

**PIMA COUNTY ATTORNEY'S OFFICE
ATTORNEY STAFFING SUMMARY AND WORKLOAD COMPARISONS
1996-2006**

In November of 2006 the population of Pima County surpassed one million people -- a 30% population increase in ten years! Not only has the population continued to grow, but the crime rate has also increased. In 2006, the Pima County crime rate was 5.8 crimes per 1,000 people and it exceeded the crime rate of both Maricopa and Los Angeles counties. As might be expected, this results in a very high caseload for the County Attorney's Office.

In Pima County between 1996 and 2006:

There was a 40% increase in the number of felony cases, and misdemeanor cases more than tripled.

Maintaining Pima County as a safe community requires more than a strong law enforcement presence to arrest wrong doers. It also means being able to efficiently prosecute and convict those people whose actions threaten our safety and keep them off our streets.

Since 1998 there have been three staffing studies performed on the Pima County Attorney's Office prosecutors and work load. Each of those studies found the Pima County Attorney's office to be under staffed and in need of more attorneys in particular and staff in general.

	Directed by	Performed by	Result
1998 Friesen Report	Pima County Superior Court	Justice Management Institute, Denver, CO	Recommended additional 12-24 felony prosecutors
2002 Criminal Prosecution Level of Service Study	Pima County Administrator C.H. Huckleberry	Pima County Attorney's Office	Recommended additional 26 criminal prosecutors
2003 APRI Study	Pima County Attorney's Office and Board of Supervisors	American Prosecutors Research Institute	Recommended additional 24.93 full-time equivalent (FTE) attorneys

Prosecutor Workload Detail

Felony Cases

- There has been a 40% increase in the number of felony cases brought to the County Attorney's Office between 1996 and 2006.

Ten Year Comparison of Felony Cases In the Pima County Attorney's Office		
Year	# Presented by Law Enforcement	# Filed in Court
1996	7,615	4,248
2006	10,713	5,539

- Despite a continually increasing felony case load our overburdened prosecutors' effectiveness and our conviction rate, especially at trial, remain high.

	FY 02/03	FY 03/04	FY 04/05	FY 05/06
Trials	415	413	443	403
Trial Rate	8.4%	8.1%	8.1%	7.1%
Disposition	4968	5126	5489	5653
Prison (DOC)	1464	1440	1687	1770
Percent to Prison	29.5%	28.1%	30.7%	31.3%

- In 2006, there were 5,653 felony defendants disposed, including 65 homicide cases and 403 felony criminal trials.
- More than 70% of all felony trials involved a defendant charged with a violent crime.
- Our prosecutors secured convictions in over 90% of the felony cases in 2006.

Misdemeanor Cases

- The total number of misdemeanor cases prosecuted in Pima County Justice Courts has more than tripled over the past decade, and prosecutor's caseloads have doubled.
- In 1996 the Pima County Attorney's Office prosecuted more than 10,000 misdemeanor cases. Five misdemeanor prosecutors handled approximately 2,000 cases each.
- In 2006, the prosecutors assigned to the Justice Court Misdemeanor Unit prosecuted more than 25,000 cases.
- In 2006, **Eight Misdemeanor prosecutors handled more than 3,200 cases each.**
- In 2006, the eight Justice Court attorneys closed more than 11,000 cases. They resolved 580 with trials to the court and 114 with trials to a jury.

Juvenile Cases

- Approximately 10,000 juvenile cases are presented by law enforcement for prosecution each year.
- Each full time juvenile prosecutor has an average case load of 120 cases and reviews 75 to 125 cases per month.

Civil Division

- During the calendar year 2006 the Civil Division attorneys managed approximately 1,738 active cases involving petitions for involuntary commitments for mental health treatment.
- In 2006, the Civil Division handled approximately 3,740 requests for legal advice and assistance from Sheriff's deputies in the field, responded to 3,900 public records requests, and conducted more than 130 hours of officer training.
- During the same year the Civil Division managed an active case load of 542 environmental and land use cases.
- With 27 attorneys that is 367 activities per attorney, more than one per day, including holidays and weekends, which is remarkable since very few of the activities consume only one day.

Staffing Studies Summaries

In order to address the dramatic increase in crime and resultant public safety issues the case load and staffing of attorneys in the Pima County Attorney's Office must be addressed. Between 1996 and 2006 Pima County contracted with outside agencies on three separate occasions to review the workloads of the prosecuting Attorneys in the Pima County Attorney's Office. The first review was contracted by the Superior Court in 1998, the second occurred in 2002 at the request of County Administrator C. H. Huckleberry, and the third in 2003 at the request of the Pima County Attorney and the Pima County Board of Supervisors.

