

TABLE OF CONTENTS

Summary of Supplemental Packages	S-1
County Administration	
Clerk of the Board	S-3
Forensic Science Center	S-5
Community & Economic Development	
Community Development & Neighborhood Conservation	S-7
Justice & Law Enforcement	
County Attorney.....	S-9
Office of Medical & Health Services	
Health	S-39
Public Works	
Natural Resources, Parks & Recreation.....	S-41

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**PIMA COUNTY
SUMMARY OF SUPPLEMENTAL PACKAGES
FISCAL YEAR 2012/13**

Department	Amount Requested		Supplemental Request/Additional Funding	Amount Recommended	
	Expenditure	Revenue		Expenditure	Revenue

COUNTY ADMINISTRATION

General Fund Support							
Clerk of the Board of Supervisors	B	60,000	0	60,000	AGENDA MANAGEMENT SYSTEM WITH HOSTED LIVE STREAM AND ON DEMAND VIDEO	0	0
Forensic Science Center	B	90,000	400,000	(310,000)	MEDICAL AND LAB SERVICES	0	0
TOTAL COUNTY ADMINISTRATION GENERAL FUND		150,000	400,000	(250,000)		0	0

COMMUNITY & ECONOMIC DEVELOPMENT

General Fund Support							
Community Develop & Neighborhood Conservation	B	27,904	0	27,904	HOUSING OFFICE RECEPTIONIST	0	0
TOTAL COMMUNITY & ECONOMIC DEVELOPMENT GENERAL FUND		27,904	0	27,904		0	0

JUSTICE & LAW ENFORCEMENT

General Fund Support							
County Attorney	B	189,902	0	189,902	VICTIM SERVICES	0	0
	C	1,061,068	0	1,061,068	VIOLENT AND DOMESTIC VIOLENCE FEDERALLY FUNDED PROSECUTION - ARREST AND JAG	0	0
	D	1,016,937	0	1,016,937	DRUG PROSECUTION AND SOUTHWEST BORDER FEDERAL FUNDING	0	0
	E	260,176	0	260,176	GANG AND AUTO THEFT PROSECUTION STATE FUNDING	0	0
TOTAL JUSTICE & LAW ENFORCEMENT GENERAL FUND		2,528,083	0	2,528,083		0	0

OFFICE OF MEDICAL & HEALTH SERVICES

General Fund Support							
Health	B	219,110	100,000	119,110	VACCINE FUNDS	0	0
TOTAL OFFICE OF MEDICAL & HEALTH SERVICES GENERAL FUND		219,110	100,000	119,110		0	0

PIMA COUNTY
SUMMARY OF SUPPLEMENTAL PACKAGES
FISCAL YEAR 2012/13

Department	Amount Requested		Supplemental Request/Additional Funding		Amount Recommended	
	Expenditure	Revenue	NGFI/NFI	Supplemental Request/Additional Funding	Expenditure	Revenue

PUBLIC WORKS

General Fund Support

B	915,141	145,000	590,206	UNFUNDED O&M FOR NRPR's NEW OR EXPENDED PARKS AND FACILITIES	0	0	0
C	889,973	0	889,973	NRPR OPEN SPACE AND IT	0	0	0
E	259,638	0	259,638	URBAN LOOP AND RIVER PARKS UNFUNDED O&M COSTS	0	0	0
F	3,821,625	0	3,821,625	UNFUNDED CAPITAL, HEALTH AND SAFETY ISSUES AND INFRASTRUCTURE RENOVATIONS	0	0	0
TOTAL PUBLIC WORKS GENERAL FUND					0	0	0

TOTAL GENERAL FUND SUPPORT	8,811,474	645,000	7,986,539		0	0	0
TOTAL NON-GENERAL FUND SUPPORT	0	0	0		0	0	0
GRAND TOTAL - ALL FUNDS	8,811,474	645,000	7,986,539		0	0	0

Supplemental Package Request

Department: Clerk of the Board

Package: B - CL - Agenda Management System with Hosted Live Stream and On Demand Video

Type of Request	Expanded Program	Growth Related
	FY 2012/13 Requested	FY 2013/14 Annualized
Operating Expenses	60,000	60,000
Total Expenditures	60,000	60,000
Total Revenues	-	-
General Fund Support	60,000	60,000

Goals & Objectives

- To update and streamline the current process for the preparation and online posting of the Board of Supervisors Meeting agendas, supporting documentation and approved minutes. To replace current encoder software and integrate the live stream and on demand video into the agenda system for greater transparency, searchable self-service online access and to measure and analyze public interest

Description

To provide monthly access fees to a hosted media solution that will import and index the live stream video into an automated agenda management software for public access and transparency of the Board of Supervisors meetings and all supporting documentation. The solution allows access for mobile devices, provides keyword search ability and tools to analyze viewership and report on audience interest.

Impact if not funded

Clerk of the Board will continue to utilize the current agenda process which is limited, does not integrate with mobile devices, is not searchable and is labor intensive.

The Information Technology Department will need to find an alternate solution for the live stream process as the software in use requires upgrade/replacement.

Mandates

A.R.S. 38-431 et seq. Arizona Open Meeting Law

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Supplemental Package Request

Department: Forensic Science Center
 Package: B - FSC - Medical and Lab Services

Type of Request

Expanded Program

	FY 2012/13 Requested	FY 2013/14 Annualized
Operating Expenses	90,000	90,000
Total Expenditures	90,000	90,000
Total Revenues	400,000	400,000
General Fund Support	(310,000)	(310,000)

Goals & Objectives

- To perform toxicology testing on decedents where deemed necessary by Forensic Pathologists to assist in determining cause and manner of death. FSC would be able to perform toxicology testing on Pima County cases as well as new cases from outside counties as Pima County just entered into a 5 year contract with Pinal County Medical Examiners and we are currently working out details for exam services for Cochise County which will increase our caseload by approximately 450 autopsies per year.

Description

Forensic Science Center rebid our toxicology laboratory services in FY 11/12 with an approximate 10% price increase. Further, FSC has entered into a contract with Pinal County Medical Examiner for the next 5 years to provide autopsy services and is in current negotiations with Cochise County to provide Medical Examiner Services. Due to the price increase in laboratory services and the addition of approximately 450 additional cases in FY 12/13, FSC is requesting the increase be granted.

Increase would allow toxicology to be performed on decedents where necessary to assist in establishing cause and manner of death. Increase would allow Pima County FSC to maintain our high standard of determination of cause and manner of death not only for Pima County but for other counties which we service within the state of Arizona.

Operating Expenses

Requesting funding to cover increased lab and x-ray services costs along with increased volume of lab and x-ray services usage.

Revenue

Additional revenue associated with the Cochise County and Pinal County IGAs.

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Supplemental Package Request

Department: Community Development & Neighborhood Conservation
 Package: B Housing Office Receptionist

Type of Request	Growth Related	
	FY 2012/13 Requested	FY 2013/14 Annualized
Personnel Services	27,904	29,426
Total Expenditures	27,904	29,426
Total Revenues	-	-
General Fund Support	27,904	29,426

Goals & Objectives

- Provide a permanent staff position to respond to initial public inquiries (in person and by telephone) at the Pima County Housing Center
 - Greet and provide assistance to 85% of all public contacting the Housing Center
- Monitor public when they are using reference center or computer work stations
 - Monitor 90% of all public accessing references or computers
- Provide office support to staff including mailings, copying, faxing, setting up for meetings
 - Provide 100% of Housing Center staff with basic office support

Description

This position would provide a permanent staff position to respond to initial public inquiries (in person and by telephone) at the Pima County Housing Center. Monitor public when they are using reference center or computer work stations. Provide office support to staff including mailings, copying, faxing, and setting up for meetings.

Personnel

1 FTE - 00001018 - OSL I Non Exempt County, Classified FT, ASRS BE

Impact if not Funded

Staff would continue to act as receptionist for walk-in clients and telephone traffic. Staff would continue to monitor the public while they are using the reference center and computer work stations. The staff who has assigned program responsibilities will continue to perform receptionist duties for the high traffic Pima County Housing Center.

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Supplemental Package Request

Department: County Attorney

Package: B - Victim Services Supplemental Request

Type of Request

Other – Replacement of Lost Grant Funding

	FY 2012/13 Requested	FY 2013/14 Annualized
Personnel Services	189,902	189,902
Total Expenditures	189,902	189,902
Total Revenues	-	-
General Fund Support	189,902	189,902

Goals & Objectives

- Prevent re-victimization by creating an environment where victims are treated with dignity, compassion, and respect
- Provide crisis intervention and victimology training to citizens, volunteers, and prosecutors
- Provide specialized domestic violence response including intervention services for victims and their children who experience this violence and comprehensive advocacy services for these victims in the dedicated Pima County Domestic Violence Court
- Ensure the rights of victims as dictated by the Arizona constitution are upheld
- Support and assist victims and witnesses at legal proceedings, hearing, and trials
- Provide court room support and assistance to victims and witnesses at legal proceedings, hearings and trials
- Provide comprehensive victim services to the outlying incorporated and unincorporated areas of Pima County
- Provide 24 hour/7 day a week crisis response to victims as requested by law enforcement
- Ensure victim compensation claims are processed within 60 days of the receipt of claim
- Administer and distribute Crime Victim Compensation Fund monies to victims in a timely manner
- Sustain a viable volunteer crisis advocate program that allows us to continue 24 hour response to all victims of crime and their families

Description

The Victim Services supplemental package is in response to the loss of two federal grants that previously funded 4 victim advocate positions: (1) Rural Domestic Violence and (2) Victim of Crimes Act. The requested supplemental budget funding is for the salary and benefit costs of these positions.

In 2007, Pima County Attorney's Office received a two-year Office of Violence against Women Rural Grant to establish a network of three Rural Victim Witness Program Satellites in order to bring services closer to victims of domestic violence, dating violence, sexual assault, and stalking and child abuse in the rural tracts of Pima County. While the Rural DV grant was funded, steady and significant progress was made in these underserved areas of our community and advocates there alleviated the existing problems of: inadequate or nonexistent support and referral services to crime victims, under-reporting of the target crimes by victims, reluctance on the part of law enforcement to change their attitudes and behaviors towards victims and the benefits of on-scene crisis intervention and follow-up services; an almost total deficit in prevention and awareness programming in schools and organizations; and an historic lack of community understanding of and action against these crimes. Consequently, to build upon the success achieved during the period of time funded by the grant, and to continue providing direct services to victims who should the have Rural Satellites close will have no other service options - we are requesting additional financial resources to improve, expand and entrench the programs and effect real and lasting change to the rural areas of Pima County.

The Victim of Crimes Act Grant assisted Victim Services in addressing the fact that too few crime victims in Pima County received the services that research shows they need to recover from their physical, emotional and financial injuries; plan a safer future; and successfully navigate the criminal justice system. According to the Arizona Department of Public Service Crime in Arizona Report, in 2010 Pima County reported: (a) 53,411 Part 1 crimes (up from 47,674 in 2009) including: 78 murders, 231 rapes, 1,331 robberies, 2,567 aggravated assaults, 7,787 burglaries, 46,524 larcenies, 4,600 motor vehicle thefts and 293 arsons; and (b) 56,414 Part 2 crimes (assaults, DUI, fraud, sex offenses, harassment, vandalism, etc.) Every one of those crimes had one or more victims who were injured

physically, emotionally and/or financially. And the burden didn't stop there for victims, as those whose cases resulted in an arrest had to deal with a complicated, stressful and oftentimes drawn-out criminal justice process - and those whose cases did not result in an arrest had to deal with feelings of continued vulnerability and injustice. Last Year VSD advocates served more than 8,000 such victims by helping them to: understand their rights and the criminal justice process; access victim compensation; find and access physical and mental health services; secure basic needs such as shelter, food and transportation; obtain orders of protection; make safety plans; getting sufficient case information; and have the courtroom support and advocacy needed to secure justice. But 8,000 victims are only a small percentage of victims who actually needed services and the fact is that no other organization in Pima County provides an equivalent range of comprehensive services to any crime victim and no other organization serves the entire county 24/7/365.

Victim Witness's well-established and proven service models make us well-prepared to be able to respond quickly if granted our request for supplemental funding. We have a proven track record of successful outcomes, often generated by grants that start quickly and have milestones that must be reached according to schedule and budget. The recent economic crisis has resulted in limiting our ability to fill positions that threaten our ability to maintain existing services. Funding for all of the Victim Services positions will enable us to maintain our services that otherwise will no longer be met as a result of the loss of grant funding.

Personnel

The Victim Services supplemental package is in response to the loss of two federal grants that previously funded 4 victim advocate positions: (1) Rural Domestic Violence and (2) Victim of Crimes Act. The requested supplemental budget funding is for the salary and benefit costs of these positions.

(1) Rural Domestic Violence funds 3 3146 advocate positions under unit 1979

(2) Victim of Crimes Act funds 1 3146 advocate position under unit 1985

Positions are currently budgeted in unit 1979 and 1985 in the event that the grant funding becomes available.

Supplies & Services

None requested

Impact if not funded

In 2007, Pima County Attorney's Office received a two-year Office of Violence against Women Rural Grant to establish a network of three Rural Victim Witness Program Satellites in order to bring services closer to victims of domestic violence, dating violence, sexual assault, and stalking and child abuse in the rural tracts of Pima County. While the Rural DV grant was funded, steady and significant progress was made in these underserved areas of our community and advocates there alleviated the existing problems of: inadequate or nonexistent support and referral services to crime victims, under-reporting of the target crimes by victims, reluctance on the part of law enforcement to change their attitudes and behaviors towards victims and the benefits of on-scene crisis intervention and follow-up services; an almost total deficit in prevention and awareness programming in schools and organizations; and an historic lack of community understanding of and action against these crimes. Consequently, to build upon the success achieved during the period of time funded by the grant, and to continue providing direct services to victims who should the Rural Satellites close will have no other service options - we are requesting additional financial resources to improve, expand and entrench the programs and effect real and lasting change to the rural areas of Pima County.

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Mandates

1. A.R.S. 11-532 (Powers and Duties of the County Attorney): The County Attorney shall:
 - Attend the superior and other courts within the county and conduct all prosecutions for public offenses (Title 13 and A.R.S. 25-511 (A) failure to provide support for a child is a class 6 felony) (A.R.S. 11-532(A)(1)-(2));
 - Attend upon the magistrates and advise the grand jury (A.R.S. 11-532 (A)(3));
 - Draw indictments and information's (A.R.S. 11-532 (A)(4)); and
 - Furnish the attorney general with facts, authorities and citations regarding criminal appeals (A.R.S. 11-532 (B)).
2. A.R.S. 3-240 (Agriculture Seeds): The county attorney of the county in which the violation occurred shall institute proceedings at once against any person charged with a violation of this article if, in his judgment, the information submitted warrants such action. A violation may be either a petty offense (A.R.S. 3-240 (A) or a class 6 felony, if committed with the intent to commit fraud A.R.S. 3-240(B)).
3. A.R.S. 3-283 (A)(2) (Agriculture Fertilizer Materials): The director [of agriculture] may request the county attorney to initiate criminal prosecution under this paragraph. Any person who knowingly violates any provision of this article or the rules adopted under this article is guilty of a class 2 misdemeanor.
4. A.R.S. 3-633 (Agriculture Dairies): The department's legal counsel, the attorney general and the county attorney of each county, upon request, shall advise the director in the performance of his duties, and shall institute and prosecute all actions arising under this article.
5. A.R.S. 3-2097 (Slaughter of Animals and Sale of Meat-Prosecutions of violations): The county attorney of the county in which the violation occurs may prosecute any violation reported pursuant to this chapter. A violation of any provision of this chapter for which a specific criminal classification is not prescribed is guilty of a class 2 misdemeanor. (concurrent with AG)
6. A.R.S. 3-2616 (A)(2) (Agriculture, Animal and Bird Seed): For violations of this article, the director may request the county attorney to initiate criminal prosecution. Each county attorney shall cause appropriate proceedings to be institute and prosecuted in a court of competent jurisdiction without delay.
7. A.R.S. 5-512.01 (Amusements and Sports State Lottery): The county attorneys have prosecution authority for offenses regarding the formation, management, operation, and conduct of the state lottery. (Concurrent with AG)
8. A.R.S. 8-127(A) (Adoption): The county attorney shall, upon the application of the person or persons seeking adoption, prepare the adoption petition and act as attorney (except when a petitioner seeks adoption pursuant to Title 14, Ch. 8 adoption of an adult) without expense to the petitioner.
9. A.R.S. 8-232 (Juvenile Hearings): If a child in a juvenile court hearing who is the subject of the petition that does not allege a delinquent act or incorrigibility is represented by counsel in a contested matter, the county attorney, when requested by the juvenile court judge, shall appear and participate in the hearing to assist in ascertaining and presenting evidence.
10. A.R.S. 8-236 (Juvenile Hearings Cooperation): The juvenile court or the county attorney in each county may establish, or assist in the establishment of, any other public council or committee having as its object the prevention of juvenile delinquency, including community based alternative programs. The juvenile court or county attorney may cooperate with, or participate in, the work of any council or committee for the purpose of preventing or decreasing juvenile delinquency, including improving recreational, health and other conditions in the community affecting juvenile welfare.
11. A.R.S. 8-321 (Juvenile Offenders referrals, diversions, conditions, and community based alternative programs): The county attorney may divert the prosecution of juveniles and may establish community based alternative programs. Except as provided in 8-323, the county attorney has sole discretion to decide whether to divert or defer prosecution of a juvenile offender. On the county attorneys certification to the Supreme Court of the number of juveniles diverted to a county attorney community based alternative program, the county can be reimbursed for these programs. See also A.R.S. 8-326 (B): The county attorney may establish and administer community based alternative programs.

