding campus areas on the campus of University/Rincon High School. Students are required to pre-register and provide backpacks containing any supplies/clothing they will require for the evening. The backpacks are inspected and secured on site before the students arrive from the Graduation Ceremony by bus at 9:30 p.m. Non-prescription drugs, alcohol, and weapons are not permitted. Students are required to personally sign in for entry. Intoxicated or inebriated students are not permitted to enter the facility. Food and non-alcoholic beverages are provided. Once at the facility, students may experience a huge range of activities (Carnival, Casino Games, LaserTag, Dancing, Ping-Pong/Billiards/Air Hockey, Chair Massage, Movies etc.). If a student decides to leave the party, he/she may not return afterwards (a necessary precaution against possible importation of contraband). The party ends at 5:00 a.m. Adult supervision is provided for all activities at all times. Tucson Policy Officers are also hired to provide a LE presence during the celebration.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**)

Request funds will be used to pay vendors for entertainment activities (listed above), food and security personnel (TPD officers). Funds may also be used to purchase clerical supplies. Although the program does feature prizes/gifts for students, all such materials are donated by local Tucson businesses and parents. Our high attendance figures result from the meticulous planning efforts and high quality of our presentation. The budget for this event exceeds $30,000.00 annually, a substantial portion of which comes from donations. Without this donation, and others like it, an event like this would not be possible. Our Seniors look forward to this celebration all year because we make it fun, safe and, most important, an event they don't want to miss! We have enjoyed previous RICO funding for this event.

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

		Yes	No
A.	Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I.D. Number: 94-2848207	YES	☐
B.	Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	YES	☐
C.	Applicant agrees to account separately for all anti-racketeering funds received.	YES	☐
D.	Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	YES	☐
E.	Applicant is in compliance with federal civil rights laws.	YES	☐
F.	Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	YES	☐
G.	No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	YES	☐
H.	Applicant agrees not to use funds for personal or political purposes.	YES	☐
I.	Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	YES	☐

DAWN GRAFFAM
Print Name of Requesting Agency Director

/s Dawn Graffam
Signature of Requesting Agency Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawler
Print Name of Chief Law Enforcement Officer

Signature of Chief Law Enforcement Officer

Date 11-6-18

Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy

DATE: 11/5/18

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 10/31/18 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).

☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).

☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).

☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).

☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).

☑ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* (2009) (*Guide*) & Interim guidelines section V.B. (July 2014), specifically subsec(s) 1(k) .

☑ These monies will provide support of a community-based program (*see* the *Guide*, Interim guidelines sections V.B.1.l. (July 2014)). The *Certification by Community Organization Applicant* and *Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.

☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).

☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).

☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:

Neighbors for Justice; state funds; approved under 2018 Joint Guidelines

Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator

DATE: October 31, 2018

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: Neighbors for Justice, Inc.

Subaccount: Treasury ____ Justice ___ State _x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Neighbors for Justice, Inc. supports the cost of education programs, enrichment programs, testing fees and rehabilitative programs such as counseling, anger management, and conflict management which addresses the underlying issues that led to youth's involvement in the criminal justice system. These early intervention strategies decrease the chance for further system involvement and societal costs through decreased rates of recidivism. NFJ will receive $5,000.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization Neighbors for Justice, Inc.

Executive Director/Agency Head Angela Hackett

Law Enforcement Agency Pima County Attorney's Office

Date October 23, 2018 Amount requested $5,000

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with **a law enforcement** effort, policy, or initiative are permitted.

> NOTE: **A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds.** To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

Neighbors for Justice, Inc. (NFJ) was formed as a charitable, non-profit (501c3) organization dedicated to supporting the cost of programming for the Community Justice Board Program (CJB). The CJB is an alternative to prosecution for at-risk youth ages 8-17 years old. Youth receive an individualized plan and guidance for a three month period which includes programming related to their needs. Through community involvement, therapeutic interventions and pro-social activities, youth are more likely to make positive choices which have a long term effect on their lives and that of the community.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Neighbors for Justice supports early intervention strategies for at-risk youth that decrease the chance for further system involvement and societal cost. It also supports community outreach and involvement both with the volunteers for CJB and by engaging the youth within their community.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

