



Maricopa County
Attorney's Office

Changes and Reforms at the Maricopa County Attorney's Office

Allister Adel | Maricopa County Attorney





Maricopa County Attorney's Office

About MCAO

- MCAO is the third largest public prosecutorial agency in the nation servicing nearly 4 million residents of Maricopa County
- Handle all felony prosecutions in Maricopa County and misdemeanors in the county's justice court system
- Provide civil legal services to all county agencies
- MCAO employees nearly 1,000 full time employees





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Criminal Justice Reform: Not Just a Legislative Issue

Expand and Improve Diversion Programs

- Look at the offender and not just the offense
- Remove financial barriers to participate

• Sentencing Reform

- Lead a review of sentencing guidelines and work with legislature to update statutes
- Sensible Arizona State Expungement Laws

• Enhanced Oversight of Critical Incidents involving First Responders

- Add a citizen representative to the Critical Incident Review Committee

• Home Detention Program

- Allow DUI defendants, following an initial mandatory period in custody, to serve the remainder of the sentence on home detention
- Utilizing GPS and breathalyzer for continuous alcohol monitoring
- Reduces costs for Maricopa County
- Allows defendants to continue with school or work while serving sentence
- Estimated 200-300 individuals eligible each year





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Plea Policy Changes: A Treatment First Approach

Goals of Plea Policy Changes

- Transparency – with roughly 90% of criminal charges ending in plea agreements, the new MCAO plea policies are posted and available online
- Discretion – To provide more discretion to line prosecutors to do the right thing for the right reasons

Some Plea Policy Change Highlights

•Policy 7.2 (Drug Offenses):

- Treatment first approach to drug possession
- This policy provides separate guidance for marijuana and other types of drugs

•Policy 7.4 (Repeat Offenses):

- Greatly simplified and divided into two sections: drug possession cases and all other cases
- Pleading with a prior possession case should only be done when the defendant has shown an unwillingness to engage in treatment opportunities and/or have shown a willingness to victimize others
- All other non-drug offenses now use presumptive offers available to prosecutors

•Policy 7.7 (Driving Under the Influence Offenses):

- The guidance in this policy has been changed to presumptive offers with factors for lawyers to consider when deciding on an appropriate offer
- Removed the leaving the scene provision



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Prosecution Integrity Program: Ensuring Justice Always

- **A culture of ethical excellence every day**
 - Creating a centralized place within MCAO to handle claims of actual innocence, potential inappropriate police conduct, and other claims of prosecutorial unfairness in handling cases
 - Centralized process allows us to better understand the magnitude of claims and address them more consistently

- **Special Assistant to the Chief Deputy: Rachel Mitchel**

- Will oversee the Prosecution Integrity Program
- A seasoned prosecutor with experience as a supervisor, trainer, and administrator
- Rachel will be outside the direct supervision of any case work and able to take a fresh look at the decision that were made

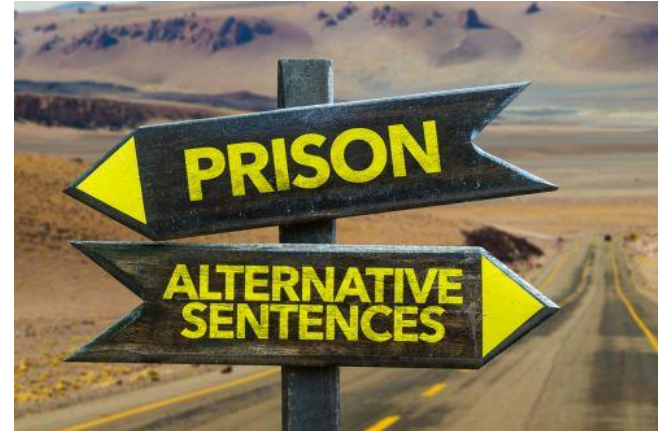




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Diversion: Felony Diversion Program

- **Research Based Strategies**
 - Diversion programs allow eligible offenders to participate in educational or treatment programs that address underlying factors that lead to criminal behavior
 - Evidence based services will focus on changing the offender's detrimental patterns of thinking and behaviors
 - Offenders may qualify for a reduction or waiver of treatment costs
- **Diversion Advantages**
 - Reduction in recidivism
 - Victims benefit because the criminal process is over
 - Hold offenders accountable for their individual behavior while providing approaches for positive change