12. A.R.S. 8-326(A) (Juvenile Offenders): The county attorney shall investigate acts of alleged delinquent behavior and attend the juvenile court and conduct all contested hearings involving allegation of delinquent acts or incorrigibility.
13. A.R.S. 8-341 (O) (Juvenile Offenders Disposition and Commitment): On the request of a victim of an act that may have involved significant exposure as defined in section 13-1415 or that if committed by an adult would be a sexual offense, the prosecuting attorney shall petition the adjudicating court to require that the juvenile be tested for the presence of the human immunodeficiency virus. If the victim is a minor the prosecuting attorney shall file this petition at the request of the victim's parent or guardian.
14. A.R.S. 8-346 (F) (Restitution Contracts): The county attorney or the juvenile court may enter into contracts with this state, any political subdivision of this state or private entities to provide appropriate services by juveniles who are ordered to pay restitution by the juvenile court or who have agreed to pay restitution.
15. A.R.S. 8-353 (Juvenile Intensive Probation): The juvenile intensive probation team shall request the county attorney to bring a noncompliant probationer before the court, and monitor the payment of restitution and probation fees and request the county attorney to bring before the court any probationer who fails to pay restitution or probation fees.
16. A.R.S. 8-535 (G) (Termination of Parent-Child Relationship): The county attorney, on the request of the court or a governmental agency or on the county attorney's own motion, may intervene in any proceedings under this article to represent the interest of the child. See also A.R.S. 25-509 (A) (Family support duties-Order for assignment; foreign support order: The attorney general or county attorney on behalf of this state may initiate an action or intervene in an action to establish, modify or enforce a duty of child support, including medical support, regardless of the welfare or nonwelfare status of the person to whom the duty of support is owed. The attorney general or county attorney may establish, modify or enforce such a duty of support by all means available, including all civil and criminal remedies provided by law.)
17. A.R.S. 8-817(B) (Dependent Children Protective Services Initial screening and safety assessment and investigations): The county attorney, the sheriff, the chief law enforcement officer for each municipality in the county and the department shall develop and implement protocols for cooperation in investigations of allegations involving extremely serious conduct.
18. A.R.S. 11-361 and 362: If the County has a deferred prosecution program, the county attorney shall administer the program and maintain statistical records pertaining to the program. (It is unclear from the statute whether the County or the County Attorney makes the decision whether to have a deferred prosecution program.)
19. A.R.S. 11-459 (I): If the sheriff establishes a community restitution work program for sentenced prisoners, a representative of the county attorney's office selected by the county attorney would be part of the community restitution work committee.
20. A.R.S. 11-533 (Statements in connection with sentencing): When a defendant is sentenced, the county attorney shall attach to a certified copy of the sentence a statement of the facts and circumstances of the crime upon which the defendant was convicted, together with all other relevant information.
21. A.R.S. 11-536 (Witness Protection): A county attorney may provide for the security of government witnesses, potential government witnesses and their immediate families in pending official criminal or civil proceedings or investigations, if testimony by such witnesses may subject the witnesses or members of their immediate families to danger or bodily injury.
22. A.R.S. 11-538 (County Attorney Victim Compensation Fund): If the board of supervisors establishes a county attorney victim compensation fund, the county attorney shall, in cooperation with the board of supervisors, administer the victim compensation fund.
23. A.R.S. 11-598 (Exhumation; court order): If in any case of sudden, violent or suspicious death a body is buried without any inquiries by the county medical examiner, the county attorney of the county wherein the body is buried may petition the superior court for an order directing that the body be exhumed and an autopsy performed thereon.
24. A.R.S. 12-102.01 (Criminal case processing and enforcement improvement fund): While the supreme court administers the fund, at a minimum, each project shall involve the county attorney. The county attorney, among others, shall assist the Supreme Court in preparing the report to the governor, legislature and others by providing information relevant to the report.
25. A.R.S. 12- 998 (Abatement of Crime Property): The county attorney may bring an action to abate and prevent

criminal activity in commercial property. See also A.R.S. 12-991 (Re: Residential property: the county attorney may bring an action in superior court against the owner, the owner's managing agent or any other party responsible for the property to abate and prevent the criminal activity.)

26. Title 13: Pursuant to A.R.S. 11-532, the county attorney shall conduct all prosecutions for public offenses. The criminal code of Arizona is enumerated in Title 13. [For Bad Check Program see A.R.S. 13-1809 to 13-1811; for Victim Witness Program see A.R.S. 13-4404 through 13-4435.]

27. A.R.S. 13-2314.03 County attorney shall cause a report to be filed with Arizona criminal justice commission regarding anti-racketeering funds on or before January 25, April 25, July 25, and October 25th.

28. A.R.S. 17-103 (Game and Fish): Each county attorney shall prosecute and defend on behalf of the state, in all courts of the county, all actions, criminal or civil, arising under this title in which the state, commission member, or department employee is a party thereof.

29. A.R.S. 21-408 (A) (Grand Juries): The county attorney shall attend the grand jurors when requested by them, and draft indictments and cause process to issue when requested by the jurors. See also A.R.S. 21-409(A) (Grand Juries): When a grand jury is summoned and appears, the court and the county attorney or other prosecuting officer shall examine the jurors regarding their qualifications as such jurors.

30. A.R.S. 26-168 County attorney shall prosecute employers who do not allow employees leave to participate in national guard duties in superior court.

31. A.R.S. 28-1442 (D) (Driving under the influence; records; reporting): By September 1 of each year each county attorney shall report to the governor's office of highway safety the number of cases dismissed pursuant to section 28-1387, subsection I (dismissals based on insufficient legal or factual basis) for the previous fiscal year.

32. A.R.S. 28-4594 (B)(2)(b)-(c) (Vehicle Dealers-Automotive Recyclers and Transporters-Violations-Altered serial or identification number; contraband; seizure; disposition): When law enforcement seizes a vehicle and either the identification number can only be temporarily restored or cannot be restored, the county attorney of the county in which the motor vehicle or major component part of a vehicle was seized shall file a petition or action in the superior court in the county in which the item was seized .

33. A.R.S. 32-1269 (A) (Professions and Occupations-Dentistry-Regulation; Violation): Violations of this chapter are a class 2 misdemeanor and shall be prosecuted by the county attorney in the Superior Court in the county in which the violation occurs.

34. A.R.S. 32-1556 (Professions and Occupations-Naturopathic Medicine-Regulation-Prosecution for Violations): The county attorney of each county shall prosecute all persons charged with violating §32-1555. Violation of 32-1555 is a class 5 felony.

35. A.R.S. 32-1991 (Professions and Occupations-Pharmacy-Enforcement of chapter): The county attorneys, among others, shall enforce the provisions of this chapter. (concurrent with DPS and other officers exercising police powers)

36. A.R.S. 32-2160 (A) (Professions and Occupations-Real Estate-Prosecution): The county attorney of any county in which a violation occurs shall, upon the written request of the commissioner or the attorney general, prosecute a violation of this chapter.

37. A.R.S. 32-2237 (D)(2) (Professions and Occupations-Veterinarians-Regulation-Committee to investigate violations; referral to county attorney or attorney general): If after investigation the board has probable cause to believe that an unlicensed person is performing acts that are required to be performed by a person licensed pursuant to this chapter, the board may request the county attorney or attorney general to file criminal charges against the person.

38. A.R.S. 36-912 (Pure Food Control-Adulteration and Misbranding-Prosecution): The county attorney to whom the director reports any violation of this article shall cause appropriate proceedings to be instituted in the proper court. (concurrent with AG)

39. A.R.S. 36-3709 (A) (Sexually violent persons-Petition for change of status): The county attorney shall represent the state at hearings on petitions for change of status. See also A.R.S. 36-3714(A) (Sexually violent persons Petitions for discharge): The county attorney shall represent the state at hearing on petitions for discharge. (each concurrent with AG)

40. A.R.S. 38-342 (A) (Removal of county and precinct officers): The accusation (for the removal of county or precinct

officers) shall be delivered by the foreman of the grand jury to the county attorney, who shall cause a copy thereof to be served upon the accused.

41. A.R.S. 40-421 (B) (Enforcement of laws relating to public service corporations): Upon request of the commission, the attorney general, or the county attorney of the proper county, shall aid in any investigation, hearing or trial conducted under the provisions of this chapter and shall institute and prosecute actions or proceedings for enforcement of the provisions of the constitution and statutes. (violations by officers, agents or employees are class 1 misdemeanors)

42. A.R.S. 41-1237 (Legislature-Registration and regulation of lobbyists-Violation; classification): Any alleged violation of any provisions of this article may be investigated and prosecuted by the attorney general or by the county attorney of the county in which the alleged offense was committed. (violations are a class 1 misdemeanor)

43. A.R.S. 41-1830 (A): The county attorneys shall serve on the Arizona prosecuting attorneys advisory council.

44. A.R.S. 41-1963 (Department of Economic Security): The appropriate county attorney shall have concurrent jurisdiction to prosecute all violations of law arising out of or in connection with any program administered by the department of economic security, including, but not limited to 13-3701, 23-657, and 46-215. (concurrent with AG)

45. A.R.S. 41-2113 (D) (Weights and Measures): The county attorney shall have concurrent jurisdiction to prosecute violations of this chapter. (concurrent with AG)

46. A.R.S. 42-1004(E) (Taxation): The attorney general may delegate the prosecuting authority of this title and Title 43 to any county attorney for prosecution in that county.

47. A.R.S. 43-1154: The county attorney shall prosecute any person who attempts to exercise any of the rights, etc., of any corporation suspended pursuant to A.R.S. 43-1152.

48. A.R.S. 44-1231.03 (A) (Fraudulent Practices in the Sale of Indian Arts and Crafts-Enforcement): The county attorney shall enforce this article (concurrent with AG).

49. A.R.S. 44-1710 (Trade and Commerce-Regulations concerning Particular Businesses-Credit Services): The county attorney may prosecute misdemeanor actions or institute proceedings to restrain and enjoin violations under 44-1703 through 1706 and 44-1709.

50. A.R.S. 44-1732 (B): The county attorney shall institute the criminal actions to enforce the provisions of this article (re: pyramid promotional schemes). (concurrent with AG)

51. A.R.S. 44-1797.20 (A) (Discount Buying Services-Enforcement): The attorney general or county attorney shall have the power to enforce the criminal provisions of this article.

A.R.S. 46-404(C) Welfare-Child Support Obligations-Reimbursement of Public Assistance-Notice; service; order): The department and the absent parent may enter into an agreement in which they stipulate as to the amount of support and method of payment that the absent parent shall pay monthly to the clerk of the court. The department, through the county attorney, shall petition the superior court for an order approving the stipulation and such order shall be enforced by the county attorney.

Supplemental Package Request

Department: County Attorney

Package: C - Violent and Domestic Violence Federally Funded Prosecution - Arrest and JAG

Type of Request	Other – Replacement of Lost Grant Funding	
	FY 2012/13 Requested	FY 2013/14 Annualized
Personnel Services	1,061,068	1,061,068
Total Expenditures	1,061,068	1,061,068
Total Revenues	-	-
General Fund Support	1,061,068	1,061,068

Goals & Objectives

- Hold criminals accountable for violations of the law by investigating and prosecuting criminal cases in a manner that maximizes public safety
- Review all felony cases presented by law enforcement to determine whether or not the admissible evidence is sufficient to file criminal charges
- Target dangerous, violent, and repetitive criminal defendants for trial
- Process all requests for subpoenas, arrest warrants, interviews, and investigations
- Prosecute all misdemeanor cases filed by law enforcement in Justice Courts
- Provide 24 hour/7 day a week call out services to law enforcement for legal advice in homicides, sex crimes, gang, and narcotic investigations
- Provide attorney for day and night initial appearances 365 days a year to ensure appropriate release conditions are recommended to maximize public safety

Description

The Violent Crimes supplemental package is in response to the loss of two federal grants: (1) The Office of Violence Against Women Arrest Grant and (2) the Justice Assistance Grant (JAG) ARRA Grant. Together they previously funded 17 criminal prosecution positions. The requested supplemental budget funding is for the salary and benefit costs of these positions.

The Office of Violence Against Women Arrest Grant: When it comes to the crime of domestic violence (DV), the goal of Pima County Attorney's Office is to provide its citizens with a criminal justice system that: maximizes victim service and safety, holds offenders sufficiently accountable and reduces crime. To those ends, we applied for and received a 2007 Grant to Encourage Arrest Policies and Enforcement of Protection Orders award that enabled the Pima County Attorney's Office (PCAO) to establish a new Domestic Violence Vertical Prosecution Unit (DV Unit) that would centralize and better manage all of the domestic violence cases it prosecuted. Simultaneously, we received a STOP Grant via the Governor's Office that made it possible for us to help create and support a specialty misdemeanor Domestic Violence Court (DV Court) to reduce the barriers to victim participation, adjudicate all repeat and serious first-time offenders, and improve methods of identifying repeat offenders so they could be charged as felons under state law.

At the same time, though the sheer volume of cases has continued to test the ability of the DV Unit to keep pace and provide the swift and sure justice shown to protect victims and reduce recidivism. For example, over the past few years the number of misdemeanor cases presented for prosecution by the new Unit in DV Court doubled from about 1,000 to 2,000, and as the result of improved communications, felony prosecutions increased from 343 to over 500. In addition to the volume, the DV Unit's adherence to vertical prosecution (where an attorney or team of attorneys and 2010 Community-Defined Solutions to Violence Against Women Program legal support staff manage each case from start to finish) has: (1) improved offender accountability and victim services (2) reduced costs by focusing on Preliminary hearings in lieu of Grand Jury proceedings for felony offenders as a means to secure pleas early in the process. However, it is by nature significantly more time and resource consuming than standard horizontal methods.

Additionally, new domestic and dating violence problems continue to arise as the result of changes in technology. Increasingly problematic is the use of digital technology to harass, threaten, track and stalk victims, often in violation of orders of protection or other no contact orders. Last year, about 10% of victims mentioned to their PCAO prosecutor or advocate that they were receiving unwanted and illegal cell phone calls and text messages. For many victims, especially those who are transient or forced to move as the result of the crime, cell phones are their only mode of communication, so the fear of using them or losing them as part of an investigation - jeopardizes their safety and ability to secure needed services and support prosecution efforts.

In order to sustain the system improvements and address the volume of DV cases and unique needs of victims, funding of the eight criminal prosecution positions previously funded by the Arrest grant is being requested.

The Justice Assistance Grant (JAG) ARRA: JAG ARRA Grant funding was utilized by the Pima County Attorney's Office will to fund criminal prosecution positions that were originally funded under the Local Law Enforcement Block Grant and Byrne Grant programs. Specifically, it supported the salary and employee related expenses for nine criminal prosecution positions. These nine positions were assigned in various units to prosecute cases involving violent crimes including aggravated assault, sexual assault, armed robbery, drive-by shootings, and felony DUI. Pima County has one of the highest violent crime rates in the nation. In 2010, the FBI Uniform Crime Report showed a per 100,00 Part One (murder, rape, robbery, aggravated assault) of 424.9 - and that does not include the less violent, but still devastating misdemeanor and felony level crimes listed above. Any reduction in resources will have a very negative impact on our ability to hold violent offenders accountable and protect Pima County residents

Personnel

The Violent Crimes supplemental package is in response to the loss of two federal grants: (1) The Office of Violence Against Women Arrest Grant and (2) the Justice Assistance Grant (JAG) ARRA Grant. Together they previously funded 17 criminal prosecution positions.

9 positions total: funds 4 - 3115 Attorney Positions, 1 - 3143 Secretary Position, 1 - 3162 Admin Svcs Position, 1 3145 Paralegal Position, 1 - 3147 Investigator Position, 1 - 3139 LPS Position for the federally funded JAG unit 1977

8 positions total: Funds 5 - 3115 Attorney Positions, 1 - 3143 Secretary Position, 1 - 3145 Paralegal Position, 1 - 3147 Investigator Position for the federally funded Arrest grant unit 1980

These grants are budgeted under unit 1977 and 1980 in case the federal funding is provided.

Impact if not funded

The Office of Violence Against Women Arrest Grant: When it comes to the crime of domestic violence (DV), the goal of Pima County Attorney's Office is to provide its citizens with a criminal justice system that: maximizes victim service and safety, holds offenders sufficiently accountable and reduces crime. To those ends, we applied for and received a 2007 Grant to Encourage Arrest Policies and Enforcement of Protection Orders award that enabled the Pima County Attorney's Office (PCAO) to establish a new Domestic Violence Vertical Prosecution Unit (DV Unit) that would centralize and better manage all of the domestic violence cases it prosecuted. Simultaneously, we received a STOP Grant via the Governor's Office that made it possible for us to help create and support a specialty misdemeanor Domestic Violence Court (DV Court) to reduce the barriers to victim participation, adjudicate all repeat and serious first-time offenders, and improve methods of identifying repeat offenders so they could be charged as felons under state law.