Youth are guided to understand the impact of their actions and how that affects themselves, their families and their victims. By having them engage in positive ways through pro-social activities and therapeutic services, at-risk youth are afforded more opportunities to succeed and to stay out of the criminal justice system. Securing free or low cost programming or resources for families unable to pay has, in the past, restricted efforts to adequately address a youth's needs. Toward that end, NFJ distributes a yearly allotment to each of the community boards as a means to offset, or fully fund, programming or other related expenses. Every participating youth is afforded the same opportunity to participate in educational programs, enrichment programs, and/or counseling services even when they incur a fee. Youth who successfully complete the program are not prosecuted and the program's significantly reduced recidivism rates testify to a safer community. By connecting youth to a variety of positive and meaningful activities they are motivated to become competent, empathic, and productive community members.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

NFJ provides funding to pay for rehabilitative programs such as counseling, anger management and conflict management to address the underlying issues that led to the youth's involvement in the criminal justice system. Funds are also used to pay for educational programs, enrichment programs, pro-social activities, testing fees and items/supplies necessary for programming.

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

		Yes	No
A.	Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I. D. Number: 27-3375280	X	
B.	Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	X	
C.	Applicant agrees to account separately for all anti –racketeering funds received.	X	
D.	Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	X	
E.	Applicant is in compliance with federal civil rights laws.	X	
F.	Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	X	
G.	No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	X	
H.	Applicant agrees not to use funds for personal or political purposes.	X	
I.	Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	X	

Angela Hackett- NFJ President/Chair

Angela C Hackett

Print Name of Requesting Agency Director

Print Name of Requesting Agency Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara LaWall
Print Name of Chief Law Enforcement Officer

Signature of Chief Law Enforcement Officer

Date 11-6-18

Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy

DATE: 11/5/18

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 10/31/18 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).

☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).

☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).

☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).

☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).

☑ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* (2009) (*Guide*) & Interim guidelines section V.B. (July 2014), specifically subsec(s) 1(k) .

☑ These monies will provide support of a community-based program (*see* the *Guide*, Interim guidelines sections V.B.1.l. (July 2014)). The *Certification by Community Organization Applicant* and *Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.

☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).

☑ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).

☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:

88-CRIME; state funds; approved under 2018 Joint Guidelines

Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator

DATE: October 31, 2018

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

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Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: 88-Crime Inc.

Subaccount: Treasury ____ Justice ___ State _x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

88-Crime Inc. supports law enforcement operations and investigations. 88-Crime program relies on anonymous tips through public awareness programs that provide a greater opportunity to assist law enforcement in the fight against crime including provision of specific rewards for information related to specific cases and will receive $5,000.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization _88-Crime, Inc._____

Executive Director/Agency Head _Pupak Lowther, President_____

Law Enforcement Agency __Pima County Attorney's Office_____

Date __October24, 2018_ Amount requested $5,000.00_____

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with **a law enforcement** effort, policy, or initiative are permitted.

> NOTE: **A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds.** To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

The 88-CRIME Program is a community-based collaborative. It consists of an anonymous tip line operated by the Pima County Attorney's Office for citizens to report information to help solve crimes by providing anonymous tips, as well as a reward program sponsored by 88-CRIME, Inc., a nonprofit organization dedicated to supporting the 88-CRIME Program by providing rewards to anonymous tipsters who provide useful information to law enforcement that leads to the apprehension and arrest of those suspected of committing crimes and by making the public aware of the anonymous tip.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Information received by the 88-CRIME tip line is channeled to law enforcement agencies for investigation. The 88-CRIME Program provides the community an opportunity to assist law enforcement in the fight against crime safely and confidentially.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What

elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

From January 2018 through October 24, 2018, 88-CRIME tips have led to more than 75 felony arrests, over 99 cases cleared, over $112,648 worth of narcotics seized and over $39,644 worth of recovered property and cash seizures. Tips have included information about murder, robbery, rape, assaults, drug and firearms offenses.

Additional benefits of the 88-CRIME Program and of the support from 88-CRIME, INC. include:

- Increased awareness in the community.
- Greater opportunity for the community to fight back against crime with anonymous tips that could lead to cash rewards.
- Improved relationships between police, media, and the community.

88-CRIME encourages the community to report crime and makes Pima County and Southern Arizona a safer place to live and work.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

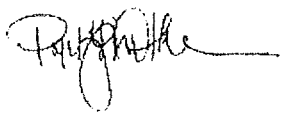
Reward procedures and decisions are made by the 88-CRIME, Inc. Board of Directors. 88-CRIME, Inc. accepts contributions and raises funds to pay the rewards. Tax dollars are not used for rewards. 88-CRIME, Inc. is funded by donations and fundraising. Funds from the Pima County Attorney's Office will assist in the coming months with sustaining the reward program as well public information and education campaigns associated with the program.

