

Pima County Attorney Laura Conover & The People's Office

Year One Review

December 27, 2021





Photo by Seanloui Dumas

I am proud to report that, in 2021, the Pima County Attorney's Office (PCAO), carrying out the will of the people, underwent a transformation that will lead to a safer and more just Southern Arizona going forward.

Public safety, as Pima County residents know, is not solely reliant upon prosecution and incarceration. While prosecuting people who commit crime is PCAO's primary responsibility, my objective in Year One of this administration has been to take a more proactive, holistic, and crime prevention approach to public safety by also working to mitigate the collateral consequences of a conviction history; helping to provide resources for underserved communities; and by treating both victims and people who have committed crimes with dignity and respect.

2021 began with our Senior Leadership Team defining this administration's Core Values, knowing that a reliable compass is always the first tool you need when starting one's journey. In service to our [Core Values](#), The People's Office:

- Effectively [ended the death penalty](#) in Pima County;
- Re-trained prosecutors to reserve jail only for those who pose an ongoing threat to the community;
- Treated children who ended up in the juvenile justice system as *children*, not adults;

- Worked with Superior Court and Public Defense Services (PDS) to successfully launch the first [pre-indictment diversion](#) program in the US for people arrested on felony drug offenses;
- Helped those with a conviction history restore their rights and, thanks to the passage of Proposition 207, petitioned Courts to expunge marijuana convictions;
- Began a long-overdue initiative to make PCAO a paperless agency;
- Redeveloped our website to make the Office more accessible and our work more transparent;
- Raised pay Office-wide to keep and recruit the brightest, most talented employees;
- And initiated greater outreach that brought together neighbors, built community, cleaned up neighborhoods, and provided resources to those in need.

Of course, 2021 was not without significant challenges for our Office and for Pima County. Our prosecutors handled a record number of homicides in Tucson and an overall spike in violence. A [Covid outbreak](#) forced much of our staff to work remotely for months beginning on Day 6 of this administration. And tragedy struck our Civil Division when Christopher Straub, head of the Public Records Request Unit and a Deputy County Attorney for most of the past 30 years, died in an accident in September.

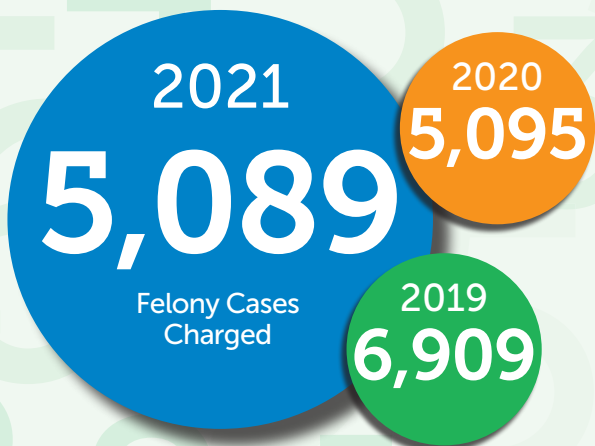
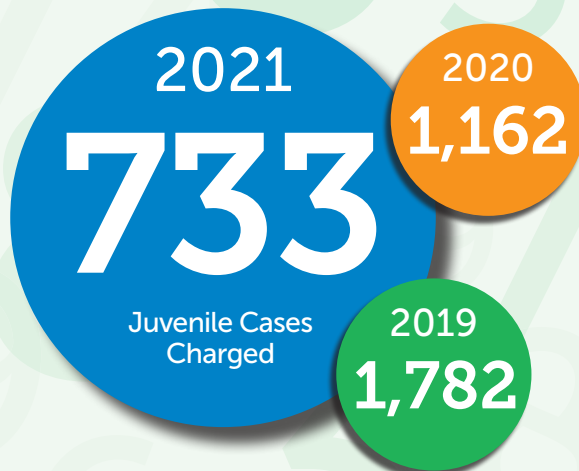
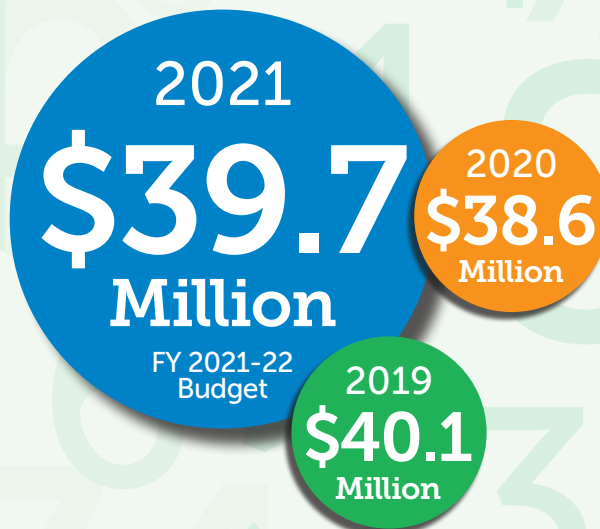
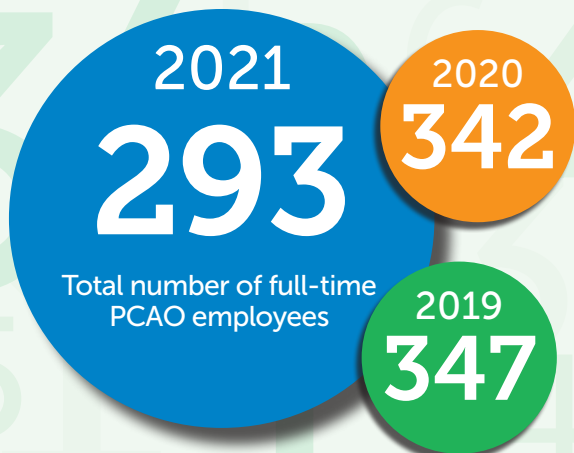
2021 was, indeed, a year filled with monumental challenges that required the collective resilience of our 300+ employees. We are beginning to realize our vision for change. And we're poised to build upon these many accomplishments in 2022.