At the same time, though the sheer volume of cases has continued to test the ability of the DV Unit to keep pace and provide the swift and sure justice shown to protect victims and reduce recidivism. For example, over the past few years the number of misdemeanor cases presented for prosecution by the new Unit in DV Court doubled from about 1,000 to 2,000, and as the result of improved communications, felony prosecutions increased from 343 to over 500. In addition to the volume, the DV Units adherence to vertical prosecution (where an attorney or team of attorneys and 2010 Community-Defined Solutions to Violence Against Women Program legal support staff manage each case from start to finish) has: (1) improved offender accountability and victim services (2) reduced costs by focusing on Preliminary hearings in lieu of Grand Jury proceedings for felony offenders as a means to secure pleas early in the process. However, it is by nature significantly more time and resource consuming than standard horizontal methods.

Additionally, new domestic and dating violence problems continue to arise as the result of changes in technology. Increasingly problematic is the use of digital technology to harass, threaten, track and stalk victims, often in violation of orders of protection or other no contact orders. Last year, about 10% of victims mentioned to their PCAO prosecutor or advocate that they were receiving unwanted and illegal cell phone calls and text messages. For many victims, especially those who are transient or forced to move as the result of the crime, cell phones are their only mode of communication, so the fear of using them or losing them as part of an investigation - jeopardizes their safety and ability to secure needed services and support prosecution efforts.

In order to sustain the system improvements and address the volume of DV cases and unique needs of victims, funding of the Eight criminal prosecution positions previously funded by the Arrest grant is being requested.

The Justice Assistance Grant (JAG) ARRA: JAG ARRA Grant funding was utilized by the Pima County Attorneys Office will to fund criminal prosecution positions that were originally funded under the Local Law Enforcement Block Grant and Byrne Grant programs. Specifically, it supported the salary and employee related expenses for nine criminal prosecution positions. These nine positions were assigned in various units to prosecute cases involving violent crimes including aggravated assault, sexual assault, armed robbery, drive-by shootings, and felony DUI. Pima County has one of the highest violent crime rates in the nation. In 2010, the FBI Uniform Crime Report showed a per 100,00 Part One (murder, rape, robbery, aggravated assault) of 424.9 and that does not include the less violent, but still devastating misdemeanor and felony level crimes listed above. Any reduction in resources will have a very negative impact on our ability to hold violent offenders accountable and protect Pima County residents

Mandates

1. A.R.S. 11-532 (Powers and Duties of the County Attorney): The County Attorney shall:
 - Attend the superior and other courts within the county and conduct all prosecutions for public offenses (Title 13 and A.R.S. 25-511(A) failure to provide support for a child is a class 6 felony) (A.R.S. 11-532(A)(1)-(2));
 - Attend upon the magistrates and advise the grand jury (A.R.S. 11-532(A)(3));
 - Draw indictments and information (A.R.S. 11-532(A)(4)); and
 - Furnish the attorney general with facts, authorities and citations regarding criminal appeals (A.R.S. 11-532(B)).
2. A.R.S. 3-240 (Agriculture Seeds): The county attorney of the county in which the violation occurred shall institute proceedings at once against any person charged with a violation of this article if, in his judgment, the information submitted warrants such action. A violation may be either a petty offense (A.R.S. § 3-240(A) or a class 6 felony, if committed with the intent to commit fraud A.R.S. § 3-240(B)).
3. A.R.S. 3-283(A)(2) (Agriculture Fertilizer Materials): The director [of agriculture] may request the county attorney to initiate criminal prosecution under this paragraph. Any person who knowingly violates any provision of this article or the rules adopted under this article is guilty of a class 2 misdemeanor.
4. A.R.S. 3-633 (Agriculture Dairies): The department's legal counsel, the attorney general and the county attorney of each county, upon request, shall advise the director in the performance of his duties, and shall institute and prosecute all actions arising under this article.
5. A.R.S. 3-2097 (Slaughter of Animals and Sale of Meat-Prosecutions of violations): The county attorney of the county in which the violation occurs may prosecute any violation reported pursuant to this chapter. A violation of any provision of this chapter for which a specific criminal classification is not prescribed is guilty of a class 2 misdemeanor. (concurrent with AG)
6. A.R.S. 3-2616(A)(2) (Agriculture, Animal and Bird Seed): For violations of this article, the director may request the county attorney to initiate criminal prosecution. Each county attorney shall cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay.
7. A.R.S. 5-512.01 (Amusements and Sports State Lottery): The county attorneys have prosecution authority for offenses regarding the formation, management, operation, and conduct of the state lottery. (Concurrent with AG)
8. A.R.S. 8-127(A) (Adoption): The county attorney shall, upon the application of the person or persons seeking adoption, prepare the adoption petition and act as attorney (except when a petitioner seeks adoption pursuant to Title 14, Ch. 8 adoption of an adult) without expense to the petitioner.

9. A.R.S. 8-232 (Juvenile Hearings): If a child in a juvenile court hearing who is the subject of the petition that does not allege a delinquent act or incorrigibility is represented by counsel in a contested matter, the county attorney, when requested by the juvenile court judge, shall appear and participate in the hearing to assist in ascertaining and presenting evidence.

10. A.R.S. 8-236 (Juvenile Hearings Cooperation): The juvenile court or the county attorney in each county may establish, or assist in the establishment of, any other public council or committee having as its object the prevention of juvenile delinquency, including community based alternative programs. The juvenile court or county attorney may cooperate with, or participate in, the work of any council or committee for the purpose of preventing or decreasing juvenile delinquency, including improving recreational, health and other conditions in the community affecting juvenile welfare.

11. A.R.S. 8-321 (Juvenile Offenders referrals, diversions, conditions, and community based alternative programs): The county attorney may divert the prosecution of juveniles and may establish community based alternative programs. Except as provided in A.R.S.8-323, the county attorney has sole discretion to decide whether to divert or defer prosecution of a juvenile offender. On the county attorney's certification to the Supreme Court of the number of juveniles diverted to a county attorney community based alternative program, the county can be reimbursed for these programs. See also A.R.S. 8-326(B): The county attorney may establish and administer community based alternative programs.

12. A.R.S. 8-326(A) (Juvenile Offenders): The county attorney shall investigate acts of alleged delinquent behavior and attend the juvenile court and conduct all contested hearings involving allegation of delinquent acts or incorrigibility.

13. A.R.S. 8-341(O) (Juvenile Offenders Disposition and Commitment): On the request of a victim of an act that may have involved significant exposure as defined in section 13-1415 or that if committed by an adult would be a sexual offense, the prosecuting attorney shall petition the adjudicating court to require that the juvenile be tested for the presence of the human immunodeficiency virus. If the victim is a minor the prosecuting attorney shall file this petition at the request of the victim's parent or guardian.

14. A.R.S. 8-346(F) (Restitution Contracts): The county attorney or the juvenile court may enter into contracts with this state, any political subdivision of this state or private entities to provide appropriate services by juveniles who are ordered to pay restitution by the juvenile court or who have agreed to pay restitution . . .

15. A.R.S. 8-353 (Juvenile Intensive Probation): The juvenile intensive probation team shall request the county attorney to bring a noncompliant probationer before the court, and monitor the payment of restitution and probation fees and request the county attorney to bring before the court any probationer who fails to pay restitution or probation fees.

16. A.R.S. 8-535(G) (Termination of Parent-Child Relationship): The county attorney, on the request of the court or a governmental agency or on the county attorney's own motion, may intervene in any proceedings under this article to represent the interest of the child. See also A.R.S.25-509(A) (Family support duties-Order for assignment; foreign support order: The attorney general or county attorney on behalf of this state may initiate an action or intervene in an action to establish, modify or enforce a duty of child support, including medical support, regardless of the welfare or nonwelfare status of the person to whom the duty of support is owed. The attorney general or county attorney may establish, modify or enforce such a duty of support by all means available, including all civil and criminal remedies provided by law.)

17. A.R.S. 8-817(B) (Dependent Children Protective Services Initial screening and safety assessment and investigations): The county attorney, the sheriff, the chief law enforcement officer for each municipality in the county and the department shall develop and implement protocols for cooperation in investigations of allegations involving extremely serious conduct.

18. A.R.S. 11-361 and 362: If the County has a deferred prosecution program, the county attorney shall administer the program and maintain statistical records pertaining to the program. (It is unclear from the statute whether the County or the County Attorney makes the decision whether to have a deferred prosecution program.)

19. A.R.S. 11-459(I): If the sheriff establishes a community restitution work program for sentenced prisoners, a representative of the county attorney's office selected by the county attorney would be part of the community restitution work committee.

20. A.R.S. 11-533 (Statements in connection with sentencing): When a defendant is sentenced, the county attorney shall attach to a certified copy of the sentence a statement of the facts and circumstances of the crime upon which the defendant was convicted, together with all other relevant information.
21. A.R.S. 11-536 (Witness Protection): A county attorney may provide for the security of government witnesses, potential government witnesses and their immediate families in pending official criminal or civil proceedings or investigations, if testimony by such witnesses may subject the witnesses or members of their immediate families to danger or bodily injury.
22. A.R.S. 11-538 (County Attorney Victim Compensation Fund): If the board of supervisors establishes a county attorney victim compensation fund, the county attorney shall, in cooperation with the board of supervisors, administer the victim compensation fund.
23. A.R.S. 11-598 (Exhumation; court order): If in any case of sudden, violent or suspicious death a body is buried without any inquiries by the county medical examiner, the county attorney of the county wherein the body is buried may petition the superior court for an order directing that the body be exhumed and an autopsy performed thereon.
24. A.R.S. 12-102.01 (Criminal case processing and enforcement improvement fund): While the supreme court administers the fund, at a minimum, each project shall involve the county attorney. The county attorney, among others, shall assist the supreme court in preparing the report to the governor, legislature and others by providing information relevant to the report.
25. A.R.S. 12-998 (Abatement of Crime Property): The county attorney may bring an action to abate and prevent criminal activity in commercial property. See also A.R.S. 12-991 (Re: Residential property: the county attorney may bring an action in superior court against the owner, the owner's managing agent or any other party responsible for the property to abate and prevent the criminal activity.)
26. Title 13: Pursuant to A.R.S. 11-532, the county attorney shall conduct all prosecutions for public offenses. The criminal code of Arizona is enumerated in Title 13. [For Bad Check Program see A.R.S. 13-1809 to 13-1811; for Victim Witness Program see A.R.S. 13-4404 through 13-4435.]
27. A.R.S. 13-2314.03 County attorney shall cause a report to be filed with Arizona criminal justice commission regarding anti-racketeering funds on or before January 25, April 25, July 25, and October 25th.
28. A.R.S. 17-103 (Game and Fish): Each county attorney shall prosecute and defend on behalf of the state, in all courts of the county, all actions, criminal or civil, arising under this title in which the state, commission member, or department employee is a party thereof.
29. A.R.S. 21-408(A) (Grand Juries): The county attorney shall attend the grand jurors when requested by them, and draft indictments and cause process to issue when requested by the jurors. See also A.R.S. 21-409(A) (Grand Juries): When a grand jury is summoned and appears, the court and the county attorney or other prosecuting officer shall examine the jurors regarding their qualifications as such jurors.
30. A.R.S. 26-168 County attorney shall prosecute employers who do not allow employees leave to participate in national guard duties in superior court.
31. A.R.S. 28-1442(D) (Driving under the influence; records; reporting): By September 1 of each year each county attorney shall report to the governor's office of highway safety the number of cases dismissed pursuant to section 28-1387, subsection I (dismissals based on insufficient legal or factual basis) for the previous fiscal year.
32. A.R.S. 28-4594(B)(2)(b)-(c) (Vehicle Dealers-Automotive Recyclers and Transporters-Violations-Altered serial or identification number; contraband; seizure; disposition): When law enforcement seizes a vehicle and either the identification number can only be temporarily restored or cannot be restored, the county attorney of the county in which the motor vehicle or major component part of a vehicle was seized shall file a petition or action in the superior court in the county in which the item was seized.
33. A.R.S. 32-1269(A) (Professions and Occupations-Dentistry-Regulation; Violation): Violations of this chapter are a class 2 misdemeanor and shall be prosecuted by the county attorney in the Superior Court in the county in which the violation occurs.

34. A.R.S. 32-1556 (Professions and Occupations-Naturopathic Medicine-Regulation-Prosecution for Violations): The county attorney of each county shall prosecute all persons charged with violating 32-1555. Violation of 32-1555 is a class 5 felony.
35. A.R.S. 32-1991 (Professions and Occupations-Pharmacy-Enforcement of chapter): The county attorneys, among others, shall enforce the provisions of this chapter. (concurrent with DPS and other officers exercising police powers)
36. A.R.S. 32-2160(A) (Professions and Occupations-Real Estate-Prosecution): The county attorney of any county in which a violation occurs shall, upon the written request of the commissioner or the attorney general, prosecute a violation of this chapter.
37. A.R.S. 32-2237(D)(2) (Professions and Occupations-Veterinarians-Regulation-Committee to investigate violations; referral to county attorney or attorney general): If after investigation the board has probable cause to believe that an unlicensed person is performing acts that are required to be performed by a person licensed pursuant to this chapter, the board may request the county attorney or attorney general to file criminal charges against the person.
38. A.R.S. 36-912 (Pure Food Control-Adulteration and Misbranding-Prosecution): The county attorney to whom the director reports any violation of this article shall cause appropriate proceedings to be instituted in the proper court. (concurrent with AG)
39. A.R.S. 36-3709(A) (Sexually violent persons-Petition for change of status): The county attorney shall represent the state at hearings on petitions for change of status. See also A.R.S. 36-3714(A) (Sexually violent persons Petitions for discharge): The county attorney shall represent the state at hearing on petitions for discharge. (each concurrent with AG)
40. A.R.S. 38-342(A) (Removal of county and precinct officers): The accusation (for the removal of county or precinct officers) shall be delivered by the foreman of the grand jury to the county attorney, who shall cause a copy thereof to be served upon the accused.
41. A.R.S. 40-421(B) (Enforcement of laws relating to public service corporations): Upon request of the commission, the attorney general, or the county attorney of the proper county, shall aid in any investigation, hearing or trial conducted under the provisions of this chapter and shall institute and prosecute actions or proceedings for enforcement of the provisions of the constitution and statutes. (violations by officers, agents or employees are class 1 misdemeanors)
42. A.R.S. 41-1237 (Legislature-Registration and regulation of lobbyists-Violation; classification): Any alleged violation of any provisions of this article may be investigated and prosecuted by the attorney general or by the county attorney of the county in which the alleged offense was committed. (violations are a class 1 misdemeanor)
43. A.R.S. 41-1830(A): The county attorneys shall serve on the Arizona prosecuting attorneys advisory council.
44. A.R.S. 41-1963 (Department of Economic Security): The appropriate county attorney shall have concurrent jurisdiction to prosecute all violations of law arising out of or in connection with any program administered by the department of economic security, including, but not limited to 13-3701, 23-657, and 46-215. (concurrent with AG)
45. A.R.S. 41-2113(D) (Weights and Measures): The county attorney shall have concurrent jurisdiction to prosecute violations of this chapter. (concurrent with AG)
46. A.R.S. 42-1004(E) (Taxation): The attorney general may delegate the prosecuting authority of this title and Title 43 to any county attorney for prosecution in that county.
47. A.R.S. 43-1154: The county attorney shall prosecute any person who attempts to exercise any of the rights, etc., of any corporation suspended pursuant to A.R.S. 43-1152.
48. A.R.S. 44-1231.03(A) (Fraudulent Practices in the Sale of Indian Arts and Crafts-Enforcement): The county attorney shall enforce this article (concurrent with AG).
49. A.R.S. 44-1710 (Trade and Commerce-Regulations concerning Particular Businesses-Credit Services): The county attorney may prosecute misdemeanor actions or institute proceedings to restrain and enjoin violations under 44-1703 through 1706 and 44-1709.

50. A.R.S. 44-1732(B): The county attorney shall institute the criminal actions to enforce the provisions of this article (re: pyramid promotional schemes). (concurrent with AG)

51. A.R.S. 44-1797.20(A) (Discount Buying Services-Enforcement): The attorney general or county attorney shall have the power to enforce the criminal provisions of this article.

A.R.S. 46-404(C) Welfare-Child Support Obligations-Reimbursement of Public Assistance-Notice; service; order): The department and the absent parent may enter into an agreement in which they stipulate as to the amount of support and method of payment that the absent parent shall pay monthly to the clerk of the court. The department, through the county attorney, shall petition the superior court for an order approving the stipulation and such order shall be enforced by the county attorney.

Supplemental Package Request

Department: County Attorney

Package: D - Drug Prosecution and Southwest Border Federal Funding

Type of Request	Other – Replacement of Lost Grant Funding	
	FY 2012/13 Requested	FY 2013/14 Annualized
Personnel Services	1,016,937	1,016,937
Total Expenditures	1,016,937	1,016,937
Total Revenues	-	-
General Fund Support	1,016,937	1,016,937

Goals & Objectives

- Hold criminals accountable for violations of the law by investigating and prosecuting criminal cases in a manner that maximizes public safety
- Review all felony cases presented by law enforcement to determine whether or not the admissible evidence is sufficient to file criminal charges
- Target dangerous, violent, and repetitive criminal defendants for trial
- Process all requests for subpoenas, arrest warrants, interviews, and investigations
- Provide 24 hour/7 day a week call out services to law enforcement for legal advice narcotic investigations
- Provide attorney for day and night initial appearances 365 days a year to ensure appropriate release conditions are recommended to maximize public safety

Description

The Drug Prosecution and Southwest Border Crime Prosecution supplemental package is in response to the loss of two federal grants: (1) the Byrne Drug Prosecution Grant and (2) the Southwest Border Crimes Grant. Combined, they previously funded 17 criminal prosecution positions. The requested supplemental budget funding is for the salary and benefit costs of these positions.