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

		Yes	No
A.	Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I.D. Number: 86-0407186	X	☐
B.	Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	X	☐
C.	Applicant agrees to account separately for all anti-racketeering funds received.	X	☐
D.	Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	X	☐
E.	Applicant is in compliance with federal civil rights laws.	X	☐
F.	Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	X	☐
G.	No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	X	☐
H.	Applicant agrees not to use funds for personal or political purposes.	X	☐
I.	Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	X	☐



Pupak Lowther
President, 88-CRIME, Inc.

Print Name of Requesting Agency Director

Signature of Requesting Agency Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawall

Print Name of Chief Law Enforcement Officer

Signature of Chief Law Enforcement Officer

Date 11-6-18

Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy

DATE: 11/5/18

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 10/31/18 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).

☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).

☑ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).

☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).

☑ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).

☑ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* (2009) (*Guide*) & Interim guidelines section V.B. (July 2014), specifically subsec(s) 1(k) .

☑ These monies will provide support of a community-based program (*see* the *Guide*, Interim guidelines sections V.B.1.l. (July 2014)). The *Certification by Community Organization Applicant* and *Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.

☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).

☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).

☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:

Southern Arizona Children's Advocacy Center; state funds; approved under 2018 Joint Guidelines

Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator

DATE: October 31, 2018

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: Southern Arizona Children's Advocacy Center.

Subaccount: Treasury ____ Justice ___ State _x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Southern Arizona Children's Advocacy Center (SACAC) supports direct services to child victims of physical and sexual abuse, neglect, and their non-offending family members. The mission of SACAC is solely to support victims and law enforcement. SACAC will receive $10,000.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization: Southern Arizona Children's Advocacy Center

Executive Director/Agency Head: Marie Fordney

Law Enforcement Agency: Pima County Attorney

Date October 25, 2018 Amount requested $25,000

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes,** however transfers to community-based programs, whose missions are supportive of and consistent with **a law enforcement** effort, policy, or initiative are permitted.

> NOTE: **A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds.** To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

The Southern Arizona Children's Advocacy Center is a child-friendly, neutral environment where children of physical/sexual abuse, neglect, and/or trauma and their non-offending family members receive care and services during the initial stages of the investigative process. The Center employs forensic interviewers who are specially trained to conduct non-leading, neutral interviews of children that encourage the child to describe what happened in their own words. As the child is being interviewed, a family advocate meets with the non-offending family members to assess the child's level of trauma and helps determine the best short and long term follow up services and referrals to begin the healing process. Advocates also work with family members to explain victim's rights and compensation procedures and serve as a bridge between the family and law enforcement, remaining in contact until the family no longer needs them, or the case moves onto the Pima County Attorney's Office. Lastly, children at the Center are cared for by medical personnel trained to collect forensic medical evidence, if deemed appropriate, and who provide for the child's immediate medical needs. In FY2017/2018, The Center provided services to 1,368 children and their non-offending family members, including 981 forensic interviews, over 5,000 advocacy contacts, and 165 forensic medical exams. The medical services we provide include collection of evidence, STD testing, and wellness exams. Our two on-site pediatric registered nurses receive extensive ongoing training in child physical and sexual abuse, and are certified

Pediatric SANE (sexual abuse nurse examiner) examiners. We also contract with other Pediatric SANE examiners who take calls in the middle of the night, when necessary. All our medical personnel and contractors specialize in sexual abuse cases and are able to immediately provide quality assessments and care to children who may have been abused. Under the direction of our Medical Director, Dr. Dale Woolridge, our medical staff has the ability to photograph, document, and collect evidence of abuse and neglect, including providing initial and follow-up tests for sexually transmitted diseases and pregnancy. Without access to these services at the Center, children and their families would have to spend their time waiting in the Emergency Department of a hospital, would have to re-tell their story of abuse to a physician or nurse, and may receive treatment from someone who is not specially trained in child abuse, sexual abuse examinations, and/or collection of evidence. Having these services readily available in our child-friendly environment with a highly qualified medical team helps decrease the trauma associated with long waiting periods in the uncomfortable setting of the hospital, and also helps ensure evidence is collected accurately.

