

ELECTION 2025



Publicity Pamphlet and Sample Ballot

COCHISE COUNTY JAIL DISTRICT
COCHISE COUNTY, ARIZONA

SPECIAL ELECTION
NOVEMBER 4, 2025

(Spanish version begins on page XX)

Folleto de Publicidad y Muestra de la Boleta

DISTRITO CARCELARIO DEL CONDADO
DE COCHISE
CONDADO DE COCHISE, ARIZONA

ELECCIÓN ESPECIAL
4 DE NOVIEMBRE DE 2025

(La versión en español comienza en la página XX)

This publicity pamphlet has been published by the Clerk of the Board of Directors of the Cochise County Jail District to provide voters with information regarding the November 4, 2025, Special Election.

As authorized by Arizona law (A.R.S. § 48-4001 et seq.), voters are being asked to vote on a question regarding the implementation of a one-half cent excise (sales) tax. The tax will be terminated by the Jail District upon the earlier of ninety days after payment in full of the financing for new county jail facilities or July 1, 2043. The tax revenue will be used only for constructing and financing county jail facilities. Additional details regarding the proposed excise (sales) tax are included in this publicity pamphlet.

The Special Election will be an in-person election, where all eligible voters will vote on Election Day or via early ballot. Early ballots will be mailed beginning on October 8, 2025. The deadline to register to vote in the election is October 6, 2025. Early ballots must be returned by 7:00 p.m. on November 4, 2025, and may be returned via U.S. Mail (postage prepaid) or returned to one of the locations as detailed later in this pamphlet. Early voting may also take place at the Recorder's Office at 1415 Melody Ln., Bldg. B, Bisbee, AZ 85603 beginning on October 8, 2025, Monday – Friday, between 8:00 a.m. and 5:00 p.m. The Cochise County Recorder's Office will be open for Saturday Early Voting on October 11 and October 18 from 8:00 am to 5:00 pm at the Recorder's Office in Bisbee and at the Sierra Vista Service Center at 4001 E Foothills Dr, Ste A.

This publicity pamphlet is mandated by state law, A.R.S. § 48-4021. As required, the pamphlet contains the following information:

- The date of the election.
- Early ballot drop box locations and hours, early voting sites, locations and hours and Election Day vote center sites, locations and hours.
- A true copy of the title and text of the resolution proposing the tax.
- A summary of the purposes for which the tax is proposed to be levied.
- The estimated revenue needs, including the maintenance of effort requirements imposed on the County by A.R.S. § 48-4024, for the described purposes.
- An estimate of the annual amount of revenues to be raised from the proposed excise (sales) tax levy.
- Arguments for and against the proposed excise (sales) tax levy.

The pamphlet has been distributed to each household containing a registered voter in the district. In compliance with the federal Voting Rights Act of 1965, as amended, this pamphlet has been prepared in both English and Spanish.

You are urged to carefully read and consider the information contained in this pamphlet and to exercise your right to vote in the Special Election.

BACKGROUND INFORMATION:

Originally designed to house 168 inmates, today the Cochise County Jail has been modified to hold as many as 302 inmates. A recent assessment of the Cochise County Jail found that the 40-year-old facility has lasted twice its expected life and is now faced with expensive maintenance, repair, and operational costs. The obsolete facility also faces significant staff safety and inmate safety concerns.

The Cochise County Sheriff's Office and County leadership worked together with the community, public health and safety professionals, and finance experts to better understand the County's jail needs. The Jail District Public Outreach Committee (Committee), comprised of citizens throughout Cochise County, held a series of public meetings from August through October 2022, focused on officer and inmate safety, the criminal justice system, crime and immigration challenges, transportation challenges, changes in technology, modern court proceedings, mental health needs, medical needs, tax and financial implications, and other factors. The Committee also toured the existing Cochise County Jail facility. On October 21, 2022, the Committee unanimously voted to recommend that a Jail District be formed. On November 15, 2022, the Committee presented its recommendation to the Board of Supervisors.

After receiving the recommendation, the Board of Supervisors adopted Resolution 22-29 in November 2022, ordering the formation of the Cochise County Jail District, contingent upon the approval of an excise (sales) tax not to exceed one-half cent (.50 percent) by a majority of qualified electors voting in this election. The excise (sales) tax would provide revenue for acquiring, constructing, operating, maintaining, and financing of County jails and jail systems for the Jail District. The question appeared on an all-mail special election ballot on May 16, 2023, which voters approved.

Soon after, plaintiffs challenged the vote, arguing the County failed to mail ballots to certain registered, inactive voters—those who'd become inactive due to returned mail or changes of address. The Cochise County Superior Court dismissed the case with prejudice.

The Arizona Court of Appeals held in the plaintiffs' favor in June 2024, reversing the Superior Court's dismissal concerning the allegation that the County improperly failed to mail ballots to inactive voters. The court remanded the case back to the Cochise County Superior Court for further review.