As a consequence of sharing 127 miles of border with Mexico, Pima County is one of the busiest drug smuggling corridors in the United States. According to the 2010 National Drug Threat Assessment Report, based on in-transit seizures it is reasonable to assume that several thousand tons of cocaine, methamphetamine, marijuana, heroin and MDMA are smuggled into the United States every year. Of that amount, The US Border Patrol and Drug Enforcement Agency estimate that 50-60% makes its way through Pima County's 9,000 square miles of land.

We can't overstate the plethora of illegal opportunities created by having such a huge volume of drugs moving through our land. Nor can we overestimate the disproportionate burden this drug saturated environment has on our criminal justice system. According to the Arizona DPS Crime in Arizona Report for example, Pima County accounts for only 15% of the State's population but 30% of all its reported drug crime. In FY 2011, our office received. Additionally, our office each year reviews and prosecutes an average of 100 Federal drug cases referred by The DEA, Immigration, the Tohono O'odham Nation Police, Pima County Sheriff's Office and the Tucson/Pima Counter Narcotics Alliance Task Force (CNA.) Resultantly, at any given time we have an average of 3,600 cases pending and more than 28% of all crimes adjudicated in Pima Superior Court are drug related compared to the national average of 10%.

But it's not just the justice system that is burdened by the volume of drugs in our community. The violent and property crimes that accompany illegal drug trade and use have had a devastating effect on the County's overall quality of life and the sense of safety and well-being for far too many of our 980,263 residents. Families are torn apart, whole neighborhoods are destroyed, drug rips in which innocent bystanders get caught in the crossfire are not uncommon, and local law enforcement estimates that 70% of all home invasions (which average four per week) are attributable to drugs.

The Byrne Grant: Our role in alleviating these problems is to reduce crime and its negative impact on our residents by holding offenders swiftly, surely and sufficiently accountable. One of the most effective ways of doing so is to target high volume and high impact criminals. To that end, we collaborate with the Tucson/Pima Counter Narcotics Alliance (CNA) Task Force to prioritize and tandem prosecute its cases, most of which involve individuals and organizations who are responsible for: multiple drug, violent and property crimes; brokering; stash house operations; weapons and human trafficking; money laundering and narcotics.

For over 15 years, funding of the Drug Prosecution efforts by this office has occurred through the Byrne Grant program administered in Arizona by the Arizona Criminal Justice Commission. Historically the Byrne Grant has funded nine criminal prosecution positions which have produced extraordinary results benefiting our community. The mixture of federal and state funding of this longstanding grant has benefited Pima County which has (1) not had to provide funding to address drug prosecution efforts by this office and (2) also resulted in securing millions of dollars in forfeited funds and property each year dollars that get plowed back into fighting drug abuse and crime. At this point, we do not anticipate that both the federal and state funding will exist to continue these efforts next fiscal year. Therefore we are requesting supplemental funding to continue our drug prosecution efforts and the twelve positions that were previously funded by the Byrne Grant.

Any loss of personnel would threaten our ability to manage the high volume of crimes, continue to achieve a 93% conviction rate, remove profits from the hands of criminals, and continue the collaborative efforts that have proven so successful.

The Southwest Border Grant: This grant made it possible for PCAO to establish a dedicated Border Crime Prosecution Unit to focus on identifying, investigating, dismantling and prosecuting dangerous and prolific drug organizations who benefit from our proximity to the border. Partners include but are not limited to the Sheriff's Office Border Crime Unit; Tucson Police Drug, Home Invasion and Gang Units; HIDTA; and CNA.

The Border Crime Prosecution Unit stays integrally involved in all aspects of the targeted cases, and provides officers with all the support and communication they need to manage these highly complicated, time consuming and far-reaching cases in a way that maximizes the potential for successful prosecution. Among the services the special Unit provides to strengthen each case are: advising officers in undercover work in avoiding entrapment; managing and utilizing informants and court ordered wire taps; utilizing forfeitures (civil and criminal) and other sanctions; seeking appropriate conditions of release in order to prevent absconding; and collaborating with state and federal prosecutorial agencies nationwide in order to enhance prosecutorial outcomes. It also helps investigators prove cases with unavailable, hostile/ scared, or disreputable victims and witnesses, using crime scene reconstruction, DNA and other forensic evidence related to computers, phones and other digital devices, and wire taps.

At the same time, the Border Crime Prosecution Unit provides group trainings for new and ongoing members of the special units and others in law enforcement to enhance all of their investigations, arrests and prosecutions, including: racketeering, conspiracy and other prosecution strategies targeting criminal organizations; managing informants; wiretapping and electronic surveillance, special evidence code provisions for investigations and prosecutions of criminal organizations; and search and seizure. These well-formed cases then are prosecuted by the Border Crime Unit Attorneys using any and all legal tools available to them, including racketeering, conspiracy, and serious drug offender statutes. The attorneys will be supported in the process by the legal support staff who: help them prepare cases, including discovery matters pursuant to Arizona Rules of Criminal Procedure; collect and analyze arrest and other data to help target violent, repetitive individuals and organized offenders; assist in indictment preparation at the prosecutor's direction; legal research and drafting of proactive and responsive pleadings; and review available information regarding pre-trial conditions of release for offenders to assist in determining potential revocations of release conditions where violations occur.

The Southwest Border Crimes Unit was designed not only to address current border-driven problems, but to establish a lasting platform that builds on the individual and shared capacity of law enforcement officers, prosecutors and agencies to more efficiently and effectively recognize and respond to emerging problems. Failure to fund the continuation of the five positions in this unit will result in the loss of the gains made by local law enforcement and our office in addressing the illegal activities in our community.

Personnel

The Drug Prosecution and Southwest Border Crime Prosecution supplemental package is in response to the loss of two federal grants: (1) the Byrne Drug Prosecution Grant and (2) the Southwest Border Crimes Grant. Combined, they previously funded 17 criminal prosecution positions. The requested supplemental budget funding is for the salary and benefit costs of these positions.

(5) 3115 Attorney, (3) 3143 Secretary, (1) 3145 Paralegal, 1 3147 Detective, (1) 7020 Staff Assistant, (1) 3139 LPS for federal drug grant funding unit 1974

(3) - 3115 Attorney Positions, (1) - 3145 Paralegal Positions, (1) - 3143 Secretary for federal border grant funding unit 1975

These positions are currently budgeted in units 1974 and 1975 if federal funding of these positions is continued

Impact if not funded

As a consequence of sharing 127 miles of border with Mexico, Pima County is one of the busiest drug smuggling corridors in the United States. According to the 2010 National Drug Threat Assessment Report, based on in-transit seizures it is reasonable to assume that several thousand tons of cocaine, methamphetamine, marijuana, heroin and MDMA are smuggled into the United States every year. Of that amount, The US Border Patrol and Drug Enforcement Agency estimate that 50-60% makes its way through Pima County's 9,000 square miles of land.

We can't overstate the plethora of illegal opportunities created by having such a huge volume of drugs moving through our land. Nor can we overestimate the disproportionate burden this drug saturated environment has on our criminal justice system. According to the Arizona DPS Crime in Arizona Report for example, Pima County accounts for only 15% of the State's population but 30% of all its reported drug crime. In FY 2011, our office received. Additionally, our office each year reviews and prosecutes an average of 100 Federal drug cases referred by The DEA, Immigration, the Tohono O'odham Nation Police, Pima County Sheriff's Office and the Tucson/Pima Counter Narcotics Alliance Task Force (CNA.) Resultantly, at any given time we have an average of 3,600 cases pending and more than 28% of all crimes adjudicated in Pima Superior Court are drug related compared to the national average of 10%.

But it's not just the justice system that is burdened by the volume of drugs in our community. The violent and property crimes that accompany illegal drug trade and use have had a devastating effect on the County's overall quality of life and the sense of safety and well-being for far too many of our 980,263 residents. Families are torn apart, whole neighborhoods are destroyed, drug rips in which innocent bystanders get caught in the crossfire are not uncommon, and local law enforcement estimates that 70% of all home invasions (which average four per week) are attributable to drugs.

The Byrne Grant: Our role in alleviating these problems is to reduce crime and its negative impact on our residents by holding offenders swiftly, surely and sufficiently accountable. One of the most effective ways of doing so is to target high volume and high impact criminals. To that end, we collaborate with the Tucson/Pima Counter Narcotics Alliance (CNA) Task Force to prioritize and tandem prosecute its cases, most of which involve individuals and organizations who are responsible for: multiple drug, violent and property crimes; brokering; stash house operations; weapons and human trafficking; money laundering and narcotics

For over 15 years, funding of the Drug Prosecution efforts by this office has occurred through the Byrne Grant program administered in Arizona by the Arizona Criminal Justice Commission. Historically the Byrne Grant has funded nine criminal prosecution positions which have produced extraordinary results benefiting our community. The mixture of federal and state funding of this longstanding grant has benefited Pima County which has (1) not had to provide funding to address drug prosecution efforts by this office and (2) also resulted in securing millions of dollars in forfeited funds and property each year dollars that get plowed back into fighting drug abuse and crime. At this point, we do not anticipate that both the federal and state funding will exist to continue these efforts next fiscal year. Therefore we are requesting supplemental funding to continue our drug prosecution efforts and the twelve positions that were previously funded by the Byrne Grant.

Any loss of personnel would threaten our ability to manage the high volume of crimes, continue to achieve a 93% conviction rate, remove profits from the hands of criminals, and continue the collaborative efforts that have proven so successful.

The Southwest Border Grant: This grant made it possible for PCAO to establish a dedicated Border Crime Prosecution Unit to focus on identifying, investigating, dismantling and prosecuting dangerous and prolific drug organizations who benefit from our proximity to the border. Partners include but are not limited to the Sheriffs Office Border Crime Unit; Tucson Police Drug, Home Invasion and Gang Units; HIDTA; and CNA.

The Border Crime Prosecution Unit stays integrally involved in all aspects of the targeted cases, and provides officers with all the support and communication they need to manage these highly complicated, time consuming and far-reaching cases in a way that maximizes the potential for successful prosecution. Among the services the special Unit provides to strengthen each case are: advising officers in undercover work in avoiding entrapment; managing and utilizing informants and court ordered wire taps; utilizing forfeitures (civil and criminal) and other sanctions; seeking appropriate conditions of release in order to prevent absconding; and collaborating with state and federal prosecutorial agencies nationwide in order to enhance prosecutorial outcomes. It also helps investigators prove cases with unavailable, hostile/ scared, or disreputable victims and witnesses, using crime scene reconstruction, DNA and other forensic evidence related to computers, phones and other digital devices, and wire taps.

At the same time, the Border Crime Prosecution Unit I provides group trainings for new and ongoing members of the special units and others in law enforcement to enhance all of their investigations, arrests and prosecutions, including: racketeering, conspiracy and other prosecution strategies targeting criminal organizations; managing informants; wiretapping and electronic surveillance, special evidence code provisions for investigations and prosecutions of criminal organizations; and search and seizure. These well-formed cases then are prosecuted by the Border Crime Unit Attorneys using any and all legal tools available to them, including racketeering, conspiracy, and serious drug offender statutes. The attorneys will be supported in the process by the legal support staff who: help them prepare cases, including discovery matters pursuant to Arizona Rules of Criminal Procedure; collect and analyze arrest and other data to help target violent, repetitive individuals and organized offenders; assist in indictment preparation at the prosecutors direction; legal research and drafting of proactive and responsive pleadings; and review available information regarding pre-trial conditions of release for offenders to assist in determining potential revocations of release conditions where violations occur.

The Southwest Border Crimes Unit was designed not only to address current border-driven problems, but to establish a lasting platform that builds on the individual and shared capacity of law enforcement officers, prosecutors and agencies to more efficiently and effectively recognize and respond to emerging problems. Failure to fund the continuation of the five positions in this unit will result in the loss of the gains made by local law enforcement and our office in addressing the illegal activities in our community.

Mandates

1. A.R.S. 11-532 (Powers and Duties of the County Attorney): The County Attorney shall:
 - Attend the superior and other courts within the county and conduct all prosecutions for public offenses (Title 13 and A.R.S. 25-511(A) failure to provide support for a child is a class 6 felony) (A.R.S. 11-532(A)(1)-(2));
 - Attend upon the magistrates and advise the grand jury (A.R.S. 11-532(A)(3));
 - Draw indictments and information (A.R.S. 11-532(A)(4)); and
 - Furnish the attorney general with facts, authorities and citations regarding criminal appeals (A.R.S. 11-532(B)).
2. A.R.S. 3-240 (Agriculture Seeds): The county attorney of the county in which the violation occurred shall institute proceedings at once against any person charged with a violation of this article if, in his judgment, the information submitted warrants such action. A violation may be either a petty offense (A.R.S. 3-240(A) or a class 6 felony, if committed with the intent to commit fraud A.R.S. 3-240(B)).
3. A.R.S. 3-283(A)(2) (Agriculture Fertilizer Materials): The director [of agriculture] may request the county attorney to initiate criminal prosecution under this paragraph. Any person who knowingly violates any provision of this article or the rules adopted under this article is guilty of a class 2 misdemeanor.
4. A.R.S. 3-633 (Agriculture Dairies): The department's legal counsel, the attorney general and the county attorney of each county, upon request, shall advise the director in the performance of his duties, and shall institute and prosecute all actions arising under this article.
5. A.R.S. 3-2097 (Slaughter of Animals and Sale of Meat-Prosecutions of violations): The county attorney of the county in which the violation occurs may prosecute any violation reported pursuant to this chapter. A violation of any provision of this chapter for which a specific criminal classification is not prescribed is guilty of a class 2 misdemeanor. (concurrent with AG)
6. A.R.S. 3-2616(A)(2) (Agriculture, Animal and Bird Seed): For violations of this article, the director may request the county attorney to initiate criminal prosecution. Each county attorney shall cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay.
7. A.R.S. 5-512.01 (Amusements and Sports State Lottery): The county attorneys have prosecution authority for

offenses regarding the formation, management, operation, and conduct of the state lottery. (Concurrent with AG)

8. A.R.S. 8-127(A) (Adoption): The county attorney shall, upon the application of the person or persons seeking adoption, prepare the adoption petition and act as attorney (except when a petitioner seeks adoption pursuant to Title 14, Ch. 8 adoption of an adult) without expense to the petitioner.

9. A.R.S. 8-232 (Juvenile Hearings): If a child in a juvenile court hearing who is the subject of the petition that does not allege a delinquent act or incorrigibility is represented by counsel in a contested matter, the county attorney, when requested by the juvenile court judge, shall appear and participate in the hearing to assist in ascertaining and presenting evidence.

10. A.R.S. 8-236 (Juvenile Hearings Cooperation): The juvenile court or the county attorney in each county may establish, or assist in the establishment of, any other public council or committee having as its object the prevention of juvenile delinquency, including community based alternative programs. The juvenile court or county attorney may cooperate with, or participate in, the work of any council or committee for the purpose of preventing or decreasing juvenile delinquency, including improving recreational, health and other conditions in the community affecting juvenile welfare.

11. A.R.S. 8-321 (Juvenile Offenders referrals, diversions, conditions, and community based alternative programs): The county attorney may divert the prosecution of juveniles and may establish community based alternative programs. Except as provided in 8-323, the county attorney has sole discretion to decide whether to divert or defer prosecution of a juvenile offender. On the county attorneys certification to the Supreme Court of the number of juveniles diverted to a county attorney community based alternative program, the county can be reimbursed for these programs. See also A.R.S. 8-326(B): The county attorney may establish and administer community based alternative programs.

12. A.R.S. 8-326(A) (Juvenile Offenders): The county attorney shall investigate acts of alleged delinquent behavior and attend the juvenile court and conduct all contested hearings involving allegation of delinquent acts or incorrigibility.

13. A.R.S. 8-341(O) (Juvenile Offenders Disposition and Commitment): On the request of a victim of an act that may have involved significant exposure as defined in section 13-1415 or that if committed by an adult would be a sexual offense, the prosecuting attorney shall petition the adjudicating court to require that the juvenile be tested for the presence of the human immunodeficiency virus. If the victim is a minor the prosecuting attorney shall file this petition at the request of the victim's parent or guardian.

14. A.R.S. 8-346(F) (Restitution Contracts): The county attorney or the juvenile court may enter into contracts with this state, any political subdivision of this state or private entities to provide appropriate services by juveniles who are ordered to pay restitution by the juvenile court or who have agreed to pay restitution .

15. A.R.S. 8-353 (Juvenile Intensive Probation): The juvenile intensive probation team shall request the county attorney to bring a noncompliant probationer before the court, and monitor the payment of restitution and probation fees and request the county attorney to bring before the court any probationer who fails to pay restitution or probation fees.

16. A.R.S. 8-535(G) (Termination of Parent-Child Relationship): The county attorney, on the request of the court or a governmental agency or on the county attorney's own motion, may intervene in any proceedings under this article to represent the interest of the child. See also A.R.S. 25-509(A) (Family support duties-Order for assignment; foreign support order: The attorney general or county attorney on behalf of this state may initiate an action or intervene in an action to establish, modify or enforce a duty of child support, including medical support, regardless of the welfare or nonwelfare status of the person to whom the duty of support is owed. The attorney general or county attorney may establish, modify or enforce such a duty of support by all means available, including all civil and criminal remedies provided by law.)

