

**ANNUAL REPORT ON THE
INVESTIGATION OF CHILD ABUSE
2018 - 2019
PIMA COUNTY, ARIZONA**



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Annual Report on the Investigation of Child Abuse 2018-2019 Pima County, Arizona

According to Statute § 8-817, the Pima County Attorney's Office is responsible for providing an annual report on the investigation of child abuse in the county to the Governor, the Speaker of the House of Representatives, and the President of the Senate. In Pima County the Multi-Disciplinary Team (MDT) for Child Abuse Investigation was created to ensure compliance with the protocol by that name. The protocol was developed in 1992-1994 under the leadership of the Pima County Attorney's Office in response to a perceived community need, it has been updated periodically since that date. In 2003 the Arizona State Legislature passed A.R.S. § 8-817 requiring the development of, and adherence to, a multidisciplinary protocol for the investigation of child abuse.

The Pima County Protocols for the Multi-Disciplinary Investigation of Child Abuse include the monitoring of all investigations of **“allegations involving criminal conduct”** defined by A.R.S. § 8-801 to insure that joint investigations are conducted. Statute (§ 8-801) includes the following statutes in its description of child abuse: inflicting or allowing sexual abuse pursuant to section § 13-1404, sexual conduct with a minor pursuant to § 13-1405, sexual assault pursuant to § 13-1406, molestation of a child pursuant to § 13-1410, continuous sexual abuse of a child pursuant to § 13-1417, child prostitution pursuant to § 13-3212, commercial sexual exploitation of a minor pursuant to § 13-3552, sexual exploitation of a minor pursuant to § 13-3553, certain domestic violence offenses that rise to the level of a felony pursuant to § 13-3601, and physical injury pursuant to § 13-3623.

This report is the compilation of information collected from the municipal, county, and state agencies on the number of cases handled and the frequency of joint investigations conducted in Pima County. The report also notes problems identified with the reporting and collection of data.

Pima County Attorney's Office

Number of Defendants: 929	Number of Charges: 2149
13-1404: 101 defendants	156 charges
13-1405: 115 defendants	363 charges
13-1406: 122 defendants	180 charges
13-1410: 104 defendants	198 charges
13-1417: 17 defendants	22 charges
13-3212: 1 defendants	1 charge
13-3553: 44 defendants	328 charges
13-3601: 214 defendants	380 charges
13-3623: 337 defendants	521 charges

Number of cases presented by Agency:

AZ Dept of Corrections:	1
Counter Narcotics Alliance:	15
Department of Public Safety:	3
Homeland Security:	2
Marana Police:	29
Oro Valley Police:	23
Pima College Police:	3
Pima County Attorney's Office	2
Pima County Sheriff:	197
Sahuarita Police Department:	27
South Tucson Police Dept:	3
Tohono O'odham Police Dept:	1
Tucson Police Department:	619
University of Arizona PD:	4

Unique Defendant Count by Disposition:*

Dismissed With Prejudice:	8
Dismissed Without Prejudice:	100
Guilty-Plea:	406
Guilty-Trial:	39
Not Guilty:	12
Reviewed and Refused:	380
All Defendants:	930
All Charges:	2171

* Note: Case disposition does not always occur in the same year the case was presented.

Southern Arizona Children's Advocacy Center

Number interviews: 1092

Number children served: 1122

Number of Medical Examinations: 193

Number of jointly investigated cases: 74, Although DCS is involved in the majority of our cases (any case where abuse or neglect occurred in the home or by a caregiver), this is the number of cases in which there was a formal case number assigned by DCS at the time of presentation to the CAC.

Marana Police Department

Marana Police investigated 30 cases involving serious child crimes allegations.

- 14 cases of molestation

- 5 cases of sex with minors

- 1 case of sex abuse

- 5 cases of physical abuse

- 5 cases of sexual exploitation of a minor

Of the 30 cases investigated 12 were investigated jointly with DCS.

8 of the cases were prosecuted

- 6 cases were molestation, 13-1410

- 1 case of sex abuse, 13-1404

- 1 case of physical abuse, 13-3623

South Tucson Police Department

31 cases involving Child Crime allegations:

- Child Molest Reports - 6

- Child Neglect Cases- 4

- Custodial Interference Cases- 2

- Child Abuse Cases - 18

Information was located indicating a total of six arrests were made related to the above listed cases. At least one case will result in a warrant being issued. The South Tucson Police Department conducted several investigations during this period with investigators from the Arizona Department of Child Safety / O.C.W.I. It was unable to determine the number of cases when both agencies worked together on these investigations.