In May 2025, the Cochise County Superior Court approved a settlement between the Cochise County Board of Supervisors and the plaintiffs, ending Jail District excise tax collection until a new election takes place on November 4, 2025. The County adopted a resolution in June 2025 to end collection of the tax as of July 31, 2025. In accordance with the settlement, the Jail District Board of Directors adopted a resolution on May 6, 2025, calling the November 4, 2025 Special Election.

In summary, if approved, the Jail District excise tax will provide a source of revenues to pay for the construction and financing of new County jail facilities to replace the existing County jail facilities. A new, in-person election is set for November 4, 2025, for County voters to consider the Jail District excise tax.

PURPOSES AND APPLICATION OF THE JAIL DISTRICT EXCISE TAX:

The excise (sales) tax is to be used only for the purposes of constructing and financing County jail facilities.

All tax revenues will be used for the new jail's design and construction, as well as to pay debt service on the bonds to be issued by the Jail District to pay for the new jail. Revenues from the Jail District excise tax may also be held in reserves during the period the Jail District bonds remain outstanding, and such reserves would only be applied to pay debt service on the Jail District's bonds. The Jail District will end the tax on the earlier of ninety days after the Jail District bonds secured by the tax are fully repaid, or July 1, 2043.

The Jail District includes incorporated and unincorporated areas of the County. The Jail District excise tax, if approved by voters, will start being collected July 1, 2026. The Jail District excise tax rate is generally ½ cent (0.50%), and pursuant to Arizona law is collected by the Arizona Department of Revenue at a rate not to exceed ten percent (10%) of the State of Arizona sales tax rate prescribed by A.R.S. §§ 42-5010(A) and 42-5352(A). Approval of the Jail District excise tax confirms the continued establishment and operation of the Jail District.

ESTIMATED REVENUE NEEDS, INCLUDING MAINTENANCE OF EFFORT:

The maintenance of effort refers to the legal requirement that Cochise County continue to pay for the jail system and operations in the amount currently being spent, which, as required by Arizona law, will increase based on inflation. The future revenue needs of the Jail District, including Cochise County's maintenance of effort obligation imposed on the County by law, is estimated to be an average of \$16.3 million per year, as follows:

- \$6.3 million for the County's current contribution for staffing and operating expenses (maintenance of effort); and
- \$10.0 million for Jail District bond debt service for construction, design and engineering costs of no more than \$130 million.

ESTIMATED ANNUAL AMOUNT OF REVENUES TO BE RAISED BY THE PROPOSED EXCISE (SALES) TAX:

The estimated annual amount of revenue to be raised from the Jail District excise (sales) tax will be approximately \$10 million.

This amount will pay back the bond debt obligation for construction costs. Any excess revenue will be used to pay off the Jail District bonds early, or to create reserves for years where Jail District excise tax revenues are insufficient to meet the bond debt service requirements. In addition, the County is required by law to continue to budget and provide approximately \$6.3 million in general fund tax dollars, which is described as the "maintenance of effort."

COCHISE COUNTY JAIL DISTRICT ELECTION FREQUENTLY ASKED QUESTIONS

What is on the ballot?

Shall the Cochise County, Arizona Jail District (the “Jail District”) be authorized to levy an excise tax (sales tax) of up to ½ cent, or one-half of one percent (0.50%), on most business transactions, starting July 1, 2026? This tax would only pay for the construction and financing of county jail facilities. The Jail District will end the tax on the earlier of:

- Ninety days after the Jail District debt secured by such tax is fully repaid, or
- July 1, 2043.

The tax will not exceed 10% of the State of Arizona sales tax rate and will apply only to those businesses currently taxed under Arizona law (A.R.S. Title 42, Chapter 5, Article 1 and Section 42-5352(A)). Approval of this tax confirms the continued establishment and operation of the Jail District. The average annual revenue needed by the Jail District, including support required by law from Cochise County, is estimated at \$16.3 million.

A “YES” vote shall have the effect of authorizing the Cochise County Jail District, as established, to levy an excise tax (sales tax) generally at a rate of ½ cent, or one-half of one percent (0.50%), to fund county jail construction and financing. The tax will end within ninety days once the debt is paid off or by July 1, 2043—whichever comes first.

A “NO” vote shall have the effect of not authorizing an excise tax (sales tax) for county jail facilities.

What would the funds be used for?

Arizona state law sets the purposes for which funds may be used, which includes constructing and financing county jail facilities. Further, the Jail District Board of Directors have directed that tax revenue will be used to pay off the debt for construction bonds for a new jail, in addition to the design and construction of the jail facilities. The amount of Jail District bonds to be issued by the Jail District will be determined by the Jail District Board of Directors, after including any amount of other available funds from the State. A new jail will increase safety to the Sheriff’s deputies and detention officers and the Cochise County community, provide help for mentally ill persons, and help the jail manage ongoing medical care and substance abuse prevention.

