



MEMORANDUM

Date: May 13, 2020

To: Julie Castañeda
Clerk of the Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the name "C.H. Huckelberry".

Re: **May 19, 2020 Board of Supervisors Meeting**

Please place an Agenda Item on the May 19, 2020 Board of Supervisors Meeting entitled, Board of Supervisors Policy C 6.3. Anti-Racketeering Revolving Fund (ARRF). I recommend approval.

CHH/mp

Attachment

c: The Honorable Barbara LaWall, Pima County Attorney
Jan Leshner, Chief Deputy County Administrator



Barbara LaWall
Pima County Attorney

Pima County Attorney's Office
32 N. Stone Avenue
Tucson, AZ 85701

Phone: 520-724-5600
www.pcao.pima.gov

MEMORANDUM

To: C.H. Huckelberry, Pima County Administrator
From: Barbara LaWall, Pima County Attorney
Date: May 11, 2020
Re: Indirect Expenditures from Anti-Racketeering Revolving Fund

UPM
put on
Agenda
5/19/20

I am submitting herewith, in compliance with Board of Supervisors Policy C 6.3, applications for indirect expenditures from my office's Anti-Racketeering Revolving Fund (ARRF) subaccount. Each application includes a detailed description of the proposed indirect expenditure sufficient to show that the proposed use of monies from the Fund is authorized by Arizona state law and Board Policy. Each application also includes a certification, signed by my Chief Civil Deputy, stating that the proposed indirect expenditure is for a use authorized by law and the Board Policy.

I request that you review these applications and submit them to the Clerk of the Board for placement on the Agenda for the next Board meeting to be held on May 19, 2020.

Please note that, with only one exception, the Board has previously approved ARRF expenditures for these organizations. The purposes of the previously approved expenditures have not changed from prior years. The only program that has not been previously funded is Flowing Wells Grad Night, which is requesting funds for the first time. I am pleased to support that program because it serves the same important law-enforcement objective as other previously approved grad nights, such as Project Graduation and UHS Graduation Night.¹

Arizona law permits the use of anti-racketeering funds for purposes permitted under federal law, including community-based nonprofits "whose stated missions are supportive of and consistent with a law enforcement effort, policy, and/or initiative." United States Dept. of Justice / Dept. of Treasury, *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies*, § V(B)(1)(k) (2018); *see also* A.R.S. § 13-2314.03(F). Each of the programs for which I am requesting approval qualifies for ARRF funding, as reflected in prior Board approvals.

It has been my policy over the years to use anti-racketeering funds for programs that help reduce drug abuse and crime by providing assistance to victims of crime, drug treatment and substance abuse prevention, job-skills training, or youth programming and education. These efforts contribute to reduced drug abuse and crime, and therefore to reduced juvenile and adult incarceration.

I urge the Board to approve the attached indirect expenditure requests to further this work of service to crime victims, drug treatment, and drug-abuse and crime prevention.

Attachments

¹The Covid-19 pandemic obviously gives rise to uncertainty about when a gathering like a grad night will be able to occur. I request that funding be approved by the Board so that it can be available when these events can safely proceed. When I transmit the funds to those requesting organizations who are hosting grad nights, I will explain that, if the funds are not used this year because the event is canceled, they must be used for the same purpose next year, and the organization may not request funds again next year.



Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy *ALF*

DATE: 12/4/19

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 12/3/19 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

- ☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).
- ☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).
- ☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).
- ☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).
- ☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).
- ☒ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ/Treasury *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies*, (July 2018) (*Guide*), specifically subsec(s) 1(k).
- ☒ These monies will provide support of a community-based program (*see the Guide, section V.B.1.k. (July 2018)*). The *Certification by Community Organization Applicant and Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.
- ☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

- ☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).
- ☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).
- ☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:


State funds; University High School Parents Association



Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator 

DATE: December 3, 2019

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: 1. Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS.
2. University HS Graduation Night
3. Flowing Wells HS Graduation Night
4. Southern Arizona Children's Advocacy Center
5. Southern AZ. Law Enforcement Foundation
6. Homicide Survivors, Inc.

Subaccount: Treasury _____ Justice _____ State x _____

Recurring distribution: _____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Attached please find a Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds for: 1. Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS., 2. University HS Graduation Night, 3. Flowing Wells HS Graduation Night, 4. Southern Arizona Children's Advocacy Center, 5. Southern AZ. Law Enforcement Foundation

and 6. Homicide Survivors. Each application describes the community benefit and corresponding law enforcement effort, policy and or initiative and amount requested. Each of the programs have been previously approved with the exception of Flowing Wells HS. Graduation Night. This is there first application.

Please let me know if you have any questions. Thank you.

