



Maricopa County Attorney

RACHEL H. MITCHELL

August 3, 2023

Elizabeth Ortiz, Executive Director
Arizona Prosecuting Attorney's Advisory Council
3838 N. Central Ave, Suite 850
Phoenix, Arizona 85012

Re: Maricopa County Attorney's Office FY 2023 Annual Activity Report on the Multidisciplinary Protocol for the Investigation of Child Abuse

Dear Elizabeth:

Arizona Revised Statute (A.R.S.) §8-817 requires each County Attorney to independently prepare and submit an Annual Report of Activity under the "Multidisciplinary Protocol for the Investigation of Child Abuse." The legislation directs that the report be independently prepared and submitted to the Governor, the Speaker of the House of Representatives, the President of the Senate and the Secretary of State without any input from or communication with other reporting entities.

Prosecution Activity – Maricopa County Attorney's Office (MCAO)
July 1, 2022 to June 30, 2023

The following table represents MCAO activity on the number of cases presented for review under these A.R.S. codes, the number of persons charged and final dispositions.¹

Maricopa County Attorney's Office	Number of cases presented for review	Number of persons charged	Dispositions
TOTALS	2,977	2,565	3,235

¹ Prosecutor By Karpel (PBK) database queries includes Arizona Revised Statutes §13-1102, 1103, 1104, 1105, 1303, 1304, 1404, 1405, 1406, 1410, 1417, 3212, 3552, 3553, 3554, 3601, 3623.

- **Number of Cases presented for review** reflects law enforcement reports (referrals) received by MCAO, which totals 2,977 cases during fiscal year 2022-23.
- The Arizona Department of Child Safety (DCS) is a referring law enforcement agency in our case management system, but in nearly every instance a traditional law enforcement agency is listed as the referring agency.
- **Persons charged** does not equal the number of cases presented for review because defendants may be charged in multiple cases and each statistical category presented is independent of each other.
- **Dispositions** include cases completed by Deputy County Attorneys that resulted in pleas, furthered to law enforcement for more information, referred to other agencies for prosecution, conviction, acquittal or dismissal. A total of 3,235 cases reached final disposition. Cases disposed during this reporting period may have been submitted prior to this period. Dispositions may or may not represent the same cases reported in the "Number of Cases Presented for Review" section.
- **Reasons why charges were not pursued** include 1) no reasonable likelihood of conviction; 2) referred to another agency for prosecution; 3) the charges were used as an aid to prosecute another pending matter; or 4) unable to locate witness(es).
- **Note:** Each of the three statistical categories reflects a separate query into a unique part of our Case Management System. Therefore, each category is independent of each other and the same cases/persons are not necessarily included in each. This data is from July 1, 2022 through June 30, 2023.

2022-23 MCAO Accomplishments

- During this FY, the MCAO hosted several education forums related to fentanyl and the dangers it presents to our youth. County Attorney Rachel Mitchell was joined by elected officials and experts from our office along with community professionals who explained how the drug affects the body, where it comes from and the dangers of even one single dose. These drugs are being marketed to our youth in the most proliferous ways and parents and teens must be aware of just how dangerous fentanyl can be. Local high school students and their families were invited to attend and participate in the forums.
- During the most recent Arizona legislative session, MCAO sought legislation to amend the temporary custody statute to require when law enforcement or a DCS employee obtains temporary custody of a child under exigent circumstances, that the child be forensically interviewed by a person trained in forensic interviewing pursuant to a county protocol. The bill passed with bi-partisan support and will go into effect 90 days after the legislature sine die.
- The MCAO has a new Diversity and Community Engagement Coordinator. Our success as an organization that seeks justice depends on our ability to embrace, value and appreciate the

diversity of our legal, executive, and investigative teams. Inclusive excellence is continuous, comprehensive, intentional, transformational and innovative. The MCAO is committed to embedding this into all aspects of our culture and actions. Inclusive excellence sustains an office culture that honors, values, and is inclusive of all elements of diversity that makes each of us unique. As part of this effort, regular office-wide presentations will continue to be offered informing and educating employees about social and community issues, neuro-diversity and other issues that may impact family members, peers and co-workers, including children.

The current version of the "Multidisciplinary Protocol for the Investigation of Child Abuse" is always available at the Maricopa County Attorney's Office website <https://www.maricopacountyattorney.org/>, in addition to the 2022-23 version of the Annual Report of Activity from MCAO.

An extensive five-year revision of the "Multidisciplinary Protocol for the Investigation of Child Abuse" was completed in early 2016. Significant legislative changes since 2016 necessitate consideration of another revision and the MCAO is committed to starting this process.

Sincerely,



Rachel H. Mitchell
Maricopa County Attorney