In 1998 the Superior Court of Arizona for Pima County had retained the services of the Justice Management Institute of Denver, Colorado to conduct a study of the criminal case processing system in the Court and to conduct a development program to improve the process. The Friesen Report was issued to examine the present system and offer solution to expediting cases through the courts. The report found that, "*Staffing of the prosecution of the County appears to be below norms in other metropolitan areas. It is common to find four or five prosecuting attorney staff members for each judicial officer in most of these areas. Pima appears to have only three, prosecuting, staff attorneys for each judicial officer.*" Their recommendation was, "***In order to remedy this disparity an additional 12 to 24 felony prosecutors would be required.***"

Four years later, in August of 2002, in response to a request from County Administrator C.H. Huckleberry, the Pima County Attorney's Office obtained information from various prosecutorial offices in order to develop a criminal prosecution level of service study. Utilizing data previously obtained during the development of the ZERO Based Budget submitted for FY2002/2003, the list of counties was expanded to include data from as many of the recommended 16 similarly situated counties as possible. Based on the available data, a criminal prosecution service delivery and cost comparison was developed. The results of this study were consistent with previous studies. The study determined that the criminal prosecution function of the Pima County Attorney's Office was both understaffed and underfunded. **In order for the Pima County Attorney's Office to attain both the median and mean, an additional 26 criminal prosecutors and another 79 support staff would be necessary.**

In 2003 the Pima County Attorney's Office secured funding from the Board of Supervisors, in response to the Harvey Rose Criminal Justice Audit, to study the time needed to adjudicate cases in the criminal justice system and the resources needed to handle the caseloads. The American Prosecutors Research Institute (APRI) developed a comprehensive workload assessment that quantified time and activity associated with case processing and non-case activities to produce a formula that can be used to project resource needs. It found that, "given the average case processing times found as part of the study, the number of hours available in a year to work, and the annual number of felony, misdemeanor, and juvenile cases disposed by the office, the PCAO is significantly understaffed." **The APRI study determined that the Pima County Attorney's Office needed an additional 24.93 full-time equivalent (FTE) attorneys, 4 FTE investigators...**

DETAILS OF THE THREE STAFFING SUMMARY REPORTS

Friesen Report by Justice Management Institute

Superior Court Criminal Case Processing Study

Commissioned: 1998, Superior Court of Arizona for Pima County.

Methodology: The Superior Court of Arizona for Pima County had retained the services of the Justice Management Institute of Denver Colorado to conduct a study of the criminal case processing system in the Court and to conduct a development program to improve the process. The Friesen Report was issued to examine the present system and offer solution to expediting cases through the courts.

Findings: "Staffing of the prosecution of the County appears to be below norms in other metropolitan areas. It is common to find four or five prosecuting attorney staff members for each judicial officer in most of these areas. Pima appears to have only three, prosecuting, staff attorneys for each judicial officer."

In order to remedy this disparity an additional 12-24 felony prosecutors would be required.

Cost Comparative Study

Criminal Prosecution Level of Service Study

Commissioned: 2002, Pima County Administrator C.H. Huckleberry

Methodology: In August of 2002, in response to a request from County Administrator C.H. Huckleberry, the Pima County Attorney's Office obtained information from various prosecutorial offices in order to develop a criminal prosecution level of service study. Utilizing data previously obtained during the development of the ZERO Based Budget submitted for FY2002/2003, the list of counties was expanded to include data from as many of the recommended 16 similarly situated counties as possible.

Findings: Based on the available data, a criminal prosecution service delivery and cost comparison was developed. The results of this study were consistent with previous

studies. It was determined that the criminal prosecution function of the Pima County Attorney's Office was both understaffed and underfunded.

In order for the Pima County Attorney's Office to attain both the median and mean, an additional 26 criminal prosecutors and another 79 support staff would be necessary.

American Prosecutors Research Institute (APRI)

Case Weighting & Workload Assessment of the Pima County Attorney's Office

Commissioned: 2003, Pima County Attorney & Pima County Board of Supervisors

Methodology: In an effort to provide better criminal justice services to the citizens of Pima County and determine if there are areas in which efficiencies could be achieved, the Pima County Attorney's Office secured funding for a resource study from the Board of Supervisors, following a Criminal Justice Audit by the Harvey Rose Public Sector Management Consultants. The purpose was to study the time needed to adjudicate cases in the Pima County criminal justice system and the resources needed by the prosecutor's office to handle the caseloads. APRI developed a comprehensive workload assessment that qualifies time and activity associated with case processing and non-case related activities in order to produce a formula that can be used to project resources needs for the future.

Findings: "given the average case processing times found as part of the study, the number of hours available in a year to work, and the annual number of felony, misdemeanor, and juvenile cases disposed by the office, the PCAO is significantly understaffed.

APRI determined that the PCAO needs an additional 24.93 full-time equivalent (FTE) attorneys, and 4 FTE investigators.