Attachments

**COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS**

Community Organization UNIVERSITY HIGH SCHOOL PARENTS ASSOCIATION

Executive Director/Agency Head: Kyra Holtzman, PRESIDENT
(520) 232-5900
UHSPA@UHS-PA.ORG

Law Enforcement Agency PIMA COUNTY ATTORNEYS OFFICE

Date August 12, 2019

Amount requested \$7,000.00

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with a law enforcement effort, policy, or initiative are permitted.

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

UNIVERSITY HIGH SCHOOL GRADUATION NIGHT is a "shut in" celebration for graduating Seniors of University High School (TUSD, Tucson). This celebration has been held annually since 2012, and has been highly successful in maintaining nearly 100% attendance of graduating Seniors, with a 0% accident/injury record. The purpose of the activity/program is to provide graduating Seniors a safe, secure and alcohol/drug-free alternative to traditional, off-campus graduation parties. Unfortunately, graduation night is statistically one of the most hazardous for our high school students. The community benefits substantially from our program, which allows 250+ graduating Seniors to have a fun, well-planned and safe celebration to look forward to after Graduation Ceremonies are done. Dozens of people work all year to plan and present this event, which serves the community as one of the most successful "safe graduation" celebrations in Arizona. Our team invests literally hundreds of hours, representing substantial community service by our parents, students and teachers.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

One of the stated goals of Tucson/Pima County law enforcement is protection of the community. Local agencies spend millions of dollars each year addressing DUI, drug and sex offense violations. Unfortunately, our high schools are not immune to these problems, especially on Graduation Night. UHS Graduation Night directly addresses these concerns by providing a safe environment for graduation Seniors to celebrate this special, once-in-a-lifetime event. We are proud of our 0% accident/injury record, which means that 100% of the Senior class at UHS has enjoyed graduation in a safe and fun way!

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

UHS Graduation Night is a "shut in" celebration, held at the North Gym and surrounding campus areas on the campus of University/Rincon High School. Students are required to pre-register and provide backpacks containing any supplies/clothing they will require for the evening. The backpacks are inspected and secured on site before the students arrive from the Graduation Ceremony by bus at 9:30 p.m. Non-prescription drugs, alcohol, and weapons are not permitted. Students are required to personally sign in for entry. Intoxicated or inebriated students are not permitted to enter the facility. Food and non-alcoholic beverages are provided. Once at the facility, students may experience a huge range of activities (Carnival, Casino Games, LaserTag, Dancing, Cash Cab, Ping-Pong/Billiards/Air Hockey, Chair Massage, Movies etc.). If a student decides to leave the party, he/she may not return afterwards (a necessary precaution against possible importation of contraband). The party ends at 5:00 a.m. Adult supervision is provided for all activities at all times. Tucson Policy Officers are also hired to provide a LE presence during the celebration.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**)

Request funds will be used to pay vendors for entertainment activities (listed above), food and security personnel (TPD officers). Funds may also be used to purchase clerical supplies. Although the program does feature prizes/gifts for students, all such materials are donated by local Tucson businesses and parents. Our high attendance figures result from the meticulous planning efforts and high quality of our presentation. The budget for this event exceeds \$30,000.00 annually, a substantial portion of which comes from donations. Without this donation, and others like it, an event like this would not be possible. Our Seniors look forward to this celebration all year because we make it fun, safe and, most important, an event they don't want to miss!

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

	Yes	No
A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization. Tax I.D. Number: 94-2848207	YES	<input type="checkbox"/>
B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative.	YES	<input type="checkbox"/>
C. Applicant agrees to account separately for all anti-racketeering funds received.	YES	<input type="checkbox"/>
D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds.	YES	<input type="checkbox"/>
E. Applicant is in compliance with federal civil rights laws.	YES	<input type="checkbox"/>
F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant.	YES	<input type="checkbox"/>
G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense.	YES	<input type="checkbox"/>
H. Applicant agrees not to use funds for personal or political purposes.	YES	<input type="checkbox"/>
I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located.	YES	<input type="checkbox"/>

Bess Ecelbarger
Print Name of Requesting Agency
Director

Bess Ecelbarger
Signature of Requesting Agency
Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawall

Print Name of Chief Law Enforcement
Officer

B. Lawall

Signature of Chief Law Enforcement
Officer


Date 1/7/20



Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy 

DATE: 12/4/19

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 12/3/19 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

- ☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).
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- ☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. § 13-2301. A.R.S. § 13-2314.03(F).
- ☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).
- ☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).
- ☒ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ/Treasury *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies*, (July 2018) (*Guide*), specifically subsec(s) 1(k).
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- ☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

- ☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).
- ☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).
- ☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:


State funds; Southern Arizona Law Enforcement Foundation



Pima County Attorney's Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator 

DATE: December 3, 2019

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

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5. Southern AZ. Law Enforcement Foundation
6. Homicide Survivors, Inc.