17. A.R.S. 8-817(B) (Dependent Children Protective Services Initial screening and safety assessment and investigations): The county attorney, the sheriff, the chief law enforcement officer for each municipality in the county and the department shall develop and implement protocols for cooperation in investigations of allegations involving extremely serious conduct.

18. A.R.S. 11-361 and 362: If the County has a deferred prosecution program, the county attorney shall administer the program and maintain statistical records pertaining to the program. (It is unclear from the statute whether the County or the County Attorney makes the decision whether to have a deferred prosecution program.)

19. A.R.S. 11-459(I): If the sheriff establishes a community restitution work program for sentenced prisoners, a representative of the county attorney's office selected by the county attorney would be part of the community restitution work committee.
20. A.R.S. 11-533 (Statements in connection with sentencing): When a defendant is sentenced, the county attorney shall attach to a certified copy of the sentence a statement of the facts and circumstances of the crime upon which the defendant was convicted, together with all other relevant information.
21. A.R.S. 11-536 (Witness Protection): A county attorney may provide for the security of government witnesses, potential government witnesses and their immediate families in pending official criminal or civil proceedings or investigations, if testimony by such witnesses may subject the witnesses or members of their immediate families to danger or bodily injury.
22. A.R.S. 11-538 (County Attorney Victim Compensation Fund): If the board of supervisors establishes a county attorney victim compensation fund, the county attorney shall, in cooperation with the board of supervisors, administer the victim compensation fund.
23. A.R.S. 11-598 (Exhumation; court order): If in any case of sudden, violent or suspicious death a body is buried without any inquiries by the county medical examiner, the county attorney of the county wherein the body is buried may petition the superior court for an order directing that the body be exhumed and an autopsy performed thereon.
24. A.R.S. 12-102.01 (Criminal case processing and enforcement improvement fund): While the supreme court administers the fund, at a minimum, each project shall involve the county attorney. The county attorney, among others, shall assist the supreme court in preparing the report to the governor, legislature and others by providing information relevant to the report.
25. A.R.S. 12- 998 (Abatement of Crime Property): The county attorney may bring an action to abate and prevent criminal activity in commercial property. See also A.R.S. 12-991 (Re: Residential property: the county attorney may bring an action in superior court against the owner, the owner's managing agent or any other party responsible for the property to abate and prevent the criminal activity.)
26. Title 13: Pursuant to A.R.S. 11-532, the county attorney shall conduct all prosecutions for public offenses. The criminal code of Arizona is enumerated in Title 13. [For Bad Check Program see A.R.S. 13-1809 to 13-1811; for Victim Witness Program see A.R.S. 13-4404 through 13-4435.]
27. A.R.S. 13-2314.03 County attorney shall cause a report to be filed with Arizona criminal justice commission regarding anti-racketeering funds on or before January 25, April 25, July 25, and October 25th.
28. A.R.S. 17-103 (Game and Fish): Each county attorney shall prosecute and defend on behalf of the state, in all courts of the county, all actions, criminal or civil, arising under this title in which the state, commission member, or department employee is a party thereof.
29. A.R.S. 21-408(A) (Grand Juries): The county attorney shall attend the grand jurors when requested by them, and draft indictments and cause process to issue when requested by the jurors. See also A.R.S. 21-409(A) (Grand Juries): When a grand jury is summoned and appears, the court and the county attorney or other prosecuting officer shall examine the jurors regarding their qualifications as such jurors.
30. A.R.S. 26-168 County attorney shall prosecute employers who do not allow employees leave to participate in national guard duties in superior court.
31. A.R.S. 28-1442(D) (Driving under the influence; records; reporting): By September 1 of each year each county attorney shall report to the governor's office of highway safety the number of cases dismissed pursuant to section 28-1387, subsection I (dismissals based on insufficient legal or factual basis) for the previous fiscal year.
32. A.R.S. 28-4594(B)(2)(b)-(c) (Vehicle Dealers-Automotive Recyclers and Transporters-Violations-Altered serial or identification number; contraband; seizure; disposition): When law enforcement seizes a vehicle and either the identification number can only be temporarily restored or cannot be restored, the county attorney of the count in which the motor vehicle or major component part of a vehicle was seized shall file a petition or action in the superior court in the county in which the item was seized .

33. A.R.S. 32-1269(A) (Professions and Occupations-Dentistry-Regulation; Violation): Violations of this chapter are a class 2 misdemeanor and shall be prosecuted by the county attorney in the Superior Court in the county in which the violation occurs.
34. A.R.S. 32-1556 (Professions and Occupations-Naturopathic Medicine-Regulation-Prosecution for Violations): The county attorney of each county shall prosecute all persons charged with violating § 32-1555. Violation of 32-1555 is a class 5 felony.
35. A.R.S. 32-1991 (Professions and Occupations-Pharmacy-Enforcement of chapter): The county attorneys, among others, shall enforce the provisions of this chapter. (concurrent with DPS and other officers exercising police powers)
36. A.R.S. 32-2160(A) (Professions and Occupations-Real Estate-Prosecution): The county attorney of any county in which a violation occurs shall, upon the written request of the commissioner or the attorney general, prosecute a violation of this chapter.
37. A.R.S. 32-2237(D)(2) (Professions and Occupations-Veterinarians-Regulation-Committee to investigate violations; referral to county attorney or attorney general): If after investigation the board has probable cause to believe that an unlicensed person is performing acts that are required to be performed by a person licensed pursuant to this chapter, the board may request the county attorney or attorney general to file criminal charges against the person.
38. A.R.S. 36-912 (Pure Food Control-Adulteration and Misbranding-Prosecution): The county attorney to whom the director reports any violation of this article shall cause appropriate proceedings to be instituted in the proper court. (concurrent with AG)
39. A.R.S. 36-3709(A) (Sexually violent persons-Petition for change of status): The county attorney shall represent the state at hearings on petitions for change of status. See also A.R.S. 36-3714(A) (Sexually violent persons Petitions for discharge): The county attorney shall represent the state at hearing on petitions for discharge. (each concurrent with AG)
40. A.R.S. 38-342(A) (Removal of county and precinct officers): The accusation (for the removal of county or precinct officers) shall be delivered by the foreman of the grand jury to the county attorney, who shall cause a copy thereof to be served upon the accused.
41. A.R.S. 40-421(B) (Enforcement of laws relating to public service corporations): Upon request of the commission, the attorney general, or the county attorney of the proper county, shall aid in any investigation, hearing or trial conducted under the provisions of this chapter and shall institute and prosecute actions or proceedings for enforcement of the provisions of the constitution and statutes. (violations by officers, agents or employees are class 1 misdemeanors)
42. A.R.S. 41-1237 (Legislature-Registration and regulation of lobbyists-Violation; classification): Any alleged violation of any provisions of this article may be investigated and prosecuted by the attorney general or by the county attorney of the county in which the alleged offense was committed. (violations are a class 1 misdemeanor)
43. A.R.S. 41-1830(A): The county attorneys shall serve on the Arizona prosecuting attorneys advisory council.
44. A.R.S. 41-1963 (Department of Economic Security): The appropriate county attorney shall have concurrent jurisdiction to prosecute all violations of law arising out of or in connection with any program administered by the department of economic security, including, but not limited to 13-3701, 23-657, and 46-215. (concurrent with AG)
45. A.R.S. 41-2113(D) (Weights and Measures): The county attorney shall have concurrent jurisdiction to prosecute violations of this chapter. (concurrent with AG)
46. A.R.S. 42-1004(E) (Taxation): The attorney general may delegate the prosecuting authority of this title and Title 43 to any county attorney for prosecution in that county.
47. A.R.S. 43-1154: The county attorney shall prosecute any person who attempts to exercise any of the rights, etc., of any corporation suspended pursuant to A.R.S. 43-1152.
48. A.R.S. 44-1231.03(A) (Fraudulent Practices in the Sale of Indian Arts and Crafts-Enforcement): The county attorney shall enforce this article (concurrent with AG).

49. A.R.S. 44-1710 (Trade and Commerce-Regulations concerning Particular Businesses-Credit Services): The county attorney may prosecute misdemeanor actions or institute proceedings to restrain and enjoin violations under 44-1703 through 1706 and 44-1709.

50. A.R.S. 44-1732(B): The county attorney shall institute the criminal actions to enforce the provisions of this article (re: pyramid promotional schemes). (concurrent with AG)

51. A.R.S. 44-1797.20(A) (Discount Buying Services-Enforcement): The attorney general or county attorney shall have the power to enforce the criminal provisions of this article.

A.R.S. 46-404(C) Welfare-Child Support Obligations-Reimbursement of Public Assistance-Notice; service; order): The department and the absent parent may enter into an agreement in which they stipulate as to the amount of support and method of payment that the absent parent shall pay monthly to the clerk of the court. The department, through the county attorney, shall petition the superior court for an order approving the stipulation and such order shall be enforced by the county attorney.

Supplemental Package Request

Department: County Attorney

Package: E - Gang and Auto Theft Prosecution State Funding

Type of Request

	FY 2012/13 Requested	FY 2013/14 Annualized
Personnel Services	<u>260,176</u>	<u>260,176</u>
Total Expenditures	260,176	260,176
Total Revenues	-	-
General Fund Support	260,176	260,176

Goals & Objectives

- Hold criminals accountable for violations of the law by investigating and prosecuting criminal cases in a manner that maximizes public safety
- Review all felony cases presented by law enforcement to determine whether or not the admissible evidence is sufficient to file criminal charges
- Target dangerous, violent, and repetitive criminal defendants for trial
- Process all requests for subpoenas, arrest warrants, interviews, and investigations
- Provide 24 hour/7 day a week call out services to law enforcement for legal advice in homicides, sex crimes, gang, and narcotic investigations
- Provide attorney for day and night initial appearances 365 days a year to ensure appropriate release conditions are recommended to maximize public safety

Description

The Gang Prosecution and Auto Theft Prosecution supplemental package is in response to the loss and reduction of two state grants: (1) Arizona Criminal Justice Commission Gang Prosecution Grant and (2) Arizona Auto Theft Authority grant that combined previously funded up-to 4 criminal prosecution positions. The requested supplemental budget funding is for the salary and benefit costs of these positions.

The ACJC Gang Grant: The problem of gang presence in our community is far from new. In fact, for more than three decades now Pima County has been plagued by a steady increase in the number of gangs and their membership rolls. The problem is especially acute in the City of Tucson where about 60% of Pima County’s residents live and the Tucson Police Gang Unit in 2009 reported a known 5,209 documented gang members in 246 identified gangs including: Bloods, Crips, Bloods and Crips or Ethnic Subsets, Motorcycle, White Supremacists, New and Old Mexican Mafia and Prison gangs. But the fact is that no area is immune. As the rest of the population continues to spread out over more than 9,000 square miles of County land, the Pima County Sheriff’s Office reports seeing an increase in Skin Heads, Motorcycle and other gangs that thrive in isolated rural areas with no local government structure and scarce police presence. Even the increasingly suburban towns of Oro Valley, Marana, Sahuarita have reported seeing evidence of gang activity.

There are a number of reasons for the ongoing presence of gangs throughout Pima County, but one of the most immutable is the 132 miles of border we share with Mexico. Our proximity to the border has not only helped establish Pima County as the number one drug and people smuggling corridor in the nation - it has provided fertile ground for all kinds of gangs to take root and support their continued growth. Given the inextricable connection between gangs, drugs and violence, the negative impact on community has been devastating. Entire neighborhoods have been destroyed. Many of our schools and parks have become breeding grounds for gangs to recruit vulnerable young people into their ranks. Whole portions of formerly pristine desert are no longer safe places to recreate. And far too many residents live in fear.

In 2010, for example, the Tucson Police Department (TPD) Gang Unit investigated 223 gang cases, including: 8 homicides, 100 Aggravated Assaults, 4 Aggravated Assaults on Police Officers, 29 Drive-by Shootings, 31 Robberies, 8 Carjacking's, 33 Weapons and 10 Narcotics. Those numbers are noteworthy, and comprised the bulk of the 171 felony cases our Gang Unit accepted for felony prosecution. But they really show just the proverbial tip of the iceberg as many go unreported by victims who fear gang retaliation against themselves and their families. Further, when crimes are reported or arrests are made, many patrol officers do not recognize and note the legal criteria for indications of gang membership so only a portion are classified as such. And finally, even when officers do report gang indicators, most cases are not investigated and presented for prosecution as gang cases because (a) TPD is the only agency with a trained specialty Gang Unit and (b) most major crimes are assigned to crime-specific investigation units.

In short, unless gang crimes are investigated and prosecuted as such, we miss opportunities to collect intelligence and treat victims and witnesses in a way that improves our ability to identify and target/dismantle gangs, identify additional defendants and prevent future crimes. The problems are exacerbated by the need to keep pace with the increasing sophistication of gang structures as they become increasingly better organized and well-financed. This makes it even more difficult to prosecute and dismantle them, especially those we can pursue under federal anti-racketeering statutes.

Previously, ACJC funded two attorney positions specifically to target gang cases. While vertical prosecution is very effective, it is also very time consuming. The results of the Gang Unit were significant; we were able to vertically prosecute 171 cases, almost all involving multiple defendants and multiple serious charges. During the same time period, the Gang Unit also completed more than 150 cases and achieved a 95% conviction rate. Most of those convicted went to prison or jail and received stringent sentencing stipulations that will make it very difficult for them to resume gang activity in the future. Additionally, several gangs were seriously disrupted by these prosecutions. One gang, the South Park Bloods, had three very active and influential members incarcerated for a variety of violent and property crimes. Five other gangs, including Barrio Hollywood, South Park Family Bloods, Western Hills Posse Bloods, Sugar Hill Crips and South Side Posse Bloods had one or more key members incarcerated. And one particularly complicated and notorious aggravated assault case involving the Hells Angels resulted in its leader being forced out of his position. In all these cases, the leadership void has appreciably disrupted their structures and reduced their ability to act. Supplemental funding of these positions will ensure our ability to continue our successful efforts in confronting criminal gang activity in our community.

The AATA Auto Theft Grant: Even though auto theft rates have continued to decline on the national, state and local levels, Pima County continues to have one of the highest rates of auto theft in the nation and is disproportionately high compared to the rest of the state. In 2010, for example the FBI UCR report showed 4,600 vehicles (or 21.4%) of the 21,508 reported stolen in Arizona were in Pima County (even though we represent less than 15% of the population.) What those numbers really mean, though, are that: (1) 4,600 Pima County residents were victimized and temporarily or permanently lost what might have been their only means of transportation. Rural and suburban residents are particularly hard-hit as little public transportation is available to them, but even in Tucson public transportation is inadequate to meet the transportation needs of most residents. (2) 4,600 Pima County residents suffered financially, emotionally and socially as they were unable to fulfill work, school, and family and community obligations and faced higher insurance and other out-of-pocket expenses. (3) The volume of auto theft crime continued to place a huge strain on PCAO and the rest of the County's criminal justice system. PCAO prosecutors in particular must constantly struggle to keep pace. Their struggle is further exacerbated by the current economy as well as the facts that: The auto theft cases presented to PCAO for prosecution, especially those presented by the Auto Theft Task Force and the Auto Theft Units of Tucson Police and the Pima County Sheriff's Office, are increasingly complex. Many include: multiple defendants and an array of other serious violent and property crimes; the ever-growing and evolving trafficking of people and drugs from Mexico; tech-savvy criminals who have replaced old-fashioned methods of theft with VIN cloning and other sophisticated techniques that complicate investigations and expedite the transport and sale of stolen vehicles; and a noticeable recent increase involving fraud by owners and leasers who are now unable to make their payments or sell their vehicles for what they owe. Simply put, the greater the complexity of each case, the greater the need for additional human and financial resources to hold offenders sufficiently accountable.

Our auto theft unit relies on vertical methods of prosecution for all Auto Theft Task Force and other high impact cases. While it has proven highly effective, because vertical prosecution involves one attorney or a team of attorneys managing all aspects of a case from start to finish, it is by nature more time and resource consuming than other methods. Again, the problem is maintaining a system of vertical prosecution in a time of decreasing resources. Historically, the AATA provided funded for up-to two positions, but due to budget sweeps has reduced its level of funding to our office to only one position.

The purpose of this request is to obtain funding for the other position in order to keep the auto theft unit fully operational

in order to handle the cases being brought forth by local law enforcement.

Personnel

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3 positions total: 2 - 3115 Attorney Positions, 1 - 3145 Paralegal State funded under unit 1973

1 position total: 1 -3115 Attorney position State funded under unit 1988

Positions are currently budgeted under unit 1973 and 1988 if State funding is reinstated.

Impact if not funded

The ACJC Gang Grant: The problem of gang presence in our community is far from new. In fact, for more than three decades now Pima County has been plagued by a steady increase in the number of gangs and their membership rolls. The problem is especially acute in the City of Tucson where about 60% of Pima County's residents live and the Tucson Police Gang Unit in 2009 reported a known 5,209 documented gang members in 246 identified gangs including: Bloods, Crips, Bloods and Crips or Ethnic Subsets, Motorcycle, White Supremacists, New and Old Mexican Mafia and Prison gangs. But the fact is that no area is immune. As the rest of the population continues to spread out over more than 9,000 square miles of County land, the Pima County Sheriff's Office reports seeing an increase in Skin Heads, Motorcycle and other gangs that thrive in isolated rural areas with no local government structure and scarce police presence. Even the increasingly suburban towns of Oro Valley, Marana, Sahuarita have reported seeing evidence of gang activity.

