

# Report on



## August 2011

### SUMMARY

Arizona Revised Statute (ARS) §8-817 requires each County Attorney to independently submit an annual report of activity under the “Multidisciplinary Protocol for the Investigation of Child Abuse.” Beginning in June, the standardized data collection instrument was distributed to Maricopa County law enforcement agencies for the mandated reporting on investigations of child abuse. Agencies track the number of criminal conduct allegations and the number of joint investigations that took place.

### *Prosecution Agency Activity – Maricopa County Attorney’s Office (MCAO)*

- The following table represents agency activity designated as Criminal Conduct Allegations (CCA). These represent fifteen different Arizona Revised Statutes.

| Maricopa County Attorney’s Office | SUBMITTALS<br>BY ARS<br>CHARGE | CCA<br>CHARGES<br>FILED | NOT FILED    | DISPOSITION<br>BY ARS<br>CHARGE |
|-----------------------------------|--------------------------------|-------------------------|--------------|---------------------------------|
| <b>Totals</b>                     | <b>2,568</b>                   | <b>4,219</b>            | <b>1,171</b> | <b>1,746</b>                    |
|                                   |                                |                         |              |                                 |

- **Submittals** reflect law enforcement reports received by the MCAO for review, which total 2,568 cases with charges designated CCA during fiscal year 2011. Charges listed do not necessarily represent the same charges filed or dispositioned. Separate queries for each category represent a “snapshot in time.” Cases disposed during this reporting period may have been submitted prior to this period and cases filed during this period may be dispositioned after this time period ends. Charges are also not representative of defendants or cases due to multiple counts per defendant/case. Other charges than those

ARS codes identified for the protocol may be reflected in the submittal, but are not excluded for investigation purposes.

- **CCA Charges Filed** are cases where the MCAO filed at least one charge reflecting a CCA. A total of 4,219 filed cases were made on charges of CCA.
- **Not filed** can include 1) returned to law enforcement agency for additional information, 2) referred to another agency for prosecution and 3) combined with another case.
- **Dispositions** include cases completed by deputy county attorneys that resulted in conviction, acquittal or dismissal. A total of 1,746 CCA charges reached final disposition.

***Law Enforcement Agency Activity:***

- The following table compiles 22 law enforcement agencies’ activity by CCA utilizing a standardized reporting format. The combined reported total was 5,698 for fiscal year 2011. Individual law enforcement reports are held at the Maricopa County Attorney’s Office and are available upon request. A list of these reporting agencies appears in this report as Appendix 1.

| <b>Agency Activity Designated CCA</b> |                            |                               |                       |
|---------------------------------------|----------------------------|-------------------------------|-----------------------|
|                                       | <b># of CC Allegations</b> | <b># Jointly Investigated</b> | <b>% Investigated</b> |
| <b>Totals</b>                         | <b>5,698</b>               | <b>4,784</b>                  | <b>84.0%</b>          |

- Of the agencies who tracked joint notifications, 84% of cases were jointly investigated.
- The most common reasons cited for the lack of joint investigation include the cases were outside the agency’s jurisdiction, the victim (juvenile) is now an adult and upon investigation a different crime had occurred than what was reported (lack of evidence).
- No issues were reported with joint investigative compliance procedures.

***Resolved Issues from the Preceding Year***

Last year the Committee identified several issues for stakeholders. These issues are ongoing and because of continued statewide and local budget challenges, they should remain active issues to be evaluated.

*New (and Current) Items to be Researched and Evaluated for the Coming Year*

- Continue to strengthen “joint investigation” definitions between the MCAO, CPS and law enforcement.
- The reporting of child abuse cases will continue to impact the number of investigations. Participating agencies must work to educate citizens to change their reluctance about reporting suspected child abuse cases.
- New amendments to Arizona legislation expands the group of offenders that are eligible for the class 2 felony provision for sexual conduct with a minor 15 years of age (or older) to include persons who is or was the minor’s parent, step-parent, adoptive parent, legal guardian, foster parent, teacher, clergyman or priest. It also expands the definition of “teacher” to include people who provide any type of instruction to pupils in school districts. This increases the penalties for criminal conduct.
- The MCAO will continue work on a new training video being created for first responders to sex abuse, domestic violence and child abuse cases. The video will be used to train responders on the key tenants of the Child Abuse Protocol, the Victim’s Bill of Rights, scene preservation, juvenile rights and reporting laws. It is anticipated that the video will be completed and used for training classes by late 2011.

We extend our sincere thanks to all the agencies that cooperated in the preparation of this report. For paper copies of this report, please contact Erlinda Parrish at 602/506-3411. You may also visit the Maricopa County Attorney’s website <http://www.maricopacountyattorney.org/> to download a copy, as well as the 5-Year Review of the Multidisciplinary Protocol.

Sincerely,

Keith Manning  
Special Assistant, Law Enforcement Liaison

## Appendix 1

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|---|
| <b>2011 Multidisciplinary Investigation of Child Abuse<br/>Protocols - Participating Agencies</b> |
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| <b>Agency</b>                    |
|----------------------------------|
| MCAO                             |
| Apache Junction PD               |
| ASU Police Department            |
| Avondale PD                      |
| AZ Department of Public Safety   |
| Buckeye PD                       |
| Chandler PD                      |
| El Mirage PD                     |
| Gila River PD                    |
| Gilbert PD                       |
| Glendale PD                      |
| Goodyear PD                      |
| Maricopa County Sheriff's Office |
| Mesa PD                          |
| Paradise Valley PD               |
| Peoria PD                        |
| Phoenix PD                       |
| Scottsdale PD                    |
| Surprise PD                      |
| Tempe PD                         |
| Tolleson PD                      |
| Wickenburg PD                    |
| Youngtown PD                     |