Subaccount: Treasury ____ Justice ____ State x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

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and 6. Homicide Survivors. Each application describes the community benefit and corresponding law enforcement effort, policy and or initiative and amount requested. Each of the programs have been previously approved with the exception of Flowing Wells HS. Graduation Night. This is there first application.

Please let me know if you have any questions. Thank you.

Attachments

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

(S.A.L.E.F.)

Community Organization	Southern Arizona Law Enforcement Foundation
Executive Director/Agency Head	Bonnie Faircloth
Law Enforcement Agency	(4) Tucson Police Dept, Pima Co. Sheriff's Dept, UofA Police Dept, Marana Police Dept.
Date	2/14/19
Amount requested	\$ 5,000 -

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. Use of the funds is restricted to law enforcement purposes, however transfers to community-based programs, whose missions are supportive of and consistent with a law enforcement effort, policy, or initiative are permitted.

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

The Seven Community events & the Safe Teen Accident Reduction Training program that S.A.L.E.F. presents all benefit the safety of our officers and contribute to keeping our community safer. The proceeds of these events help to protect our officers by providing full funding of supplemental funding for critical life-saving equipment, technology items and ongoing other safety training.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

S.A.L.E.F. works every day to generate funds to support our mission to help protect our police officers. To achieve keeping our community safe we must provide our police with the safety & protective equipment, tools, & resources. Positive, interactive & educational community engagement is achieved at each of the S.A.L.E.F. events.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

The 4 SACEF Police Partners wish to achieve positive engagement with the communities they serve and are dedicated to protect. The community is provided the opportunity to get up close + personal with the police at each of the events + programs SACEF presents.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

SACEF's primary mission + stated scope is to raise funds for equipment, technology items, + other safety training opportunities. SACEF has funded the purchase of a new K9 for TP, an armored anti-ambush approach vehicle, high-tech robot + camera/audio equipment, graduated bootcamps from a START classes, supported the rejuvenation of bike patrol units,

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

- | | Yes | No |
|---|-------------------------------------|--------------------------|
| A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization.
Tax I.D. Number: _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Applicant agrees to account separately for all anti-racketeering funds received. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Applicant is in compliance with federal civil rights laws. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| H. Applicant agrees not to use funds for personal or political purposes. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Bonnie Faircloth
Print Name of Requesting Agency
Director


Signature of Requesting Agency
Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawau

Print Name of Chief Law Enforcement
Officer

Barbara

Signature of Chief Law Enforcement
Officer


Date 1/7/20



Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy 

DATE: 12/4/19

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

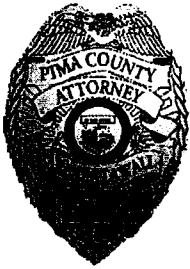
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- ☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).
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Notes/Special Instructions:


State funds; Southern Arizona Children's Advocacy Center



Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator 

DATE: December 3, 2019

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6. Homicide Survivors, Inc.

Subaccount: Treasury ____ Justice ____ State _x_

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Please let me know if you have any questions. Thank you.

Attachments

**COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS**

Community Organization: Southern Arizona Children's Advocacy Center

Executive Director/Agency Head: Marie Fordney

Law Enforcement Agency: Pima County Attorney

Date July 19, 2019

Amount requested \$10,000

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. Use of the funds is restricted to law enforcement purposes, however transfers to community-based programs, whose missions are supportive of and consistent with a law enforcement effort, policy, or initiative are permitted.

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

The Southern Arizona Children's Advocacy Center is a child-friendly, neutral environment where children of physical/sexual abuse, neglect, and/or trauma and their non-offending parents receive care and services as they undergo the initial investigative process.

The Center employs forensic interviewers who are specially trained to conduct non-leading, neutral interviews of children that encourage the child to describe what happened in their own words.

Victim Advocates meet with non-offending family members, while the child is being interviewed, to assess the child's level of trauma to determine the best short and long-term counselling referrals to begin the healing process. Advocates also work with family members to explain victim's rights and compensation procedures and serve as a bridge between the family and law enforcement, remaining in contact until the family no longer needs them, or the case moves onto the Pima County Attorney's Office.

When a medical exam is needed, the Center employs two on-site pediatric SANE-P (Sexual Assault Nurse Examiner) nurses who specialize in pediatric sexual abuse cases and are able to immediately provide quality assessments and care to children who visit the Center. Our nurses are 2 of only 165 specially credentialed SANE-P nurses in the United States. In addition, we contract with Banner Health, and have an on-call pediatrician, Dr. Dale Woolridge, who serves as our medical director. All the medical staff have the ability to photograph, document, and collect evidence of the abuse and/or neglect, including providing initial and follow-up tests for sexually transmitted diseases and pregnancy. These services are available in our child-friendly facility so there is no need for families to travel to another location, deal with long waiting periods often associated with emergency rooms, and have medical services provided by someone who may not specialize in caring for child abuse victims. Having the child stay in one, child-friendly location for medical services, the forensic interview, and advocacy and support minimizes trauma to an already distressing situation, and ensures the child is getting the best care by professionals who are specifically trained to work with children who suffer from abuse and neglect.