There are a number of reasons for the ongoing presence of gangs throughout Pima County, but one of the most immutable is the 132 miles of border we share with Mexico. Our proximity to the border has not only helped establish Pima County as the number one drug and people smuggling corridor in the nation - it has provided fertile ground for all kinds of gangs to take root and support their continued growth. Given the inextricable connection between gangs, drugs and violence, the negative impact on community has been devastating. Entire neighborhoods have been destroyed. Many of our schools and parks have become breeding grounds for gangs to recruit vulnerable young people into their ranks. Whole portions of formerly pristine desert are no longer safe places to recreate. And far too many residents live in fear.

In 2010, for example, the Tucson Police Department (TPD) Gang Unit investigated 223 gang cases, including: 8 homicides, 100 Aggravated Assaults, 4 Aggravated Assaults on Police Officers, 29 Drive-by Shootings, 31 Robberies, 8 Carjacking's, 33 Weapons and 10 Narcotics. Those numbers are noteworthy, and comprised the bulk of the 171 felony cases our Gang Unit accepted for felony prosecution. But they really show just the proverbial tip of the iceberg as many go unreported by victims who fear gang retaliation against themselves and their families. Further, when crimes are reported or arrests are made, many patrol officers do not recognize and note the legal criteria for indications of gang membership so only a portion are classified as such. And finally, even when officers do report gang indicators, most cases are not investigated and presented for prosecution as gang cases because (a) TPD is the only agency with a trained specialty Gang Unit and (b) most major crimes are assigned to crime-specific investigation units.

In short, unless gang crimes are investigated and prosecuted as such, we miss opportunities to collect intelligence and treat victims and witnesses in a way that improves our ability to identify and target/dismantle gangs, identify additional defendants and prevent future crimes. The problems are exacerbated by the need to keep pace with the increasing sophistication of gang structures as they become increasingly better organized and well-financed. This makes it even more difficult to prosecute and dismantle them, especially those we can pursue under federal anti-racketeering statutes.

Previously, ACJC funded two attorney positions specifically to target gang cases. While vertical prosecution is very effective, it is also very time consuming. The results of the Gang Unit were significant; we were able to vertically prosecute 171 cases, almost all involving multiple defendants and multiple serious charges. During the same time period, the Gang Unit also completed more than 150 cases and achieved a 95% conviction rate. Most of those convicted went to prison or jail and received stringent sentencing stipulations that will make it very difficult for them to resume gang activity in the future. Additionally, several gangs were seriously disrupted by these prosecutions. One gang, the South Park Bloods, had three very active and influential members incarcerated for a variety of violent and property crimes. Five other gangs, including Barrio Hollywood, South Park Family Bloods, Western Hills Posse Bloods,

Sugar Hill Crips and South Side Posse Bloods had one or more key members incarcerated. And one particularly complicated and notorious aggravated assault case involving the Hells Angels resulted in its leader being forced out of his position. In all these cases, the leadership void has appreciably disrupted their structures and reduced their ability to act. Supplemental funding of these positions will ensure our ability to continue our successful efforts in confronting criminal gang activity in our community.

The AATA Auto Theft Grant: Even though auto theft rates have continued to decline on the national, state and local levels, Pima County continues to have one of the highest rates of auto theft in the nation and is disproportionately high compared to the rest of the state. In 2010, for example the FBI UCR report showed 4,600 vehicles (or 21.4%) of the 21,508 reported stolen in Arizona were in Pima County (even though we represent less than 15% of the population.) What those numbers really mean, though, are that: (1) 4,600 Pima County residents were victimized and temporarily or permanently lost what might have been their only means of transportation. Rural and suburban residents are particularly hard-hit as little public transportation is available to them, but even in Tucson public transportation is inadequate to meet the transportation needs of most residents. (2) 4,600 Pima County residents suffered financially, emotionally and socially as they were unable to fulfill work, school, and family and community obligations and faced higher insurance and other out-of-pocket expenses. (3) The volume of auto theft crime continued to place a huge strain on PCAO and the rest of the County's criminal justice system. PCAO prosecutors in particular must constantly struggle to keep pace. Their struggle is further exacerbated by the current economy as well as the facts that: The auto theft cases presented to PCAO for prosecution, especially those presented by the Auto Theft Task Force and the Auto Theft Units of Tucson Police and the Pima County Sheriff's Office, are increasingly complex. Many include: multiple defendants and an array of other serious violent and property crimes; the ever-growing and evolving trafficking of people and drugs from Mexico; tech-savvy criminals who have replaced old-fashioned methods of theft with VIN cloning and other sophisticated techniques that complicate investigations and expedite the transport and sale of stolen vehicles; and a noticeable recent increase involving fraud by owners and leasers who are now unable to make their payments or sell their vehicles for what they owe. Simply put, the greater the complexity of each case, the greater the need for additional human and financial resources to hold offenders sufficiently accountable.

Our auto theft unit relies on vertical methods of prosecution for all Auto Theft Task Force and other high impact cases. While it has proven highly effective, because vertical prosecution involves one attorney or a team of attorneys managing all aspects of a case from start to finish, it is by nature more time and resource consuming than other methods. Again, the problem is maintaining a system of vertical prosecution in a time of decreasing resources. Historically, the AATA provided funded for up-to two positions, but due to budget sweeps has reduced its level of funding to our office to only one position.

The purpose of this request is to obtain funding for the other position in order to keep the auto theft unit fully operational in order to handle the cases being brought forth by local law enforcement.

Mandates

1. A.R.S. 11-532 (Powers and Duties of the County Attorney): The County Attorney shall:
 - Attend the superior and other courts within the county and conduct all prosecutions for public offenses (Title 13 and A.R.S. 25-511(A) failure to provide support for a child is a class 6 felony) (A.R.S. 11-532(A)(1)-(2));
 - Attend upon the magistrates and advise the grand jury (A.R.S. 11-532(A)(3));
 - Draw indictments and information (A.R.S. 11-532(A)(4)); and
 - Furnish the attorney general with facts, authorities and citations regarding criminal appeals (A.R.S. 11-532(B)).
2. A.R.S. 3-240 (Agriculture Seeds): The county attorney of the county in which the violation occurred shall institute proceedings at once against any person charged with a violation of this article if, in his judgment, the information submitted warrants such action. A violation may be either a petty offense (A.R.S. 3-240(A) or a class 6 felony, if committed with the intent to commit fraud A.R.S. 3-240(B)).
3. A.R.S. 3-283(A)(2) (Agriculture Fertilizer Materials): The director [of agriculture] may request the county attorney to initiate criminal prosecution under this paragraph. Any person who knowingly violates any provision of this article or the rules adopted under this article is guilty of a class 2 misdemeanor.
4. A.R.S. 3-633 (Agriculture Dairies): The department's legal counsel, the attorney general and the county attorney of each county, upon request, shall advise the director in the performance of his duties, and shall institute and prosecute all actions arising under this article.

5. A.R.S. 3-2097 (Slaughter of Animals and Sale of Meat-Prosecutions of violations): The county attorney of the county in which the violation occurs may prosecute any violation reported pursuant to this chapter. A violation of any provision of this chapter for which a specific criminal classification is not prescribed is guilty of a class 2 misdemeanor. (concurrent with AG)

6. A.R.S. 3-2616(A)(2) (Agriculture, Animal and Bird Seed): For violations of this article, the director may request the county attorney to initiate criminal prosecution. Each county attorney shall cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay.

7. A.R.S. 5-512.01 (Amusements and Sports State Lottery): The county attorneys have prosecution authority for offenses regarding the formation, management, operation, and conduct of the state lottery. (Concurrent with AG)

8. A.R.S. 8-127(A) (Adoption): The county attorney shall, upon the application of the person or persons seeking adoption, prepare the adoption petition and act as attorney (except when a petitioner seeks adoption pursuant to Title 14, Ch. 8 adoption of an adult) without expense to the petitioner.

9. A.R.S. 8-232 (Juvenile Hearings): If a child in a juvenile court hearing who is the subject of the petition that does not allege a delinquent act or incorrigibility is represented by counsel in a contested matter, the county attorney, when requested by the juvenile court judge, shall appear and participate in the hearing to assist in ascertaining and presenting evidence.

10. A.R.S. 8-236 (Juvenile Hearings Cooperation): The juvenile court or the county attorney in each county may establish, or assist in the establishment of, any other public council or committee having as its object the prevention of juvenile delinquency, including community based alternative programs. The juvenile court or county attorney may cooperate with, or participate in, the work of any council or committee for the purpose of preventing or decreasing juvenile delinquency, including improving recreational, health and other conditions in the community affecting juvenile welfare.

11. A.R.S. 8-321 (Juvenile Offenders referrals, diversions, conditions, and community based alternative programs): The county attorney may divert the prosecution of juveniles and may establish community based alternative programs. Except as provided in 8-323, the county attorney has sole discretion to decide whether to divert or defer prosecution of a juvenile offender. On the county attorneys certification to the Supreme Court of the number of juveniles diverted to a county attorney community based alternative program, the county can be reimbursed for these programs. See also A.R.S. 8-326(B): The county attorney may establish and administer community based alternative programs.

12. A.R.S. 8-326(A) (Juvenile Offenders): The county attorney shall investigate acts of alleged delinquent behavior and attend the juvenile court and conduct all contested hearings involving allegation of delinquent acts or incorrigibility.

13. A.R.S. 8-341(O) (Juvenile Offenders Disposition and Commitment): On the request of a victim of an act that may have involved significant exposure as defined in section 13-1415 or that if committed by an adult would be a sexual offense, the prosecuting attorney shall petition the adjudicating court to require that the juvenile be tested for the presence of the human immunodeficiency virus. If the victim is a minor the prosecuting attorney shall file this petition at the request of the victim's parent or guardian.

14. A.R.S. 8-346(F) (Restitution Contracts): The county attorney or the juvenile court may enter into contracts with this state, any political subdivision of this state or private entities to provide appropriate services by juveniles who are ordered to pay restitution by the juvenile court or who have agreed to pay restitution .

15. A.R.S. 8-353 (Juvenile Intensive Probation): The juvenile intensive probation team shall request the county attorney to bring a noncompliant probationer before the court, and monitor the payment of restitution and probation fees and request the county attorney to bring before the court any probationer who fails to pay restitution or probation fees.

16. A.R.S. 8-535(G) (Termination of Parent-Child Relationship): The county attorney, on the request of the court or a governmental agency or on the county attorney's own motion, may intervene in any proceedings under this article to represent the interest of the child. See also A.R.S. 25-509(A) (Family support duties-Order for assignment; foreign support order: The attorney general or county attorney on behalf of this state may initiate an action or intervene in an action to establish, modify or enforce a duty of child support, including medical support, regardless of the welfare or nonwelfare status of the person to whom the duty of support is owed. The attorney general or county attorney may establish, modify or enforce such a duty of support by all means available, including all civil and criminal remedies provided by law.)

17. A.R.S. 8-817(B) (Dependent Children Protective Services Initial screening and safety assessment and investigations): The county attorney, the sheriff, the chief law enforcement officer for each municipality in the county and the department shall develop and implement protocols for cooperation in investigations of allegations involving extremely serious conduct.
18. A.R.S. 11-361 and 362: If the County has a deferred prosecution program, the county attorney shall administer the program and maintain statistical records pertaining to the program. (It is unclear from the statute whether the County or the County Attorney makes the decision whether to have a deferred prosecution program.)
19. A.R.S. 11-459(I): If the sheriff establishes a community restitution work program for sentenced prisoners, a representative of the county attorney's office selected by the county attorney would be part of the community restitution work committee.
20. A.R.S. 11-533 (Statements in connection with sentencing): When a defendant is sentenced, the county attorney shall attach to a certified copy of the sentence a statement of the facts and circumstances of the crime upon which the defendant was convicted, together with all other relevant information.
21. A.R.S. 11-536 (Witness Protection): A county attorney may provide for the security of government witnesses, potential government witnesses and their immediate families in pending official criminal or civil proceedings or investigations, if testimony by such witnesses may subject the witnesses or members of their immediate families to danger or bodily injury.
22. A.R.S. 11-538 (County Attorney Victim Compensation Fund): If the board of supervisors establishes a county attorney victim compensation fund, the county attorney shall, in cooperation with the board of supervisors, administer the victim compensation fund.
23. A.R.S. 11-598 (Exhumation; court order): If in any case of sudden, violent or suspicious death a body is buried without any inquiries by the county medical examiner, the county attorney of the county wherein the body is buried may petition the superior court for an order directing that the body be exhumed and an autopsy performed thereon.
24. A.R.S. 12-102.01 (Criminal case processing and enforcement improvement fund): While the Supreme Court administers the fund, at a minimum, each project shall involve the county attorney. The county attorney, among others, shall assist the supreme court in preparing the report to the governor, legislature and others by providing information relevant to the report.
25. A.R.S. 12- 998 (Abatement of Crime Property): The county attorney may bring an action to abate and prevent criminal activity in commercial property. See also A.R.S. 12-991 (Re: Residential property: the county attorney may bring an action in superior court against the owner, the owner's managing agent or any other party responsible for the property to abate and prevent the criminal activity.)
26. Title 13: Pursuant to A.R.S. 11-532, the county attorney shall conduct all prosecutions for public offenses. The criminal code of Arizona is enumerated in Title 13. [For Bad Check Program see A.R.S. 13-1809 to 13-1811; for Victim Witness Program see A.R.S. 13-4404 through 13-4435.]
27. A.R.S. 13-2314.03 County attorney shall cause a report to be filed with Arizona criminal justice commission regarding anti-racketeering funds on or before January 25, April 25, July 25, and October 25th.
28. A.R.S. 17-103 (Game and Fish): Each county attorney shall prosecute and defend on behalf of the state, in all courts of the county, all actions, criminal or civil, arising under this title in which the state, commission member, or department employee is a party thereof.
29. A.R.S. 21-408(A) (Grand Juries): The county attorney shall attend the grand jurors when requested by them, and draft indictments and cause process to issue when requested by the jurors. See also A.R.S. 21-409(A) (Grand Juries): When a grand jury is summoned and appears, the court and the county attorney or other prosecuting officer shall examine the jurors regarding their qualifications as such jurors.
30. A.R.S. 26-168 County attorney shall prosecute employers who do not allow employees leave to participate in national guard duties in superior court.
31. A.R.S. 28-1442(D) (Driving under the influence; records; reporting): By September 1 of each year each county attorney shall report to the governor's office of highway safety the number of cases dismissed pursuant to section

28-1387, subsection I (dismissals based on insufficient legal or factual basis) for the previous fiscal year.

32. A.R.S. 28-4594(B)(2)(b)-(c) (Vehicle Dealers-Automotive Recyclers and Transporters-Violations-Altered serial or identification number; contraband; seizure; disposition): When law enforcement seizes a vehicle and either the identification number can only be temporarily restored or cannot be restored, the county attorney of the county in which the motor vehicle or major component part of a vehicle was seized shall file a petition or action in the superior court in the county in which the item was seized .

33. A.R.S. 32-1269(A) (Professions and Occupations-Dentistry-Regulation; Violation): Violations of this chapter are a class 2 misdemeanor and shall be prosecuted by the county attorney in the Superior Court in the county in which the violation occurs.

34. A.R.S. 32-1556 (Professions and Occupations-Naturopathic Medicine-Regulation-Prosecution for Violations): The county attorney of each county shall prosecute all persons charged with violating § 32-1555. Violation of 32-1555 is a class 5 felony.

35. A.R.S. 32-1991 (Professions and Occupations-Pharmacy-Enforcement of chapter): The county attorneys, among others, shall enforce the provisions of this chapter. (concurrent with DPS and other officers exercising police powers)

36. A.R.S. 32-2160(A) (Professions and Occupations-Real Estate-Prosecution): The county attorney of any county in which a violation occurs shall, upon the written request of the commissioner or the attorney general, prosecute a violation of this chapter.

37. A.R.S. 32-2237(D)(2) (Professions and Occupations-Veterinarians-Regulation-Committee to investigate violations; referral to county attorney or attorney general): If after investigation the board has probable cause to believe that an unlicensed person is performing acts that are required to be performed by a person licensed pursuant to this chapter, the board may request the county attorney or attorney general to file criminal charges against the person.

38. A.R.S. 36-912 (Pure Food Control-Adulteration and Misbranding-Prosecution): The county attorney to whom the director reports any violation of this article shall cause appropriate proceedings to be instituted in the proper court. (concurrent with AG)

39. A.R.S. 36-3709(A) (Sexually violent persons-Petition for change of status): The county attorney shall represent the state at hearings on petitions for change of status. See also A.R.S. 36-3714(A) (Sexually violent persons Petitions for discharge): The county attorney shall represent the state at hearing on petitions for discharge. (each concurrent with AG)

40. A.R.S. 38-342(A) (Removal of county and precinct officers): The accusation (for the removal of county or precinct officers) shall be delivered by the foreman of the grand jury to the county attorney, who shall cause a copy thereof to be served upon the accused.