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Data Dashboard and Transparency: Ensuring the Community Understands What We Do

- **Transparency**

- Public facing dashboard
- First ever data source specifically put together for public transparency
- Contains case information for calendar years 2017 – 2019 submitted to MCAO by law
- Also contains information relating to cases filed, diverted, and dismissed by MCAO
- Includes demographic information
- Supports my vision of a more transparent process, and the importance of data-driven decision making





How Can We Help?



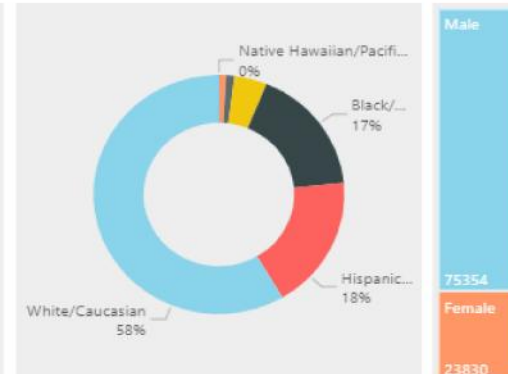
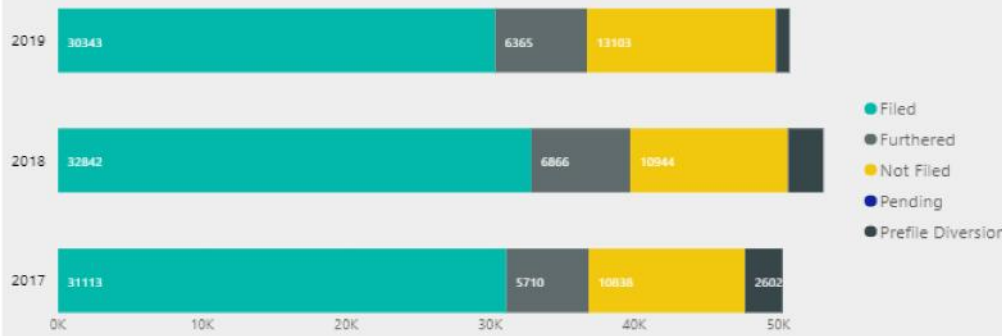
Home > About > Data Dashboard

Data Dashboard

Number of Cases Referred in 2019 = 50,764

2019	2018	2017
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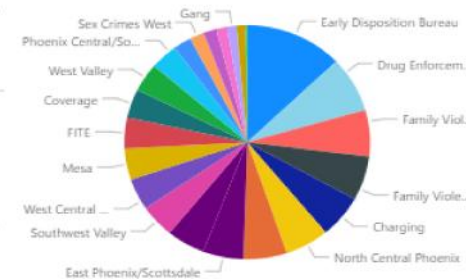
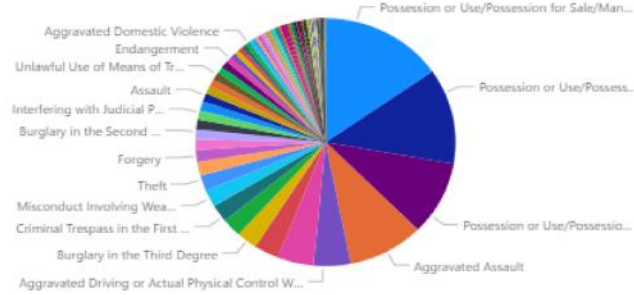
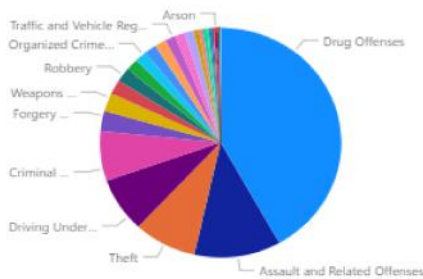
Referrals



ARS_Chapter

ARS_Charge

Assigned Bureau





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Thank You

For more information visit,
www.maricopacountyattorney.org