In FY 2018/2019, the Center served 1,422 child victims, providing 1092 forensic interviews, 194 forensic medical exams, and 6,652 family advocate contacts.

The Children's Advocacy Center's Community Outreach program provides prevention and education programs for Pima County children through school and community presentations. The Community Outreach program is provided at no cost to school-aged children (3-18) and their non-offending family members. Presentations range in topics, and are specific to the age and/or grade of the students. Each program encourages children to know that it is okay to tell someone if abuse is happening in their home, to ask for help immediately and strives to remove the stigma, shame, and secrecy that often surround children and their families experiencing abuse. As we move forward with our Outreach Program, we will be shifting to a *train the trainer* model whereby we will train teachers to train other teachers to provide child abuse prevention education to students. This model will allow us to reach even more children. In 2018/19, the Community Outreach Program presented to nearly 50 schools and organizations, reaching over 5000 children.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

The Children's Advocacy Center is at the heart of the Pima County Protocols for the Multidisciplinary Investigation of Child Abuse. This protocol formalizes an agreement between law enforcement agencies in Pima County, Department of Child Safety, and the Pima County Attorney's office that recognizes the need for child abuse investigations to be conducted jointly and in a child sensitive environment to reduce trauma to the child victim.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

The Children's Advocacy Center's work supports law enforcements' efforts to investigate child crimes in a manner that does not cause additional trauma to the child or family. By combining resources and partnering with the Center, law enforcement also reduces its cost to conduct these investigations by reducing the time and staff needed to effectively interview and examine child victims. Without the Center, child abuse interviews would be conducted by detectives and DCS investigators with minimal training and experience and would occur at police or DCS facilities instead of at a child-centered advocacy center. Medical exams and collection of evidence would happen at impersonal emergency rooms by physicians little expertise in identifying, documenting and collecting evidence of physical and sexual abuse. Non-offending family members would be left on their own to find appropriate counselling and other community services.

The Center's forensic interviewers are specially trained to conduct non-leading, neutral interviews of children that encourages the child to describe what happened in their own words. Interviews are recorded and court admissible under some circumstances. While the interview is taking place, law enforcement and case workers from the Department of Child Safety observe in a separate room. If needed, they can discretely direct the interviewer to ask additional questions or request information be clarified. Having these professionals co-located in the Center's building eliminates the need for multiple interviews by different agencies and shuffling the child from one location to another, which can further traumatize the child victim. With the collaboration of these multiple agencies, children and their non-offending family members can take their first steps to healing and self-sufficiency when they leave the Center.

The Children's Advocacy Center has two Sexual Assault Nurse Examiner's on staff and contracts with Banner Health for the services of a pediatric trauma specialist. This assures our community's children receive the best care possible 24/7, and child abuse investigators receive the best evidence possible.

By utilizing the Children's Advocacy Center, law enforcement and DCS can concentrate on their mission, knowing the child is safe and well cared for. Children receive a snack or meal, depending on the time of day, and enjoy age appropriate toys, games, and videos as the investigation unfolds. They receive crisis counselling through our partnership with Las Familias, and children that must go into foster or group home care are given a backpack with several changes of clothing, nightclothes, personal care items, books, and other comfort items to make the transition a little easier.

Through our association with state agencies such as Prevent Child Abuse Arizona, the Arizona Criminal Justice Commission and the Criminal Justice Act, the Center offers free and reduced rate training for Pima County law enforcement and prosecutors. Topics range from basic investigations to adolescent sex offenders to vicious trauma recognition and treatment. Additionally, all partners (law enforcement, DCS, prosecutors, mental health professionals) are invited to participate in monthly multi-disciplinary team meetings where the group conducts case reviews to identify strengths and weaknesses in our process, and to offer solutions to problem areas.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. Direct cash transfers or gifts are not permitted):

The Children's Advocacy Center is requesting \$10,000 to support our forensic medical services. Funds will be allocated to help cover such costs as salaries for the two SANE-P nurses, and medical director. A portion of the funds will be directed towards the cost of Malpractice Insurance purchased by the Center. We will also utilize awarded funds to purchase medical supplies used in exams, such as gloves, syringes, ear speculums, Foley catheters, band-aides, and speculums.