Oro Valley Police Department

45 Cases involving serious child abuse conduct allegations

- 18 cases jointly investigated with DCS

14 cases referred for prosecution:

4 cases jointly investigated with Children’s Advocacy Center

7 cases jointly investigated with/referred to other agencies

The cases referred for prosecution were charged under the follow statutes:

1 case under § 13-1201A

2 case, 4 counts, under § 13-1402A Indecent Exposure to a minor

1 case under § 13-1405A Sexual conduct with a minor

1 case under § 13-14010A

1 case under § 13-14024A Voyeurism

1 case under § 13-1602A1 + dv, Criminal Damage

3 cases under § 13-2903A1 Domestic Violence Assault

5 cases under § 13-2904A1 Domestic Violence Disorderly Conduct

1 case, 9 counts, under § 13-3019A1 View/Tape/Record Person

1 case, 15 counts, under § 13-3552

1 case, 13 counts, under § 13-3553A1 Sexual Exploitation of a Minor

1 case under § 13-3601

2 case under § 13-3623B1 Child Abuse

1 case under § 18-3601

27 Cases Reviewed and Refused

Tucson Police Department

Child Physical Abuse Unit

Offense Type	Received/Reviewed	Assigned
Assault, Aggravated/Other	1	1
Assault, Aggravated/Other – Domestic Violence	1	1
Assault/Minor Injury- Domestic Violence	2	2
Assault/No Injury – Domestic Violence	1	0
Assist Other Agency	3	3
Civil Matter/Other	1	0
Found/Property	1	1
Narcotic Drug Laws/Sale	1	1
Offenses Against Family & Children/Neglect	87	19
Offenses Against Family & Children/Non-Support	2	0
Offenses Against Family & Children/Other	240	33

Offenses Against Family & Children/Physical Abuse	307	79
Offenses Against Family & Children/Custodial Interference DV	104	3
Offenses Against Family & Children/Custodial Interfere	96	2
Offenses Against Family & Children/Desertion-Abandon	9	1
Other Offenses/Other Felonies	1	1
Personal Injury Accidents/Other	1	1
Public Assist/Check Welfare	5	3
Sex Offenses/Lewd/Lascivious Acts	<u>1</u>	<u>0</u>
Total	864	151

Child Sexual Assault Unit

Offense Type	Received/Reviewed	Assigned
Assault/No Injury	1	0
Assist Other Agency	10	10
Juvenile Violations/Health, Welfare, Morals	2	1
Juvenile Violations/Other	1	1
Mental Cases/Other	1	0
Miscellaneous/Public	1	0
Offenses Against Family & Children/Other	13	5
Offenses Against Family & Children/Physical Abuse	3	2
Public Assist/Check Welfare	6	3
Sex Offenses/Child Molesting	337	156
Sex Offenses/Exposure	39	13
Sex Offenses/Lewd & Lascivious Acts	56	5
Sex Offenses/Molesting	57	18
Sex Offenses/Obscene Phone Calls	1	0
Sex Offenses/Other (Adultery, Incest, Stat Rape, etc.)	85	18
Sex Offenses/Peeping Tom	6	0
Sexual Assault/Attempted Rape	4	1
Sexual Assault/Forcible Rape	128	59
Suspicious Activity/Other	1	0
Suspicious Activity/Person	1	1
Unfounded/No Bona fide Incident	<u>1</u>	<u>1</u>

Total

754

294

There are more types of cases received and assigned to each unit that are not depicted in this report. All cases assigned through the Child Physical Abuse Unit are jointly investigated with DCS, however, TPD does not document the numbers of Child Sexual Assault Unit cases that are jointly investigated. However, any Child Sexual Assault case that involves a child where the suspect is a guardian or caregiver would be a joint investigation with DCS. Please note the drop from previous years in assigned Physical Abuse cases which is most likely attributed to a new program that allows patrol officers to cite for a felony in the field without the assignment of a detective.

Pima County Sheriff's Office – Crimes Against Children Unit

Child Molestation: 184

Sex Offenses (Other): 531

Physical Abuse: 379

Neglect: 37

Sex Assault/Rape (Child): See: Child Molestation (no separate classification)

Missing Children: 127

Endangerment: 55

Unless a case does not meet the criteria for DCS involvement, 90% of PCSO sex abuse/sex offense cases are jointly investigated. On physical abuse cases the PCSO works joint investigations only 45% of the time and DCS conducts their own follow-up.