To be continued,

A stylized, handwritten signature in blue ink that reads "Laura". The signature is fluid and elegant, with a long, sweeping underline.

Laura Conover
Pima County Attorney

By the Numbers*



*All data in this report is as of 12/21/2021.

With one year's worth of records filling an entire floor inside the Legal Services Building, PCAO has initiated the long-overdue process

Web Accessibility

Our approach to criminal justice in Pima County is reflected in our redesigned and redeveloped website, pcao.pima.gov. It allows the public to get more information about the Senior Leadership team, divisions, resources, news, and PCAO job opportunities. The user-friendly interface allows viewers to easily utilize the website via mobile device or desktop. Information from our social media platforms is also accessible from the website, which is easily translated into any language.

In October, PCAO launched its newly redesigned website, which reflects the Office's commitment to accessibility, accountability, and transparency.

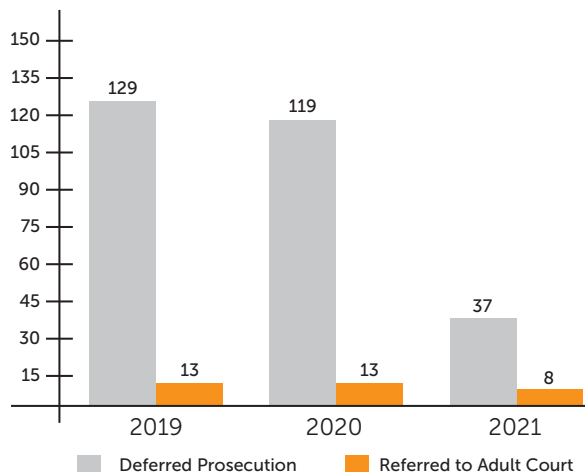


Pima County Juvenile Court

Keeping Children in the Juvenile System

2021 saw an increase in violence in our community, including among children under the age of 18. But unlike years past, this administration has committed itself to treating children who end up in the system as *children*, unless the allegations against them require us by law to do otherwise.