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

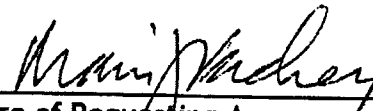
Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

- | | Yes | No |
|---|-----|--------------------------|
| A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization.
Tax I.D. Number: <u>26-3208123</u> | X | <input type="checkbox"/> |
| B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative. | X | <input type="checkbox"/> |
| C. Applicant agrees to account separately for all anti-racketeering funds received. | X | <input type="checkbox"/> |
| D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds. | X | <input type="checkbox"/> |
| E. Applicant is in compliance with federal civil rights laws. | X | <input type="checkbox"/> |
| F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant. | X | <input type="checkbox"/> |
| G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense. | X | <input type="checkbox"/> |
| H. Applicant agrees not to use funds for personal or political purposes. | X | <input type="checkbox"/> |
| I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located. | X | <input type="checkbox"/> |

Marie Fordney

Print Name of Requesting Agency
Director



Signature of Requesting Agency
Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara Lawall
Print Name of Chief Law Enforcement
Officer

B. Lawall
Signature of Chief Law Enforcement
Officer


Date 1/7/20



Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy 

DATE: 12/4/19

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 12/3/19 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

- ☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).
- ☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).
- ☐ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).
- ☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).
- ☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).
- ☒ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ/Treasury *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies*, (July 2018) (*Guide*), specifically subsec(s) 1(k).
- ☒ These monies will provide support of a community-based program (*see the Guide*, section V.B.1.k. (July 2018)). The *Certification by Community Organization Applicant and Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.
- ☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

- ☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).
- ☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).
- ☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:


State funds; Project Graduation



Pima County Attorney=s Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator 

DATE: December 3, 2019

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid:

1. Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS.
2. University HS Graduation Night
3. Flowing Wells HS Graduation Night
4. Southern Arizona Children's Advocacy Center
5. Southern AZ. Law Enforcement Foundation
6. Homicide Survivors, Inc.

Subaccount: Treasury ____ Justice ____ State x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Attached please find a Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds for: 1. Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS., 2. University HS Graduation Night, 3. Flowing Wells HS Graduation Night, 4. Southern Arizona Children's Advocacy Center, 5. Southern AZ. Law Enforcement Foundation

and 6. Homicide Survivors. Each application describes the community benefit and corresponding law enforcement effort, policy and or initiative and amount requested. Each of the programs have been previously approved with the exception of Flowing Wells HS.

Graduation Night. This is there first application.

Please let me know if you have any questions. Thank you.

Attachments

**COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS**

Community Organization: Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS

Executive Director/Agency Head: Susan Leader (IRHS), DeDe Betten/Stefani Noe (CDO), Jeanne Davis (AHS)

Law Enforcement Agency: Pima County Attorney's Office

Date 02/25/2019 Amount requested \$15,000 (\$5,000 for each of the 3 schools)

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with a **law enforcement** effort, policy, or initiative are permitted.

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

Project Graduation is an alcohol and drug-free all-night graduation celebration for high school seniors and is modeled after the National Grad Night Networks established by the U.S. Department of Transportation. The mission of Project Graduation is to save young lives by providing a safe and sober graduation night celebration on the campuses of Ironwood Ridge, Canyon Del Oro and Amphitheater High Schools on graduation night.

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Project Graduation is an alcohol and drug-free all-night graduation celebration for high school seniors and is modeled after the National Grad Night Networks established by the U.S. Department of Transportation. The mission of Project Graduation is to save young lives by

providing a safe and sober graduation night celebration on the campuses of Ironwood Ridge, Canyon Del Oro and Amphitheater High Schools on graduation night.

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

Consistent with the initiatives by Pima County Attorney's Office, such as the Uber collaboration during the holiday seasons to provide safe alternative transportation for Tucson area residents, Project Graduation implements events that target community and youth safety. Just as holiday celebrations hold inherent impaired driving risks, graduation nights are statistically among the most dangerous nights in the lives of our teens. The all-night venues across three Amphitheater District high schools provide on-campus, alcohol and drug free celebrations. Here, departure is restricted without parent notification and security staff is in place to ensure their safety. By preempting dangerous situations on our roadways for over 1200 teens and their communities across three respective nights, we join local law enforcement and Pima County Attorney's Office in the goal of eradicating impaired driving.

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

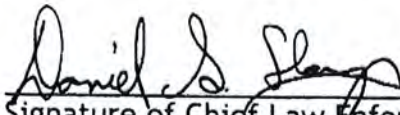
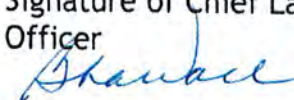
Funding will be used to purchase entertainment, music, security, decoration, scholarship tickets for students in need; all to benefit nearly 460 graduates at each school (over 1200 collectively) for their safe and sober all-night events which span approximately 9 hours each. All funds go toward the events. There are no administrative salaries or costs.