Our partnership with the Pima County Attorney's Office provides Courthouse Dogs, which are critical to our service delivery. Blake works primarily at the Pima County Attorney's Office Victim Services Division and visits the Center on a regular basis. He is a seven year old Labrador Retriever trained and certified by Assistance Dogs of the West and brings compassion, unconditional acceptance, and cold, wet noses to otherwise scary, intimidating situations. Blake and family advocates work together to bridge the gap between the Center and the court system. Whether he is doing tricks to pass the time, helping children overcome their shyness, or simply laying their heads on a little lap to be petted, Blake has proven to be invaluable to the mental health and healing of child victims in Southern Arizona.

The Center's Community Outreach program provides prevention and education programs for Pima County children through school and community presentations. The Community Outreach program is provided at no cost to all school-aged children (3-18), their non-offending family members, and professionals who work with children. Presentations range in topics and are specific to the age and/or grade of the students. All of our Prevention Programs help children understand their right to control how, when, and by whom they are touched. Children and adults at participating schools learn to recognize and report abuse, and the program works to remove the stigma, shame, and secrecy that often surround children and their families experiencing abuse. Along with videos, pamphlets, worksheets, and information on community resources, the presenter is often accompanied by our child-friendly mascot, Happy Bear. Happy Bear helps promote safety and prevention lessons to our younger audiences and provides a fun, life-sized teddy bear to interact with. In 2017, the Community Outreach Program presented to 37 schools and had over 8,000 participants. This program also provided mandatory reporting law training to professionals responsible for minor children, including 911 in-person attendees from 25 local agencies, with an additional 445 online participants.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

The Pima County Protocols for the Multidisciplinary Investigation of Child Abuse is centered around the Southern Arizona Children's Advocacy Center. This protocol formalizes an agreement between law enforcement agencies in Pima County, the Department of Child Safety, and the Pima County Attorney's office that recognizes the need for child abuse investigations to be conducted jointly and in a child sensitive environment to reduce trauma to the child victim. The Center serves as a central, neutral location where agencies come together to jointly initiate the investigation of child abuse, all while keeping the child victim at the heart of the investigation.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

The Southern Arizona Children's Advocacy Center's work and services support law enforcements' efforts to investigate child crimes in a manner that does not cause additional trauma to the child or family. By combining resources and partnering with the Center, law enforcement also reduces its cost to conduct these investigations by reducing the time and staff needed to effectively interview and examine child victims. Without the Center, child abuse interviews would be conducted by detectives and DCS investigators with minimal training and experience and would occur at police or DCS facilities instead of at a child-centered advocacy center. Medical exams and collection of evidence would happen at impersonal emergency rooms by physicians with little expertise in identifying, documenting and collecting evidence of physical and sexual abuse. And possibly most crucial, non-offending family members would be left on their own to navigate their way through the judicial system and find appropriate counselling and other community service for their children, which could hinder and negatively affect their healing process.

By utilizing the Southern Arizona Children's Advocacy Center as a neutral location to jointly investigate child abuse cases, law enforcement and DCS can concentrate on their mission, knowing the child is safe and well cared for. Children receive a snack or meal, depending on the time of day, and enjoy age appropriate toys, games, and videos as the investigation unfolds. They receive crisis counselling through our partnership with Las Familias and warm cuddles from our Courthouse Dog. Children that must go into foster or group home care are given a backpack with several changes of clothing, night clothes, personal care items, books, and other comfort items to make the transition a little easier.

Once a month, the Southern Arizona Children's Advocacy Center facilitates a Pima County Multidisciplinary Investigative Team (MDT) meeting comprised of professionals from local law enforcement agencies, the Department of Child Safety, mental health organizations, the FBI, and county attorney officials. The purpose of the monthly MDT meeting is to review and evaluate current and past cases, conduct and participate in cultural and community issue trainings, learn about new methods used in defending and prosecuting cases, emerging medical and pediatric research, and other areas that may assist or effect the investigations, prosecution, or Victim Compensation process.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

As illustrated by the attached budget, the Medical Program is not fully funded, and these important services to the community are in jeopardy. For example, the two part-time nurses who would normally be available on-site Monday through Friday are currently only available Tuesday through Thursday. This leaves a gap in services for the children we serve, because they can only receive medical care on other days if the collection of medical evidence is deemed absolutely necessary to the investigation. This restrictive model at times eliminates the collection of medical evidence that is less obvious to non-medical staff, such as long-term medical effects of neglect. In addition, wellness exams, not only verify absence of illness or injury, but also reassure the child and their family that they can and will heal from the abuse they have experienced. This important

factor is part of the request for funding, as well as necessary medical supplies, ongoing training for medical staff, and malpractice insurance. We are kindly requesting $25,000 to help fund this program and ensure our success in helping young victims heal and lead happy, healthy lives.