The decline in referrals to adult court and deferred prosecutions (see graph) is the result of a concerted effort by our Juvenile Unit to dismiss charges in cases in which there is no threat of ongoing harm to the community and to ensure that those under the age of 18 remain in juvenile custody rather than being transferred to the adult system.



Death Penalty Cases Effectively Ended

The death penalty has not and will not be sought in any case in Pima County under this administration. The mechanism previously used by PCAO to decide whether the death penalty would be sought in homicide cases—the

Capital Case Homicide Panel—was disbanded early in 2021. Additionally, the County Attorney has publicly lobbied for an end to the death penalty in Arizona and federally, and will continue to do so.



Photos by Joe Watson

Chief Deputy Tamara Mulembo leads a prosecutor training in 2021.

Prosecutors Trained on New Guidelines

No one should be held in jail pending trial solely because they are poor. Nor should someone who threatens community safety be released from jail solely because they can afford to post bond. In August, PCAO announced a set of principles that are intended to lead Pima County away from cash bail: If an arrested person poses an ongoing threat of harm to the community, prosecutors should argue for that person to be held. And if an arrested person does not pose an ongoing threat of harm to the community, our prosecutors are to recommend release from custody and articulate conditions of release that will facilitate the person's return for their next Court date.

Our Training Unit conducted three Initial Appearance (IA) trainings in 2021 for PCAO prosecutors that also addressed IA policies regarding people who are pregnant, terminally ill, over the age of 70, or identify as transgender.



PCAO helped restore rights for dozens at the Fresh Start Expo in October.

Creating Second Chances with STEPs

PCAO's Diversion programs successfully kept more than 200 people out of jail in 2021, and STEPs (the Supportive Treatment and Engagement Program with Services), a unique and dynamic program focusing on people with felony drug arrests, successfully diverted dozens of people toward treatment instead of incarceration and/or community supervision. In October, the Arizona Supreme Court [recognized STEPs](#) with the 2021 Strategic Agenda Award for Promoting Judicial Branch Excellence and Innovation.

Additionally, PCAO led four marijuana expungement clinics in collaboration with the Tucson City Council Ward One office. Also in October, PCAO helped expedite rights restoration petitions for 28 people in Pima County at the Fresh Start Expo at Tucson Convention Center.

Responding to Record Homicides

2021 saw record homicides in Tucson and increases in other forms of violence across Pima County. Additionally, County Attorney [Conover took Office with a backlog](#) of approximately 150 homicide cases dating back to 2017. In response to the spike in homicides, PCAO not only charged more than 130 new homicides in 2021, but also cut the backlog of homicide cases in roughly half. This was thanks to a concerted effort by our Criminal Division to train new homicide attorneys, recruit and rehire several experienced homicide prosecutors, and to streamline communications with partner law enforcement agencies.

PCAO Launches Fraud Unit

As part of the County Attorney's agenda to better utilize the Office's limited resources and direct them towards outcomes-based prosecutorial solutions, PCAO launched a Consumer Fraud Unit in 2021 to investigate and respond to reports of wage theft, financial crimes, medical and elder abuse fraud cases, and more. Currently, the PCAO Fraud Unit:

- Is working on 50 active cases that cost victims nearly \$2.1M;
- And has resolved cases that resulted in more than \$915K in restitution.

Consumers who believe they have been a victim of fraud can now easily report those cases to PCAO through our online [Consumer Fraud Complaint Form](#).

PCAO Suspends Drug Possession Charges

In December, County Attorney Conover [reinstated a policy](#) first implemented in March 2020 to mitigate the spread of Covid in the Pima County Jail and in the rest of the community by declining to charge people arrested for simple drug possession, paraphernalia, or related personal-use incidents. Conover has directed law enforcement agencies to deflect people who would have been arrested for these offenses toward drug treatment instead. The policy will be reviewed in February 2022.

Implementing Prop 207

[Proposition 207](#), passed in November 2020, not only made recreational marijuana legal in Arizona, but it also directed County Attorneys and others in the criminal justice system to help those with marijuana convictions clear their records. In July, our Office began submitting [petitions to the Court](#) on behalf of those with a criminal record to expunge certain marijuana convictions. It has been slow-going, so far, with each petition requiring individual review and approval by the Court, but our Office has filed successful petitions on behalf of approximately 100 people, to date.