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Daniel G. Sharp

Print Name of Chief Law Enforcement Officer

Barbara LaWall
Date 02/25/2019 1/7/20


Signature of Chief Law Enforcement Officer


CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

- | | Yes | No |
|---|-----|----|
| A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization.
Tax I.D. Number: <u>11-3660162</u> | x | |
| B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative. | x | |
| C. Applicant agrees to account separately for all anti-racketeering funds received. | x | |
| D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds. | x | |
| E. Applicant is in compliance with federal civil rights laws. | x | |
| F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant. | x | |
| G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense. | x | |
| H. Applicant agrees not to use funds for personal or political purposes. | x | |
| I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located. | x | |

Susan M. Leader
Print Name of Requesting Agency
Director

Susan M. Leader
Signature of Requesting Agency
Director

February 25, 2019

Barbara LaWall
Pima County Attorney's Office
32 N Stone Ave
Tucson, AZ 85701



Dear Barbara LaWall:

Amphitheater High School volunteers are working on the 17th Annual Project Graduation event for this year's graduates. Project Graduation is an all-night safe and sober celebration for all of our graduating seniors. Contributions from the business community are essential to providing the best graduation celebration out there! We could use your help with the following:

- Sponsorships—cash donations to sponsor entertainment or materials purchased
- Prize donations—anything a graduate would like; merchandise or gift cards
- Scholarship Tickets—donations to cover the cost of tickets for some students

Oro Valley Police Chief Daniel G. Sharp stated, "Project Graduation is no longer just an *event*. Project Graduation is part of the fabric of what makes Oro Valley such a great place to live. We model behavior for our youth, we show them we care about them, and we demonstrate there's civic responsibility and that as a community we can all unite for a common purpose. Our community is a better place to live and work as a result of this thing we call Project Graduation. It clearly has enriched our community."

We are depending on your support this year to help underwrite the highly anticipated event at AHS. It is our partnership with you that lets us look with confidence to the future, knowing that Project Graduation will be an established part of our high school for each graduating class.

Please send or deliver your donations or gift certificates to:

Amphitheater High School
Project Graduation
125 W. Yavapai Rd.
Tucson, AZ 85705

Thank you so much,

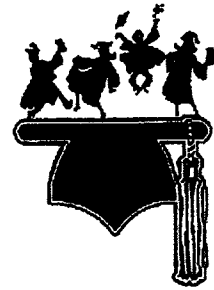
Marian Johnson
Project Graduation Decorating Committee Chair
Business Breakfast and OV Cup Committee Member
Amphi High Project Graduation
125 W Yavapai Road
Tucson, AZ 85705



Project Graduation

Canyon Del Oro High School

25 W Calle Concordia Drive
Oro Valley, AZ 85704
696-5578



February 25, 2019

Barbara LaWall
Pima County Attorney's Office
32 N Stone Ave
Tucson, AZ 85701

Dear Barbara LaWall:

Canyon del Oro High School volunteers are working on the 17th Annual Project Graduation event for this year's graduates. Project Graduation is an all night safe and sober celebration for all of our graduating seniors. Contributions from the business community are essential to providing the best graduation celebration out there! We could use your help with the following:

- Sponsorships—cash donations to sponsor entertainment or materials purchased
- Prize donations—anything a graduate would like; merchandise or gift cards
- Scholarship Tickets—donations to cover the cost of tickets for some students

Oro Valley Police Chief Daniel G. Sharp stated, "Project Graduation is no longer just an event. Project Graduation is part of the fabric of what makes Oro Valley such a great place to live. We model behavior for our youth, we show them we care about them, and we demonstrate there's civic responsibility and that as a community we can all unite for a common purpose. Our community is a better place to live and work as a result of this thing we call Project Graduation. It clearly has enriched our community."

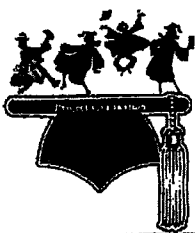
We are depending on your support this year to help underwrite the highly anticipated event at CDO. It is our partnership with you that lets us look with confidence to the future, knowing that Project Graduation will be an established part of our high school for each graduating class.

Please send or deliver your donations or gift certificates to:

Canyon del Oro High School
Project Graduation
25 W. Calle Concordia
Oro Valley, AZ 85704

Thank you,

Betsy Leader
CDO Project Graduation
Public Relations



Project Graduation Ironwood Ridge High School
PO Box 69392
Oro Valley, AZ 85737

February 25, 2019

County Attorney Barbara LaWall
Pima County Attorney's Office
32 N. Stone Avenue, Suite 1400
Tucson, AZ 85701

Dear Ms. LaWall:

On behalf of Ironwood Ridge High School (IRHS) Project Graduation, we respectfully submit to you this letter requesting consideration for benefit of the Pima County anti-racketeering funds.