41. A.R.S. 40-421(B) (Enforcement of laws relating to public service corporations): Upon request of the commission, the attorney general, or the county attorney of the proper county, shall aid in any investigation, hearing or trial conducted under the provisions of this chapter and shall institute and prosecute actions or proceedings for enforcement of the provisions of the constitution and statutes. (violations by officers, agents or employees are class 1 misdemeanors)

42. A.R.S. 41-1237 (Legislature-Registration and regulation of lobbyists-Violation; classification): Any alleged violation of any provisions of this article may be investigated and prosecuted by the attorney general or by the county attorney of the county in which the alleged offense was committed. (violations are a class 1 misdemeanor)

43. A.R.S. 41-1830(A): The county attorneys shall serve on the Arizona prosecuting attorneys advisory council.

44. A.R.S. 41-1963 (Department of Economic Security): The appropriate county attorney shall have concurrent jurisdiction to prosecute all violations of law arising out of or in connection with any program administered by the department of economic security, including, but not limited to 13-3701, 23-657, and 46-215. (concurrent with AG)

45. A.R.S. 41-2113(D) (Weights and Measures): The county attorney shall have concurrent jurisdiction to prosecute violations of this chapter. (concurrent with AG)

46. A.R.S. 42-1004(E) (Taxation): The attorney general may delegate the prosecuting authority of this title and Title 43

to any county attorney for prosecution in that county.

47. A.R.S. 43-1154: The county attorney shall prosecute any person who attempts to exercise any of the rights, etc., of any corporation suspended pursuant to A.R.S. 43-1152.

48. A.R.S. 44-1231.03(A) (Fraudulent Practices in the Sale of Indian Arts and Crafts-Enforcement): The county attorney shall enforce this article (concurrent with AG).

49. A.R.S. 44-1710 (Trade and Commerce-Regulations concerning Particular Businesses-Credit Services): The county attorney may prosecute misdemeanor actions or institute proceedings to restrain and enjoin violations under 44-1703 through 1706 and 44-1709.

50. A.R.S. 44-1732(B): The county attorney shall institute the criminal actions to enforce the provisions of this article (re: pyramid promotional schemes). (concurrent with AG)

51. A.R.S. 44-1797.20(A) (Discount Buying Services-Enforcement): The attorney general or county attorney shall have the power to enforce the criminal provisions of this article.

A.R.S. 46-404(C) Welfare-Child Support Obligations-Reimbursement of Public Assistance-Notice; service; order): The department and the absent parent may enter into an agreement in which they stipulate as to the amount of support and method of payment that the absent parent shall pay monthly to the clerk of the court. The department, through the county attorney, shall petition the superior court for an order approving the stipulation and such order shall be enforced by the county attorney.

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Pima County FY 2012/2013 Recommended Budget

Supplemental Package Request

Department: Health

Package: B - SUPP B FOR VACCINE FUNDS

Type of Request	Expanded Program	Growth Related	Revenue Enhancement
	FY 2012/13 Requested	FY 2013/14 Annualized	
Operating Expenses	219,110	219,110	
Total Expenditures	219,110	219,110	
Total Revenues	100,000	100,000	
Fund Balance Support	119,110	119,110	

Goals & Objectives

- G: Have available funds to purchase adult vaccines not currently available through PCHD clinics, which are demanded by customers
- G: Purchase vaccines to immunize children who are no longer eligible for immunizations under the Vaccines For Children (VFC) program. (Changes in VFC funding will prevent vaccine providers from immunizing children who are privately insured with VFC funded vaccines)
- To meet the public health needs of the community by offering immunizations to protect against vaccine preventable diseases
- To provide improved continuity of care for, and to meet the demand for, vaccines from customers

Description

An increase of funds is requested to purchase vaccine and supplies for administration. There is a public demand to provide Zostavax vaccine (to prevent shingles) for the general population and vaccine against Japanese encephalitis for international travelers. PCHD does not currently offer these vaccines due to the cost of the vaccine.

The Arizona Vaccine Center has allowed providers to use VFC funded vaccine to immunize children who have private health insurance. Arizona will no longer have sufficient federal and state funding to cover these insured children. Effective January 1, 2012 private providers must use privately purchased vaccine to immunize insured children. County Health Departments are exempt from this requirement at this time, but have been informed by the Arizona Vaccine Center that this exemption will not continue in the next fiscal year. Currently, approximately 24% of children seen in PCHD immunization clinics have private insurance. These children will be ineligible to receive vaccine from us unless we have the ability to purchase childhood vaccines.

Operating Expenses

Needles, syringes, gauze, band-aids, alcohol wipes and vaccines (Zostavax, Japanese encephalitis, all childhood vaccines).

Revenue

\$15.00 per vaccine plus handling fees associated with International Travel vaccines.

Revenue from billing AHCCCS and health insurance plans for the administration fee of vaccines administered to children.

Impact if not Funded

Increase in the number of vaccine preventable communicable diseases in the county.

Increased difficulty for parents to have their children immunized, as many private providers no longer provide vaccines.

Customers turned away from clinics due to inability to provide them with the requested vaccines, leading to dissatisfaction with services. This would include the approximately 24% of children with private insurance currently seen in clinics.

Mandates

Legislative Bill 36-673. Duties of local health departments; immunization; training; informed consent states:

A local health department in cooperation with each school within the county shall provide for the required immunization of pupils attending school.

Arizona Department of Health Services Immunization Requirements for child care and school attendance (HIB, Pneumococcal, DTaP, Td, Tdap, Meningococcal, polio, MMR, Hepatitis B, varicella).

The Arizona Vaccine Center has informed PCHD that in the next fiscal year, we will no longer be able to immunize privately insured children with VFC funded vaccine. Unless we are able to purchase vaccines for these children, we will have to turn away approximately 24% of the children who attend our immunization clinics.

Expanded Program

Yes - potential for International Travel services to be offered in other district offices and to offer vaccines not currently available.

Growth Related

Yes - increased demand for services in all district offices.

Revenue Enhancement

Yes - from increased revenue if able to provide International Travel services in additional district offices and to provide additional vaccines.

Yes - from billing private insurance plans for vaccine administration fees for immunizations given to privately insured children.

Supplemental Package Request

Department: Natural Resources, Parks & Recreation

Package: B - UNFUNDED O&M for NRPR's New or Expanded Parks and Facilities

Type of Request	Expanded program Revenue Enhancement	Growth Related Capital	New Mandate
	FY 2012/13 Requested	FY 2013/14 Annualized	
Personnel Services	491,041	491,041	
Operating Expenses	350,100	416,200	
Capital Equipment	74,000	-	
Total Expenditures	915,141	907,241	
Total Revenues	145,000	185,000	
General Fund Support	590,206	542,306	
Fund Balance Support	179,935	179,935	

Goals & Objectives

- To provide quality park facilities and infrastructure to meet the needs of the customers within Pima County and to be able to maintain those facilities to our current park standards with cost effective funding levels
 - Receive funding for the necessary personnel, supplies, services, and capital for new and expanded parks and facilities that Pima County NRPR will be responsible for in FY 2012/13 that have not been funded.

Description

NRPR is requesting funding for the Operation and Maintenance (O&M) costs for:

1. Rillito Park - Two new soccer fields that have not been funded. O&M includes personnel, utilities, supplies, services, and equipment needed to maintain these new fields.
2. Lawrence Park - new lighted girls' softball field, parking lot, paths, and new entrance road. O&M includes personnel, utilities, supplies, services and equipment needed to maintain this new field.
3. Littleton/Thomas Jay Park - new youth baseball junior/senior field, bridge, parking lot, pathways and landscaping. O&M includes personnel, utilities, supplies, services and equipment needed to maintain this field.
4. Native Plant Nursery Expansion
5. Southeast Regional Park's Shooting Range Expansion for shotgun and archery sports
6. Kino swimming pool year-round operation per agreement with YMCA
7. Curtis Gym per agreement with Southern Arizona Community Sports

Personnel

NRPR is requesting funding for 13.75 FTEs:

- 1 FTE - RANGEMASTER Non Exempt County, Reg Classified FT, ASRS BE
- 2 FTEs - TM TECHNICIAN Non Exempt County, Reg Classified FT, Pre 84
- 2 FTEs - TM TECHNICIAN Non Exempt County, Reg Classified FT, ASRS B
- 1 FTE - PROGRAM CRD Exempt County, Reg Classified FT, ASRS BE
- 1.75 FTEs - LABORER Intermittent, No Leave Accrual, ASRS 20/20 NBE
- 4 FTEs - LIFEGUARD Intermittent, No Leave Accrual, ASRS 20/20 NBE
- 1 FTE - LIFEGUARD WSI Intermittent, No Leave Accrual, ASRS 20/20 N
- 1 FTE - LIFEGUARD PRIN Intermittent, No Leave Accrual, ASRS 20/20

Operating Expenses

NRPR is requesting funding for repair and maintenance supplies, utilities, motor pool costs for the following new or expanded parks or facilities:

1. Rillito Park
2. Lawrence Park
3. Littletown/Thomas Jay Park
4. Native Plant Nursery Expansion
5. Southeast Regional Park's Shooting Range Expansion
6. Kino swimming pool year-round operation per agreement with YMCA
7. Curtis Gym per agreement with Southern Arizona Community Sports

Capital

NRPR is requesting funding for capital for each of these new or expanded parks or facilities:

1. Lawrence Park - Utility Vehicle and turf aerifier
2. Littletown/Thomas Jay Park - Goose Neck Trailer to haul trash, debris, and pruning clippings
3. Native Plant Nursery - Utility Vehicle and cash register
4. Southeast Regional Park's Shooting Range Expansion

Revenue

NRPR is requesting funding for revenue for each of the following new or expanded parks or facilities:

1. Lawrence Park - light use fees
2. Rillito Park - tournament and field use fees
3. Southeast Regional Park Shooting Range - user fees and sales of shotgun ammunition and sundry items
6. Kino swimming pool year-round operation per agreement with YMCA

Impact if not funded

If not funded NRPR will need to reduce levels of service to cover the O&M costs for these new or expanded parks and facilities. We would also recommend not turning on the power for the new lights at Lawrence Park until we receive the necessary funding. There is a shortage of lighted girls' softball fields in this area of Pima County. The number of complaints would increase from the general public and youth leagues. The safety and playability of our youth fields would be negatively impacted and there could be increased liability for Pima County. If not funded for the SERP shotgun range, there will likely be a significant negative reaction from the shooting sports community, as well as lost revenue and revenue potential. It is estimated that the shotgun range will be revenue neutral or revenue positive within 3 to 5 years. If not funded for the Kino Swimming Pool or the Curtis Gym, contractual requirements and public expectations will not be met. If not funded for the Native Plant Nursery, revenue expectations, public expectations and goals for use of native plants in County projects will not be met.

Mandates

These projects were funded through County funded capital improvement projects that the citizens of Pima County voted on building in the 1997 and 2004 bond elections. In 1948 BOS enacted a resolution to create a department of Parks and Recreation to conduct after-school programs. Every year since the enactment of this resolution money was approved in the budget to provide parks and recreation programming for the citizens of Pima County.

ARS 11-932- Allows BOS to acquire lands for Park purpose and authority to designate a Park

ARS 11-934- Allows County to establish a Parks Commission or allows BOS to retain the authority

ARS 11-935- Outlines Powers and Duties of Parks Commission

ARS 11-352 Merit System Rules

Ordinance No. 1997-35-Bond Improvement Plan for the May 20, 1997 Special Bond Election

Ordinance No. 1997-80-Transportation Bond Improvement Plan for the November 4, 1997 Special Bond Election

Section VIII, Implementation for Transportation Projects in Other Jurisdictions

Board of Supervisors Resolution 1979-48 grants of easements for County facilities

Supplemental Package Request

Department: Natural Resources, Parks & Recreation
 Package: C - NRPR OPEN SPACE AND IT

Type of Request	Growth Related	
	FY 2012/13 Requested	FY 2013/14 Annualized
Personnel Services	437,073	437,073
Operating Expenses	275,900	212,000
Capital Equipment	177,000	-
Total Expenditures	889,973	649,073
Total Revenues		
General Fund Support	889,973	649,073

Goals and Objectives

- To manage, maintain and protect the natural resource and mountain parks, open space lands and cultural/historic sites within the conservation lands management program applying sound biological and fiscal practices
 - Monitor all properties and conduct surveys on all working ranches
 - Develop, implement and monitor management plans for key open space properties
 - Monitor and provide operations maintenance support to maintain safe and functioning natural resource parks, open space lands and cultural/historic resource sites

Description

This supplemental is designed to expand the existing conservation land management program in NRPR to cover significant new acquisitions and activities on the open space lands and working ranches. It will also support the Multiple Species Conservation Program (MSCP) if approved by US Fish and Wildlife for property monitoring and management. The request also covers expanded resources for the historic Canoa Ranch to cover O&M of over \$2 million dollars of recent bond fund investments. The program expands efforts at both the technician and professional staff levels. Operations and maintenance staff as well as professional level range managers, biologists and administrative support staff are covered.

Personnel Services

Request funding for 7.5 FTEs:

- 1 FTE - TM TECHNICIAN Intermittent, No Leave Accrual, ASRS 20/20 N
- 3 FTEs - TM TECHNICIAN Non Exempt County, Reg Classified FT, ASRS B
- 1.5 FTEs - PROGRAM CRD Exempt County, Reg Classified FT, ASRS BE
- 1 FTE - PROGRAM MGR Exempt County, Reg Classified FT, ASRS BE
- 1 FTE - NTRL RES SPEC Non Exempt County, Reg Classified FT, ASRS B

One program manager for the A7 Ranch, one program coordinator for a citizen/scientist volunteer program, one program coordinator intermittent grants coordinator, two trades maintenance specialists for the open space well and operations program, three trades maintenance technicians, two intermittent trades maintenance technicians, and one natural resource specialists for the ranch monitoring program

Operating Expenses

A significant portion of the request is for additional supplies and services funding for the operation of the conservation lands management program. Funding will help cover costs of well maintenance, fencing, historic building repairs, and construction projects on ranches, pipeline repairs, solar wildlife water construction, road maintenance and other repair and maintenance needs.

Capital Equipment

The request contains a number of capital equipment requests across the various program areas. There are vehicles for remote ranch and open space program needs, all-terrain vehicles for off road use, secure storage containers for Canoa ranch, new tracked vehicles for the A7 Ranch and attachments for existing tractors for construction project use. Some of the capital request provides new vehicles for requested staff and other for the existing program.

Revenue

There are no specific new revenue projections but increased efficiency on the ranches could lead to additional livestock produced annually. Also, some of the non-traditional resources on properties could be developed into commodities such as firewood and other renewable products.

Supplemental Package Request

Department: Natural Resources, Parks & Recreation

Package: E - Urban Loop and River Parks Unfunded O&M Costs

Type of Request	New Program Capital	Expanded Program	Growth Related
	FY 2012/13 Requested	FY 2013/14 Annualized	
Personnel Services	424,068	460,068	
Operating Expenses	(382,930)	-	
Capital Equipment	218,500	-	
Total Expenditures	259,638	460,068	
Total Revenues	-	-	
General Fund Support	259,638	460,068	

Goals & Objectives

- To provide quality park facilities and infrastructure to meet the public recreational needs within Pima County and to maintain these facilities to our current park standards with cost effective funding levels
 - Receive funding for the necessary personnel, supplies, services and capital for new and expanded parks and facilities that Pima County NRPR will be responsible for in FY 2012/13 that have not been funded
- To provide the general public an Urban Loop path system that circles Tucson that provides a safe and aesthetically pleasing experience to our user groups for recreation and commuting
 - To receive the proper funding for staff, supplies, services and capital so that these new river park sections can be maintained to department standards

Description

NRPR is requesting funding for the Operation and Maintenance (O&M) costs for the following River Parks and Urban Loop sections:

1. Christina Taylor Green CDO River Park -Ted Walker Rd to Ina Rd and Magee Rd to La Cholla Blvd
2. Rillito River Park's new Ethan Crossing Trailhead and pathway connection, new section Hacienda del Sol to Country Club Rd and a new section Union Pacific to I-10
3. Santa Cruz River Park transferred from the City of Tucson (COT) WB Speedway to Mission Rd and EB St. Marys to Mission Rd, also Grant Rd to Camino del Cerro and Camino del Cerro to Ted Walker Rd
4. Julian Wash River Park - from I-10 to I-19 and from Wilmot Rd to Rita Rd (six new sections totaling 8.3 miles)

Personnel Services

NRPR is requesting funding for 12.5 FTEs:

4 FTEs - TM SPECIALIST Non Exempt County, Reg Classified FT, ASRS B

3 FTEs - TM TECHNICIAN Non Exempt County, Reg Classified FT, Pre 84

5.5 FTEs - LABORER Intermittent, No Leave Accrual, ASRS 20/20 NBE

Operating Expenses

NRPR is requesting funding for repair, operation and maintenance supplies, utilities, motor pool costs, etc. for the following new or expanded parks or facilities:

1. Christina Taylor Green CDO River Park Ted Walker Rd to Ina Rd and Magee Rd to La Cholla Blvd
2. Rillito River Park's new Ethan Crossing Trailhead and pathway connection, new section Hacienda del Sol to Country Club Rd and a new section Union Pacific to I 10
3. Santa Cruz River Park transferred from the City of Tucson (COT) WB Speedway to Mission Rd and EB St. Marys to Mission Rd, also Grant Rd to Camino del Cerro and Camino del Cerro to Ted Walker Rd
4. Julian Wash River Park from I 10 to I 19 and from Wilmot Rd to Rita Rd (six new sections totaling 8.3 miles)

Capital

NRPR Operations is requesting capital for each of these new or expanded parks or facilities:

1. Christina Taylor Green CDO River Park - pickup truck and mobile mini storage unit
2. Santa Cruz River Park - (2) pickup trucks, (2) utility vehicles and (2) mobile-minis
3. Julian Wash River Park - (2) pickup trucks, (2) utility vehicles, mobile-mini and sprayer for 8.3 miles of new river park sections

Impact if not funded

If not funded, Pima County NRPR will not be able to safely maintain over 50 miles of trails and pathways within Pima County for use by various recreation groups creating liability issues for Pima County. If not funded Pima County would not be in compliance for the Intergovernmental Agreements with the COT for taking over sections of the Santa Cruz River Park and the Rillito River Park. If not funded Pima County and the COT would not be able to achieve and maintain gold or platinum status as a bicycle friendly community.