Sahuarita Police Department

The Sahuarita Police Department reports there are many more cases included than in prior years. Part of this is due to a more thorough coding system in their RMS system. Therefore anything that was coded with a circumstance code of DCS or CPS has been included totaling the following 87 jointly investigated child abuse cases using the FBI UCR classifications:

(UCR 02.02) – Sexual Assault Forcible Rape-Male – 1

(UCR 02.03) – Sexual Assault Attempt Rape – 1

(UCR 0403) – Aggravated Assault Domestic Violence – 4

(UCR 0441) – Aggravated Assault Domestic Violence – 2

(UCR 09.01) – Other Assault Minor Injury - 2

(UCR 09.02) – Other Assault No Injury – 1

(UCR 0911) – Other Assault Minor Injury/Domestic Battery - 4

(UCR 0912) – Other Assault No Injury/Domestic Battery – 2

- (UCR 14.12) – Criminal Damage / Domestic Violence - 4
- (UCR 17.01) – Sex Offenses – Molesting - 2
- (UCR 17.02) – Sex Offenses – Child Molesting - 3
- (UCR 17.06) – Sex Offenses – Other - 2
- (UCR 2001) – Offense Against Family / Physical Abuse – 5
- (UCR 20.15) – Offense Against Family/DV Custodial Interference – 1
- (UCR 20.16) – Offense Against Family - Other – 1
- (UCR 22.04) – Liquor Laws - Other – 1
- (UCR 24.01) – Disorderly Conduct / DISTURBING THE Peace -1
- (UCR 2411) – Disorderly Conduct Domestic Violence – 3
- (UCR 0912) – Assault no Injury Domestic Violence – 1
- (UCR 2001) – Offense Against Family / Physical Abuse – 5
- (UCR 2002) – Offense Against Family / Neglect - 1
- (UCR 2411) – Disorderly Conduct Domestic Violence – 9
- (UCR 26.04) – Other Offenses - Felonies – 1
- (UCR 26.15) – Other Misdemeanors / Domestic Violence – 1
- (UCR 28.02) – Juvenile Violation / Health, Welfare & Morals - 3
- (UCR 29.01) – Runaway Juvenile From Parent - 3
- (UCR 41.01) – Mental Cases Transport - 1
- (UCR 42.01) – Sick Cared For Transported - 1
- (UCR 52.01) – Found Person - 2
- (UCR 53.03) – Public Assist / Check Welfare - 7
- (UCR 56.03) – Suspicious Activity – 8
- (UCR 57.03) – Disturbance - 2
- (UCR 57.04) – Disturbance Peace Restored - 3
- (UCR 60.01) – Assist Other Municipal Agency - 4
- (UCR 60.03) – Assist Other State Agency - 4
- (UCR 60.05) – Assist Other Agency / Other 1

Problems Identified With Reporting Child Abuse and Joint Investigations

There is a problem with each agency defining criminal conduct against children differently and then collecting and reporting on different types of data. The Pima County Attorney's Office uses the definition of criminal conduct given in A.R.S. § 8-801:

2. *"Extremely serious conduct allegation" means an allegation of conduct by a parent, guardian or custodian of a child that, if true, would constitute any of the following:*

(a) *A violation of section 13-3623 involving child abuse.*

(b) A felony offense that constitutes domestic violence as defined in section 13-3601.

(c) A violation of section 13-1404 or 13-1406 involving a minor.

(d) A violation of section 13-1405, 13-1410 or 13-1417.

(e) Any other act of abuse that is classified as a felony.

Because of item (e) above the Pima County Attorney's Office report includes: §13-3552 - *commercial sexual exploitation of a minor,*
 §13-3553 - *sexual exploitation of a minor,*
 §13-3212 - *child prostitution.*

The Pima County Attorney's Office data collection system allows reporting by statute charged. Some Law Enforcement agencies are able to report by the Arizona statute, while others use the Uniform Crime Reporting (UCR) system of the FBI. Adding to the problem is that when searching by statute, A.R.S. § 13-3623 and § 13-3601 include not only acts against children but against adults, thus additional vigilance of the data is needed.

Cases that occur out of the home or do not involve a family member are not within the scope of authority for the Department of Child Safety so they are not jointly investigated.