Project Graduation is a drug and alcohol free, all night celebration immediately following graduation ceremonies and is modeled after the National Grad Night Network developed by the Department of Transportation. Throughout each school year, an all-volunteer work force of parents and community members plan and create an event to ensure that our graduates enjoy a safe and sober environment.

Project Graduation at IRHS is marking its 16th year of keeping its graduates off the streets on this risky night which our surrounding communities have directly benefitted. It is a fact that tragedies occur on graduation nights. According to the Oro Valley Police Department, we have not had a single incident since Project Graduation's inception in 2004.

To continue this tradition each year, we rely, in part, on the generosity of our community businesses to help meet our financial needs. However, over the last several years, we have lost some important sponsors to help offset costs for entertainment, decorations, food, security and scholarship tickets for students in need of financial assistance for attending this event.

As a 501c3 non-profit organization recognized by the Internal Revenue Service (ID# 11-3660162), Project Graduation IRHS prides itself on building an event that marks a milestone safely and securely for IRHS' students, families and the Oro Valley community at large.

Please help us continue to make a difference by contributing to our Project Graduation program. Thank you for your consideration.

Sincerely yours,

DeDe Belten


Project Graduation-Ironwood Ridge High School is a 501(c)(3) nonprofit organization, Federal Tax ID# 11-3660162. No goods or services were provided in consideration of this gift.



Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Andrew L. Flagg, Chief Civil Deputy 

DATE: 12/4/19

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached 12/3/19 request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

- ☐ Funding a gang prevention program. A.R.S. § 13-2314.03(F).
- ☐ Funding a substance abuse education program. A.R.S. § 13-2314.03(F).
- ☒ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. A.R.S. § 13-2314.03(F).
- ☐ Funding for witness protection pursuant to A.R.S. § 11-536. A.R.S. § 13-2314.03(F).
- ☐ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. A.R.S. § 13-2314.03(F).
- ☒ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. A.R.S. § 13-2314.03(F). Reference: USDOJ/Treasury *Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies*, (July 2018) (*Guide*), specifically subsec(s) 1(k).
- ☒ These monies will provide support of a community-based program (*see the Guide*, section V.B.1.k. (July 2018)). The *Certification by Community Organization Applicant and Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.
- ☐ Funding to pay the costs of the reports and application and expenditure reviews and approvals required by A.R.S. § 13-2314.03. A.R.S. § 13-2314.03(F).

- ☐ Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. A.R.S. § 13-4315(C)(1).
- ☐ Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. A.R.S. § 13-4315(C)(2).
- ☐ Funding to compromise and pay claims against forfeited property. A.R.S. § 13-4315(A)(5).

Notes/Special Instructions:


State funds; Homicide Survivors, Inc.



Pima County Attorney's Office

MEMORANDUM

TO: Andrew Flagg, Chief Civil Deputy

FROM: David Smutzer, Legal Administrator 

DATE: December 3, 2019

RE: Request for approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds

Please review this description of purpose/use of funds held by the Pima County Attorney in the Pima County Attorney's Anti-Racketeering Revolving Fund.

Agency/Entity To Be Paid: 1. Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS.
2. University HS Graduation Night
3. Flowing Wells HS Graduation Night
4. Southern Arizona Children's Advocacy Center
5. Southern AZ. Law Enforcement Foundation
6. Homicide Survivors, Inc.

Subaccount: Treasury ____ Justice ____ State x__

Recurring distribution: ____

DESCRIPTION OF PURPOSE/USE OF DISTRIBUTION

Attached please find a Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds for: 1. Project Graduation for Ironwood Ridge HS, Canyon Del Oro HS, Amphitheater HS., 2. University HS Graduation Night, 3. Flowing Wells HS Graduation Night, 4. Southern Arizona Children's Advocacy Center, 5. Southern AZ. Law Enforcement Foundation

and 6. Homicide Survivors. Each application describes the community benefit and corresponding law enforcement effort, policy and or initiative and amount requested. Each of the programs have been previously approved with the exception of Flowing Wells HS.

Graduation Night. This is there first application.

Please let me know if you have any questions. Thank you.

Attachments

**COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS**

Community Organization <u>Homicide Survivors, Inc.</u>	
Executive Director/Agency Head <u>James Gierke</u>	
Law Enforcement Agency <u>Pima County Attorney's Office</u>	
Date <u>11/19/2018</u>	Amount requested <u>\$15,000</u>

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with a **law enforcement** effort, policy, or initiative are permitted.