Among County Attorney Conover's legislative priorities in 2022—including cash bail reform and increasing earned release credits for incarcerated people—is making expungement automatic and expanding expungement opportunities beyond marijuana possession.



Photos by Joe Watson

County Attorney Conover frequently meets with her Senior Leadership team to discuss how PCAO can help mitigate the pandemic, both in the community and inside the Office.

The Pandemic and Our Health Law Unit

- Filed an Amicus Brief in trial court in support of school districts' right to require masks to protect the health of children in Southern Arizona; the trial court affirmed the school districts' right based, at least partly, on the arguments made by PCAO;
- Advised the Pima County Health Department on mitigation options, quarantine and isolation processes, vaccination programs, and Court-ordered mental health treatment for the unprecedented number of people in mental health crisis that appeared to correspond with the rise of the pandemic;
- And managed 3,833 active mental health commitment cases in FY 20-21, an increase of 10 percent from the prior fiscal year, with 781 of those cases resulting in a hearing for Court-ordered treatment in Superior Court.

Public Records Requests (PRR) Unit

- Developed a PRR Procedures Manual;
- Adapted to exponential growth in bodyworn camera records;
- Fulfilled 105 commercial and noncommercial requests for public records;
- Transitioned to a mostly paperless system;
- And facilitated training to the PCAO Administration and Media Team on PRRs.

PCAO's efforts to expunge the records of those with marijuana convictions was a frequent topic of news coverage in 2021.





PCAO staff received boxes of files in January to work on cases remotely after a Covid outbreak at the Legal Services Building.

Employment & Elections Law Unit

- Opened nearly two-dozen employment-related matters;
- Provided legal advice and information on a daily basis to Pima County's elected officials and departments, including the County Recorder, School Superintendent, Elections Department, Justice Courts, and the Justices of the Peace;
- Continued to advise on the unprecedented personnel issues arising from the Covid-19 pandemic and resulting federal and state laws;
- And provided analysis, research, and assistance in a variety of disciplinary matters, including Paid Sick Time, Americans with Disabilities Act, Family and Medical Leave Act, and Fair Labor Standards Act issues.



New Tort Unit attorney Rebecca O'Brien joined others in our Civil Division in 2021.

Tort Unit

- Handled complex cases alleging wrongful death, catastrophic and serious bodily-injury, and civil rights violations;
- Opened 70 new matters in FY 21-22 (51 new claims/19 lawsuits);
- Closed eight cases during the fiscal year with financial settlements totaling \$210,000; total demand in those cases: \$2,745,000;
- Provided general advice and counsel to Pima County leadership and departments;
- In lawsuits litigated by Civil Division attorneys (demands totaling \$42.8 million), five were closed without payouts;
- And the litigation aspect requires the Unit's attorneys to appear in both state and federal court. Due to a loss of attorneys in early 2021, outside counsel was retained to represent Pima County in most of the pending cases.



Photos by Joe Watson

Victim Advocates deliver Hug-A-Bears to children at crime scenes.

Financial Support for Victims in the Aftermath of Crime

The [Crime Victim Compensation Program](#) processed 176 new claims and paid out \$327,772.55 from State and Federal grant funds and monies recovered in restitution to benefit injured crime victims with expenses such as funeral, medical, and counseling due to a violent crime. Eligible crime victims also directly benefited by receiving \$88,753.81 worth of

services that did not have to be paid for because the Crime Victim Compensation program staff successfully negotiated discounts with medical and mental health providers. The combined awards paid out to or on behalf of crime victims and the amount negotiated on behalf of crime victims meant a total of \$416,356.26 in much needed assistance to injured crime victims.

Processing Sexual Assault Kits

The difficult work on unprocessed rape kits continues to be successful thanks to the close partnership between PCAO Victim Advocates and Tucson Police Department and Pima County Sheriff's Department detectives. Federal funding ([Sexual Assault Kit Initiative](#)) makes this continued collaboration possible. Notification at various times have taken detectives and advocates to various parts of the country to notify victims of the results of their unprocessed kits and the likelihood of prosecution.