Budget Category	Projected FY18-19	Notes	PCIH FY18-19	Not Funded FY18-19
Salaries (for Program)	$ 68,018.24	SACAC employs 2 PT Nurses to provide wellness exams for children to support recovery and healing after abuse. Includes .2 FTE for the Executive Director to oversee the Medical Director and all contracted examiners.	$ 61,789.60	$ 6,228.64
Employee benefits and taxes	$ 13,909.76	Cost reflects insurance and retirement benefits for employees, as well as taxes, workers compensation, and State Unemployment Insurance.	$ 12,576.57	$ 1,333.19
Employee Education and Training	$ 650.00	Costs for continuing education for medical personnel to maintain skills specifically needed for sexual abuse forensic evidence collection exams.	$ -	$ 650.00
Professional Fees and Contracts	$ 48,000.00	Contract with Banner UMG for the services of Dr. Dale Woolridge, Medical Director. Includes recruitment, training, and oversight of medical staff, as well as consultation on case files.	$ 48,000.00	$ -
Professional Fees and Contracts	$ 10,000.00	Sexual abuse medical exams, performed by a trained forensic examiner for the purpose of evidence collection.	$ 8,000.00	$ 2,000.00
Specific Assistance for Individuals	$ -	Includes supplies provided for client support, such as clothing, toiletries, snacks, backpacks, school supplies, and shoes	$ -	$ -
Communications (phone, tax, modem, postage)	$ 754.80	Monthly phone and internet charged at 10% to Medical program.	$ -	$ 754.80
Equipment Rental and Maintenance	$ 358.80	Monthly lease for copy/printer. Cost reflects 10% of the lease, since the machine is also used by the Advocacy, Prevention, and Interview programs.	$ -	$ 358.80
Supplies	$ 1,724.00	Cost for medical supplies needed for forensic exams (approx. 65/year), as well as wellness exams (approx. 150/year).	$ 492.00	$ 1,232.00
Occupancy (rent, utilities, building & grounds)	$ 10,565.57	Lease on building charged at 10% to Medical Program.	$ -	$ 10,565.57
Advertising/Printing and Publications	$ -	Costs for larger print jobs that cannot be completed in-house.	$ -	$ -
Travel/Meetings/Conferences	$ 1,500.00	Cost for travel to national trainings.	$ -	$ 1,500.00
Non-Payroll Insurance	$ 1,625.00	10% of General liability insurance; Malpractice insurance costs.	$ 200.00	$ 1,425.00
Total	**$ 157,106.17**		**$ 131,058.17**	**$ 26,048.00**

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

		Yes	No
A.	Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I.D. Number:26-3208123	X	☐
B.	Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	X	☐
C.	Applicant agrees to account separately for all anti-racketeering funds received.	X	☐
D.	Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	X	☐
E.	Applicant is in compliance with federal civil rights laws.	X	☐
F.	Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	X	☐
G.	No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	X	☐
H.	Applicant agrees not to use funds for personal or political purposes.	X	☐
I.	Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	X	☐

Marie Fordney
Print Name of Requesting Agency Director

Signature of Requesting Agency Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawall

Print Name of Chief Law Enforcement Officer

Signature of Chief Law Enforcement Officer

Date 11-6-18

Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy

DATE: 11/5/18

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 10/31/18 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).

☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).

☑ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).

☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).

☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).

☑ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ *Guide to Equitable Sharing for State and Local Law Enforcement Agencies* (2009) (*Guide*) & Interim guidelines section V.B. (July 2014), specifically subsec(s) 1(k) .

☑ These monies will provide support of a community-based program (*see* the *Guide*, Interim guidelines sections V.B.1.l. (July 2014)). The *Certification by Community Organization Applicant* and *Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.

☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).

☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).

☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:

Emerge!; state funds; approved under 2018 Joint Guidelines

Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator

DATE: November 5, 2018

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: Emerge! Center Against Domestic Abuse.