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

see attached

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

see attached

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

- | | Yes | No |
|---|-------------------------------------|--------------------------|
| A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization.
Tax I.D. Number: <u>86-0889964</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Applicant agrees to account separately for all anti-racketeering funds received. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Applicant is in compliance with federal civil rights laws. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| H. Applicant agrees not to use funds for personal or political purposes. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

James Gierke
Print Name of Requesting Agency
Director

James Gierke
Signature of Requesting Agency
Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Barbara LaWall

Print Name of Chief Law Enforcement
Officer

Blanche

Signature of Chief Law Enforcement
Officer

Date 1/7/20

Describe the community-based program for which funds are being sought and how the program benefits the community:

Homicide Survivors, Inc. (HSI) is the only 501c-3 non-profit organization in Southern Arizona dedicated solely to helping family and friends of homicide victims. HSI provides emotional support services, advocacy and financial assistance to survivors. This assistance helps survivors rebuild their lives in the aftermath of a tragic loss of loved ones due to violence. HSI was founded to provide advocacy to people who need help both during the immediate crisis as well as longer term as survivors work to find a new normal in their lives. HSI provides:

- Crisis and long-term emotional support for survivors;
- Multiple monthly support group meetings;
- Alternative support groups such as trauma-informed yoga and equine therapy;
- Annual remembrance events: Crime Victims' Rights Week Candlelight Vigil, National Day of Remembrance of Murder Victims, All Souls Procession;
- Annual holiday gathering and fundraising events: Thanksgiving Potluck and Angel Tree/Cookies with Santa;
- Personal advocacy for surviving family & friends to include navigating funeral logistics, media, law enforcement and the investigative process;
- Criminal justice system support which includes help and guidance navigating the complexities of the courts and trial, conviction, sentencing and post-conviction processes;
- Civil legal assistance;
- Referrals for long-term, one-on-one counseling services;
- Financial assistance beyond what is covered by the Victim Compensation Program when there is a need.

According to the Arizona Department of Public Safety, there were 331 murders in Arizona in 2018, with one murder occurring every 27 hours and one minute. These murders not only affect the immediate family of the victim, but also friends, coworkers, neighbors and the community at large. Homicide Survivors offers supportive services to a wide range of individuals impacted at no costs to the survivor.

In 2019, HSI has supported families of homicide victims by:

- Advocating on behalf of their victims' rights on over **90 criminal cases**, prosecuted at the county and federal level;
- Providing emotional support and direct services to over **2,000 individual survivors** through traditional support groups and hosting annual memorial events such as the National Day of Remembrance for Murder Victims and National Crime Victims Rights Week Candlelight Vigil;

Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds
Homicide Survivors, Inc.

- Offering alternative therapies, such as Trauma informed Yoga and Equine Therapy to promote healing;
- And providing over **\$17,000 in direct emergency financial assistance** for expenses such as rent and utilities, travel related expenses and lodging for families to attend court, as well as cemetery plot donations.

Homicide Survivors, Inc. is currently in a period of growth, adding three new full-time staff advocates and an in-house attorney to serve as a Survivors' Counsel to assist on civil legal matters. The Executive Director has been in his position for over two years and has focused expansion in areas that are truly not offered in any other capacity in our community. Specifically, HSI is seeking funding to sustain and expand new support group programs, such as trauma-informed yoga and equine therapy for survivors. Additionally, HSI is looking to expand its presence to rural communities to fill the gaps in services for under-resourced survivors.

Over the past year, the organization has begun to offer the following staff-led, peer support groups, in addition to the traditional support groups that have historically been offered at HSI: weekly trauma-informed yoga sessions, weekly "Walk & Talk" walking support groups at Reid Park, and alternative support group community events such as making terrariums at a local plant nursery. Additionally, through partnership with the Jewish Family & Community Services (JFCS), HSI is preparing to launch "Parenting through Trauma" support group for parents, guardians and caregivers who are supporting children as they grieve the murder of a loved one. The support groups allow many survivors to receive services at one time. These funds will be used to support the growing programming to continue to allow all survivors, regardless of their language, their age, or the dynamics of their victimization, to feel supported and understood.

Since January 2016, HSI has offered seasonal equine therapy to survivors who have had an especially difficult time in dealing with the murder of their loved one. These sessions have proven to be highly effective for survivors. It offers them a non-traditional way to seek help from a licensed therapist. Many survivors are not comfortable with "conventional therapy" (sitting in an office with a therapist and discussing problems in a formal and sometimes impersonal setting). Equine therapy takes place in a relaxed, outdoor environment on the northeast side of Tucson, where there are no distractions. It brings survivors together, letting them know that they are not alone, but the groups are small enough so that each survivor gets specialized attention. The interaction with horses creates a unique experience for survivors to be acutely aware of how they are feeling and regain a sense of trust in their lives. Horses help facilitate the process of transforming emotional discomfort and feelings of loneliness into connection with self and others. Funds will be utilized to allow additional survivors to experience equine therapy.

In June of 2018, HSI launched the "Healing through Yoga" program. These are weekly, one-hour trauma-informed yoga sessions facilitated by a certified trauma-informed yoga instructor.