Victim Services Director Virginia Rodriguez

Graduating New Volunteers

The Victim Services volunteer program was in the middle of a training session when the stay-at-home order was put into place at the beginning of 2021. Still, Victim Services was able to resume its Crisis Volunteer recruitment program, in-person, and graduated a class of 16 new crisis and Court volunteers to help assist victims of crime. To date, volunteers have contributed over 7,712 hours, accounting for more than \$151,000 in monetary value to Pima County. Training for crisis and court volunteers is scheduled to begin again in the Spring to continue expanding our volunteer pool.



Courthouse dogs (top to bottom) Arrow, Baja, and Blake

Courthouse Dogs Celebrate B-Days!

PCAO's Courthouse Dogs program helps comfort traumatized and vulnerable victims, including children, throughout the criminal justice process. This year, two of them, Blake and Baja, celebrated their 10th and 5th birthdays, respectively. Victim Services staff treated them to cake and lots of attention to commemorate their special days.





Photo by Joe Watson

In the spring of 2021, Saturday morning community cleanups were a hallmark of this administration's efforts to build community and help create greater public safety.

Community Building is Public Safety

PCAO's Community Outreach efforts have fostered relationships with the people the Office serves, including organizations and agencies across Pima County, but especially with underserved communities. Several neighborhoods have reported this is the first access to PCAO they have enjoyed in decades.

We organized and/or participated in:

- Neighborhood meetings;
- Community Cleanups;
- Resource fairs;
- Expungement clinics;

- Community festivals;
- School donation drives;
- Food donation drives;
- Holiday Toy drives;
- And Law Enforcement Ride-alongs.

In 2021, PCAO's Community Outreach program was recognized by and/or awarded:

- Medallion of Hope Award from the Ward 5 office and the Las Vistas Neighborhood;
- Certificate of recognition by Supervisor Adelita Grijalva;
- And Fair and Just Prosecution.



Photos by Joe Watson and Patrick Robles

Community Outreach



Photos by Joe Watson and Patrick Robles

Core Values

INTEGRITY

We are honest with the public and committed as Officers of the Court to the oath we took, the Constitution, and Rules of Ethics.

COURAGE

We are fearless, empowered to step outside of our comfort zone, strong in vulnerability, and anchored by integrity.

RESPECT

We have a sincere regard for all workers, everyone who makes the Office operations possible, and the people of Pima County, including those who are incarcerated and those who have suffered harm.

EMPATHY

We value all employees and everyone in the community for who they are. No one is disposable.

DIVERSITY

We are inclusive and involve people from different social and ethnic backgrounds and beliefs; the Office reflects the community it serves.

COMMUNITY TRUST

PCAO is accessible and responsive; the disenfranchised are invited to talk to us about their ideas and concerns related to community safety.

PROFESSIONAL EXCELLENCE

We are building a culture of pride in high quality work; everyone in the Office is a professional with a job worth doing well.

JUSTICE, INCLUSIVITY & EQUITY

We invest in all staff and attorneys. We value and respect each other's differences. We are committed to rooting out racial discrimination within the criminal justice system.

COMMUNICATION & TRANSPARENCY

We value authenticity and candor over harmony. We solicit feedback from employees when appropriate. We are direct and expect the same in return.

ACCOUNTABILITY & HEALING

PCAO is a safe place where employees can take ownership of their mistakes and move forward.



To honor the Office's Core Values of transparency and accountability, Pima County Attorney Laura Conover was a frequent guest on the Bill Buckmaster Show (KVOI 1030AM), as well as being easily accessible to reporters and other outlets, both local and national.

Connect with PCAO and stay informed!

- Visit our newly redeveloped website at **www.pcao.pima.gov**
- Follow us on social media! **<https://www.facebook.com/PimaCountyAttorney>**
- [Twitter](#) & [Instagram](#): **@pimacountyatty**
- Like and subscribe to our YouTube channel: **<https://bit.ly/PCAOonYT>**
- Subscribe to our community newsletter: **<https://www.pcao.pima.gov/pcao-news/>**





The People's Office

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