If our capital request is not funded, NRPR does not have the equipment to maintain these new sections so we would have to contract out the maintenance and operations to a private contractor.

Mandates

The expansion of Pima County's River Park system has been funded by County approved bond elections. The Urban Loop is a new program that includes Pima County River Park path system and new paths along roadways for connectivity in areas where the River Parks are not developed yet.

1948 BOS enacted a resolution to create a department of Parks and Recreation to conduct after-school programs. Every year since the enactment of this resolution money has been approved in the budget to provide parks and recreation programming for the citizens of Pima County.

ARS 11-932 - Allows BOS to acquire lands for Park purpose and authority to designate a Park

ARS 11-934 - Allows County to establish a Parks Commission or allows BOS to retain the authority

ARS 11-935 - Outlines Powers and Duties of Parks Commission

ARS 11-352 - Merit System Rules

Ordinance No. 1997-35-Bond Improvement Plan for the May 20, 1997 Special Bond Election

Ordinance No. 1997-80-Transportation Bond Improvement Plan for the November 4, 1997 Special Bond Election

Section VIII, Implementation for Transportation Projects in Other Jurisdictions

Board of Supervisors Resolution 1979-48 grants of easements for County facilities

Board of Supervisors Policy C3.3: Pima County Public Art Program

Supplemental Package Request

Department: Natural Resources, Parks & Recreation

Package: F - Unfunded Capital, Health and Safety Issues and Infrastructure Renovations

Type of Request	New Program Revenue Enhancement	Expanded Program Capital	Growth Related
	FY 2012/13 Requested	FY 2013/14 Annualized	
Personnel Services	1,476,000	-	
Capital Equipment	2,345,625	-	
Total Expenditures	3,821,625	-	
Total Revenues	-	-	
General Fund Support	3,821,625		

Goals & Objectives

- Replace outdated energy inefficient ball field lighting systems that do not meet National Lighting Standards for Little League and other national youth organizations that have light spillage and glare issues with energy efficient ball field lighting systems meeting National Lighting standards levels are Dark Skies friendly and will be part of our central control systems for PC NRPR for our ball field light systems
 - New ball field lighting systems will meet or exceed the lighting standard of 30 light candles for the outfield and 50 light candles for the infield
- All bleachers in County parks will meet National Building Codes regulations and have guardrails on risers more than 30 inches above grade and footboards that will not allow a sphere greater than 4 inches to pass through
 - Replace outdated and non-compliant bleachers with new compliant bleachers
- Replace outdated and inefficient capital equipment and capital equipment that does not meet national safety standards with more energy efficient and cost effective equipment that has all the required safety equipment to protect our staff
 - Set up funding program to receive annual funding to replace outdated park capital equipment
- Renovate parking lot, paved pathways, roads on a cyclic basis to reduce liabilities for Pima County, improve safety for the general public, and protect Pima County infrastructure investments
 - Set up cyclic maintenance funds possibly with PC DOT for all county paved surfaces
- Set up funding for renovations for all of Pima County's infrastructure to protect Pima County's investments and our facilities and reduce liabilities and safety issues for Pima County
 - Set up new cyclic maintenance and renovations funds with PC Facilities Management - Facility Renewal Fund
- Secure funding to install lockable pull boxes for all our ball field lighting systems and other parking lot and security lighting to deter wire theft that has cost the county thousands of dollars and impacts the general public that uses these facilities
 - Secure funding to systematically replace all the electric pull boxes with new lockable pull boxes that still give access when needed to our electricians

Description

Lighting:

1. McDonald Park - replacing outdated and energy inefficient ball field lighting system on fields 1-4 and replacing the electric pull boxes with lockable pull boxes on fields 1-6 to deter wire theft. We would also like to include in this project the lighting of the off leash dog park and the basketball court neither of which is lighted.
2. Littleton/Thomas Jay Park - replacing outdated and energy inefficient ball field lighting system on field 1 and replacing the electric pull boxes with lockable pull boxes on fields 1&2
3. Mike Jacob Sports Park - replacing ineffective security and parking lot lighting system and replacing the deteriorating wood decks around both of the concession buildings.
4. Rillito Park - replacing the electric pull boxes with lockable pull boxes on fields 1-6 to deter wire theft, replacing the deteriorating and unsafe asphalt floor on the bottom floor of the clubhouse, and painting the interior roof of the grandstand to address the safety issue of the paint that is peeling off.
5. Curtis Park - replacing the electric pull boxes with lockable pull boxes on fields 1-3 to deter wire theft
6. Flowing Wells Park - replacing the electric pull boxes with lockable pull boxes on fields 1&2 to deter wire theft

7. Brandi Fenton Park - replacing the electric pull boxes with lockable pull boxes on fields 1-3 to deter wire theft
8. Mehl Foothills Park - replacing the electric pull boxes with lockable pull boxes on fields 1-5 to deter wire theft
9. Three Points Veteran's Memorial Park - replacing the electric pull boxes with lockable pull boxes on fields 1-3 to deter wire theft and putting these fields on the NRPR's central control system.

Bleachers:

Request funding to replace five and ten tier bleachers that are outdated and dangerous, these bleachers do not have proper hand rails and footboards, these bleachers do not meet national and local building code standards. NRPR plans to replace these bleachers with code compliant three and five tier bleachers.

Capital Equipment

1. Utility Vehicles

- A. Cushman asset #85151, DOP 01/1995. Location: Vesey Park (3400249-0752) Hours on unit 3,925. Replacement unit John Deere Prognator, cost \$18,000. Replacement Justification: This unit is 17 years old and should have been replaced at 7 years or 2,500 hours per industry standards. Parts are difficult and expensive to obtain for this unit. This unit does not meet ASME D56.8A, OSHA 1928.51 or ANSI B71.4 safety standards. There is no rollover protection, seat belts or operator containment systems on this unit. It is a three wheeled unit which means it only has one front steering tire; this system is obsolete and unsafe.
- B. Toro Workman asset #88437, DOP 06/1997. Location: Ajo (3400902-0766) Hours on unit 1,596. Replacement unit John Deere Prognator, cost \$18,000. Replacement Justification: This unit is 15 years old and should have been replaced at 7 years or 2,500 hours per industry standards. This unit does not meet ASME D56.8A, OSHA 1928.51 or ANSI B71.4 safety standards. No seat belts or operator containment systems on this unit.
- C. Toro Workman asset # 99646, DOP 06/2000. Location: Lawrence Park (3400248-0730) Hours on unit 2027. Replacement unit John Deere Prognator, cost \$18,000. Replacement Justification: This unit is 12 years old and should have been replaced at 7 years or 2,500 hours per industry standards. This unit does not meet ASME D56.8A, OSHA 1928.51 or ANSI B71.4 safety standards. There are no seat belts or operator containment systems on this unit.
- D. Cushman utility vehicle- Agua Caliente - past life expectancy and frequently breaks down. Used by staff and volunteers for trash removal, trail maintenance, general repairs and re-vegetation projects on 120 acre park. \$18,000e) Replace existing golf cart utility vehicle- Agua Caliente - past life expectancy and frequently breaks down. It was acquired used around 2000. Used by staff and volunteers for trash removal, trail maintenance, general repairs and re-vegetation projects on 120 acre park. Need a sturdier utility vehicle. \$18,000
- E. Replace existing 1985 Yamaha Moto 4 utility vehicle- TMP - plate F809 R/V- past life expectancy and frequently breaks down it is under powered for needs at the park. It is used by staff and volunteers for limited trash removal, campground operations and re-vegetation projects on 28,000 acre park. \$18,000

2. Rotary mowers - John Deere F 935 mower asset#96517, DOP 04/2003. Location: Children Memorial (3400262-0722) Hours on unit 831. Replacement unit John Deere 1445 mower, cost \$17,000. This unit is 9 years old and should have been replaced at 7 years or 2,500 hours per industry standards. This is an inferior and costly mower to operate and should be replaced in the next fiscal budget.

3. Sweeper - Olathe sweeper Model 48HL. Asset # 75081 DOP 01/1990. Location: Manzanita (3400229-0754) Hours on unit 404. Replacement unit Toro 4800 turf sweeper, cost \$14,000. This unit is 22 years old and should have been replaced at 7 years or 2,500 hours per industry standards unit does not meet ASME D56.8A, OSHA 1928.51 or ANSI B71.4 safety standards. Repair parts are costly and becoming obsolete. This unit should be replaced in the next fiscal year.

4. Trucks

- A. 2001 Dodge truck/utility bed and rack. Lic.Plate # G-F934CM. Location: Trades Support (3400256-0750) Mileage 110,936. Replacement unit Ford \$30,000.00. Replacement Justification: This unit engine is under powered due to wear and use; constant repairs and not relievable. Tool boxes are misaligned and door locks not working. Rack has multiples repairs. This is an unsafe and costly unit to operate and should be replaced in the next fiscal budget.
- B. 1992-350 Dodge Ram stake bed w/power lift gate for TMP-PS-664B- direct bill vehicle with many ongoing problems to point not dependable and having routine repair needs. Needed for work at park including invasive plant removal projects and materials transport. Mechanical lift gate frequently inoperable. \$35,000

5. Stanley Hydraulic Underwater Saw- #65914- Item has worn out and does not meet minimum performance specifications any longer. It is used to cut invasive cattails underwater in Pond number 1. \$10,500

Operating Expenses

1. Arthur Pack Park - requesting funds for the patching, crack sealing, seal coating and striping of two parking lots

- and the entrance road along with the park path system (\$90,000).
2. Richardson Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000), and the patching, crack sealing and seal coating of the .3 miles of asphalt paths.
 3. Wildwood Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court and tennis court (\$26,000), and the patching, crack sealing and seal coating of the .3 miles of asphalt paths.
 4. Casas Adobes Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 5. Picture Rocks Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 6. Denny Dunn Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 7. Children's Memorial Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 8. Rillito Vista Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 9. Rillito Park - requesting funds for the patching, crack sealing, seal coating and striping of the front parking lots and the entrance road (\$120,000), and for the installation of a security camera system to deter wire theft and other vandalism (\$30,000).
 10. Thomas Jay/Littletown Park - requesting funds for the patching, crack sealing, seal coating and striping of both parking lots (\$40,000), and for the crack sealing, painting with non-skid paint and the striping of the two basketball courts (\$26,000).
 11. Picture Rocks Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 12. Star Valley Park - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 13. Lawrence Park - requesting funds for the patching, crack sealing, seal coating and striping of both parking lots and the entrance road (\$100,000).
 14. Vesey - requesting funds for the patching, crack sealing, seal coating and striping of the parking lot and entrance road.
 15. Mike Jacob Sports Park - requesting funds for the patching, crack sealing, seal coating and striping of two parking lots and the entrance road along with the park path system (\$125,000).
 16. Ajo Parks - requesting funds for the patching, crack sealing, seal coating and striping of the parking lot at Bud Walker, and funds for the crack sealing, painting with non-skid paint and the striping of the two basketball courts and two tennis courts. Total (\$95,000).
 17. McDonald Park - requesting funds for the patching, crack sealing, seal coating and striping of the parking lots (\$95,000).
 18. Continental Community Center - requesting funds for the crack sealing, painting with non-skid paint and the striping of the basketball court (\$14,000).
 19. Manzanita Park - requesting funds for the patching, crack sealing, seal coating and striping of two parking lots and the entrance road along with the park path system, and crack sealing, painting with non-skid paint and the striping of the basketball court and two tennis courts. Total - \$140,000
 20. Cardinal Park - requesting funds for the patching, crack sealing, seal coating and striping of the parking lot (\$10,000) and crack sealing, painting with non-skid paint and the striping of the basketball court.
 21. TMP - requesting funds for the patching, crack sealing, seal coating and striping of parking lots, pull-outs, trail heads and roads when necessary (\$150,000)
 22. Agua Caliente requesting funds for the patching, crack sealing, seal coating and striping of the parking lots and the entrance road (\$100,000)

Capital

1. McDonald Park - replacing outdated and energy inefficient ball field lighting system on fields 1-4 and replacing the electric pull boxes with lockable pull boxes on fields 1-6 to deter wire theft. We would also like to include in this project the lighting of the off leash dog park and the basketball court neither of which is lighted.
2. Littletown/Thomas Jay Park - replacing outdated and energy inefficient ball field lighting system on field 1 and replacing the electric pull boxes with lockable pull boxes on fields 1&2
3. Mike Jacob Sports Park - replacing ineffective security and parking lot lighting system and replacing the deteriorating wood decks around both of the concession buildings.
4. Rillito Park - replacing the electric pull boxes with lockable pull boxes on fields 1-6 to deter wire theft, replacing the deteriorating and unsafe asphalt floor on the bottom floor of the clubhouse, and painting the interior roof of the grandstand to address the safety issue of the paint that is peeling off
5. Curtis Park - replacing the electric pull boxes with lockable pull boxes on fields 1-3 to deter wire theft
6. Flowing Wells Park - replacing the electric pull boxes with lockable pull boxes on fields 1&2 to deter wire theft
7. Brandi Fenton Park - replacing the electric pull boxes with lockable pull boxes on fields 1-3 to deter wire theft
8. Mehl Foothills Park - replacing the electric pull boxes with lockable pull boxes on fields 1-5 to deter wire theft

9. Three Points Veteran's Memorial Park - replacing the electric pull boxes with lockable pull boxes on fields 1-3 to deter wire theft and putting these fields on the NRPR's central control system
10. Vesey Park - replacing 17 year old utility vehicle
11. Lawrence Park - replacing 12 year old utility vehicle with high hour use
12. Bud Walker Park - replacing 15 year old utility vehicle
13. Children's Memorial - replacing 9 year old riding mower with high hour use
14. Trades staff - replacing direct bill truck that is 12 years old with high mileage
15. TMP - replacing direct bill 20 year old truck and utility vehicle
16. Agua Caliente - replacing two old utility vehicles and underwater hydraulic saw

Impact if not funded

Lighting Projects for McDonald Park, Thomas Jay and Mike Jacob Sports Park - if not funded Pima County will have liability issues for the ball field lighting that does not meet National Little League standards for light levels and for the inadequate parking and security lighting at the Mike Jacob Sports Park. There are safety issues for the low light levels for the youth players that utilize our ball fields and for the patrons at the Sports Park. If not funded, we will continue to have glare and light spillage issues that impact our neighbors and impact the night sky (Dark Skies issues). In the future we could have to close the ball fields at McDonald Park due to safety issues with the old visors that were installed years ago.

If not funded, the replacement of the electric pull boxes on our lighted ball fields, parking lots and security lights throughout Pima County, we will continue to have wire theft issues that will cost the County thousands of dollars and impact the user groups while the systems are inoperable.

Paving projects and court resurfacing projects throughout Pima County's park system - if Pima County does not fund the renovations of our park asphalt paths, roads, parking lots, and sports courts there will continue to be increased liability and safety issues for the county. The longer the maintenance is deferred the more costly it will be in the future to address these costs and the liabilities and safety issues will increase.

If the new security camera system for Rillito Park is not funded, we could continue to have wire theft problems and vandalism to the building. We may have to pay for a security guard which would be more costly in the long term.

Replacement of non-compliant Bleachers - if Pima County does not fund the replacement of our non-code compliant bleachers Pima County could be liable for any injuries resulting from this non-compliance. These bleachers might have to be removed and the youth league parents would be upset if there were no areas for them to sit to watch their kids play.

Renovations to the Mike Jacob Sports Park wooden decks and to the Rillito Park grandstand building - if not funded these facilities present liability and safety issues for Pima County and could have to be closed in the future if these facilities continue to deteriorate.

Replacement of capital equipment - if not funded NRPR will continue to incur escalating repair costs and down time because of the outdated capital equipment we have. This will impact the effectiveness and efficiency of our staff performing their job tasks and it also impacts their safety and the liabilities for Pima County.

Mandates

1948 BOS enacted a resolution to create a department of Parks and Recreation to conduct after-school programs. Every year since the enactment of this resolution money has been approved in the budget to provide parks and recreation programming for the citizens of Pima County.

ARS 11-932 - Allows BOS to acquire lands for Park purpose and authority to designate a Park.

ARS 11-934 - Allows County to establish a Parks Commission or allows BOS to retain the authority

ARS 11-935 - Outlines Powers and Duties of Parks Commission

Capital Equipment - ASME D 56.8A, OSHA 1928.51 or ANSI B71.4 safety standards

Bleacher Replacement - Consumer Product Safety Commission and PC Building Codes 1021.5.7

ARS 11-352 - Merit System Rules

Ordinance No. 1997-35-Bond Improvement Plan for the May 20, 1997 Special Bond Election

Ordinance No. 1997-80-Transportation Bond Improvement Plan for the November 4, 1997 Special Bond Election

Section VIII, Implementation for Transportation Projects in Other Jurisdictions

Board of Supervisors Resolution 1979-48 Grants of Easements for County Facilities

Board of Supervisors Policy C3.3: Pima County Public Art Program

Pima County's "Dark Skies" Outside Lighting Ordinance