Subaccount: Treasury ____ Justice ___ State _x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Emerge! Center Against Domestic Abuse supports victims of domestic violence, educate the community during Domestic Violence Awareness Month and provide shoe cards and other support for victims experiencing domestic abuse. Emerge! will receive $10,000.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization: Emerge Center Against Domestic Abuse

Executive Director/Agency Head: Ed Mercurio-Sakwa

Law Enforcement Agency _____

Date 11/2/18 Amount requested $10,000

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with **a law enforcement** effort, policy, or initiative are permitted.

> NOTE: **A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds.** To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

October is Domestic Violence Awareness Month (DVAM), and every year, Emerge Center Against Domestic Abuse makes a concerted effort to bring the community together in different venues to educate Pima County about the warning signs of domestic abuse, as well as its devastating effects. Each year, there are approximately 4,200 domestic violence (DV) calls to 911 to which the Pima County Sheriff's Department responds, at a cost of nearly $1,257,000 (in addition to the $2.5 million it costs the City of Tucson for TPD to respond to an additional 8,200 DV calls to 911 per year). In total, there are approximately 14,000 DV arrests each year in Pima County. Even more sobering, there were 25 reported DV-related deaths in Pima County last year, which affects law enforcement directly, as they are often first responders in a potentially lethal situation.

The goal of DVAM is to educate the community about asking for help, and offering help to individuals who might be experiencing domestic abuse. It is our hope that with more individuals educated about the warning signs, and the ability to safely and confidently offer help *before* the situation escalates, law enforcement will have fewer calls to people's homes, and ultimately, fewer deaths in our community.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Pima County Attorney's Office (PCAO) is the main resource in our community for crime victims - including domestic abuse-related crimes. Emerge works hand-in-hand with PCAO to ensure seamless support of abuse victims and support during court-related processes. Emerge and the PCAO also work closely to coordinate and implement Pima County's APRAIS process.

As you know, the APRAIS protocol - and the strong partnership between Emerge, PCAO and law enforcement - has contributed to an influx of survivors and their children using services at Emerge. The survivors and children who screen in through the APRAIS protocol are at a higher risk for lethality, and thus in need of more immediate and more intensive services. Emerge has seen a 52% increase in hotline calls and nearly triple the amount of survivors needing shelter in comparison to those who screened in using a similar process in 2017 with felony cases only.

While our work together is undoubtedly crucial for victims, the focus is on when a crime has already been committed. DVAM is an opportunity to team up and provide prevention efforts for our community, to stop the crime *before it starts*.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

As mentioned above, PCAO and Emerge work hand-in-hand to support victims of crime. DVAM will assist in prevention efforts specifically by: creating television, radio, bus shelter, bus bench and ads on the bus itself to garner a diverse audience of people in our community. Emerge will use those ads to direct people to the Emerge website, to get information about domestic abuse, resources and access to trainings. Emerge will also hold a Wear Purple Day celebration through which Emerge will raise awareness about the prevalence and impact of abuse in our community, and encourage people to publically show their support for victims of abuse and get involved in ending domestic violence. The press will also be invited to a press conference event, as an opportunity to cover the importance of domestic abuse awareness.

Emerge also sends out a series of four educational emails during the month, to over 100 partners, who distribute to their networks. These networks reach an estimated 200,000+ individual mailboxes, with information about domestic abuse like warning signs, red flags how to support a survivor and how to find resources.

Lastly, Emerge creates and orders a variety of marketing materials like posters, bumper stickers, wallet cards and shoe cards. Wallet and shoe cards are small, discrete tools that can be slipped into a shoe and contain information about where to get help if the individual is experiencing domestic abuse or is trying to support someone else in finding help.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

- Wallet and shoe cards
- Bus Benches/Shelters
- Bus advertising

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

		Yes	No
A.	Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I.D. Number: 86-0312162	☒	☐
B.	Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	☒	☐
C.	Applicant agrees to account separately for all anti-racketeering funds received.	☒	☐
D.	Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	☒	☐
E.	Applicant is in compliance with federal civil rights laws.	☒	☐
F.	Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	☒	☐
G.	No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	☒	☐
H.	Applicant agrees not to use funds for personal or political purposes.	☒	☐
I.	Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	☒	☐

Ed Marcum-Sakwa
Print Name of Requesting Agency Director

Ed Marcum-Sakwa COO 11/5/18
Signature of Requesting Agency Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawall

Print Name of Chief Law Enforcement Officer

Signature of Chief Law Enforcement Officer

Date 11-6-18