Was the public involved in the process to determine the need for a new jail?

In the fall of 2022, at the request of the Cochise County Sheriff’s Office, the Cochise County Board of Supervisors launched a transparent public process to explore the county jail needs, improvements, and potential costs to the taxpayers. The Jail District Public Outreach Committee (Committee), made up of 12 individuals from throughout the community, worked together with public safety, public health professionals, and finance experts to better understand the issue. The Committee focused on officer and inmate safety, the criminal justice system, crime and immigration challenges, transportation challenges, changes in technology, modern court proceedings, mental health needs, medical needs, tax and financial implications, and other factors. The Committee made a unanimous recommendation that a new jail was needed and a Jail District Question regarding funding for facilities and staffing should be decided by the voters.

What role do jails play in our public safety?

Cochise County has the main jail in Bisbee and two substations (temporary holding facilities), one in Sierra Vista, and the other in Willcox. These three facilities are responsible for housing all arrests made in all the county by both the Sheriff’s Office and local police departments. These facilities hold inmates charged for everything from mental health-related issues to drug charges, juveniles charged with adult crimes, violent offenders, and much more. Our public safety infrastructure relies upon these facilities to meet the needs of our citizens, our community, and our region.

What are the challenges of the current jail?

The Cochise County Jail is significantly outdated and faces safety concerns, power capacity issues, plumbing problems, technological problems, leaks, and other costly repairs. It was originally designed to house 168 inmates, but over the years, it has been modified to hold as many as 302 inmates. A recent assessment of the Cochise County Jail found that the 40-year-old facility has lasted twice its expected life but now faces maintenance costs that are estimated at several million dollars. Changes in the inmate population over the last 40 years have also led to a need for increased help for the mentally ill who are incarcerated as well as a growing population with ongoing medical and opioid needs.

Where can I find information on the new jail?

The construction of a new jail is a topic of great community wide concern. The County Board of Supervisors contracted with Chinn Planning and DLR Group to conduct a Jail Planning Study to analyze the long-term needs of the jail, evaluate data to determine future jail capacity requirements, and examine space needs for future operations, site requirements, and other justice system issues. The Study was completed in May 2025 and can be viewed in full on the county website at: <https://www.cochise.az.gov/864/Cochise-County-Jail-District>.

Can Cochise County just renovate the existing jail?

Over the years, the current facility has been modified to incorporate basic technologies like internet to accommodate radio communications, and many other modifications to meet increasing federal regulatory requirements. Further renovations would be costly and would not address challenges to officer safety or space and staffing for 24-hour jail medical services.

Where will the new jail be located?

On July 10, 2025, the Board of Supervisors voted that the current jail location at 203 N. Judd Drive in Bisbee is the official location for construction of the new jail facility.

How much will a new jail cost?

The Cochise County Board of Supervisors is estimating a new jail will cost approximately \$120 to 130 million for design, construction, and project consultants. Jail District bond financing of at least \$100 million will be necessary for a capital project of this size.

What is the projected interest cost of the Jail District bond financing?

The total estimated amount for design, engineering, construction and other costs related to the new County jail facility is not expected to exceed \$130 million. As described herein, the Jail District anticipates receiving \$20 million from the State of Arizona, and therefore the Jail District projects issuing bonds in the approximate amount of \$100 million. Should the Jail District bonds be authorized and issued, the estimated total cost of the Bonds, including principal and interest, would be approximately \$142,082,425 (including estimated principal in the amount of \$100,000,000 and estimated interest in the amount of \$42,082,425). The Jail District expects to negotiate the terms of the bonds to permit the ability of the Jail District to pay off certain bonds early from excise (sales) tax revenues received in excess of the annually required bond debt service payments. Depending on the collection of such excise(sales) tax revenues in excess of the annual bond debt service requirements, the Jail District would consider the pre-payment of bonds which would reduce the above estimated interest cost to the Jail District. Although the Jail District bonds may be repaid earlier, the estimated debt service schedule below shows projected principal and interest payments with a final payment date of July 1, 2043, along with projected excise (sales) tax revenues pledged as the source of repayment of the Jail District bonds. As indicated in the table below, the excise (sales) tax revenues are projected to meet or exceed the Jail District bond debt service payments; provided, however, in the event such excise (sales) tax revenues are less than the annual debt service payment, the debt service would be paid from the County's maintenance of effort contributions to the Jail District that are required by Arizona law.

Fiscal Year	Estimated Jail District Excise Tax Revenues	Estimated Maintenance of Effort Requirement	Estimated Pledged Revenues (a)	Cochise County Jail District Pledged Revenue Obligations, Series 2027		
				Principal	4.50% Interest	Estimated Annual Debt Service (b)
2025/26	\$10,000,000	\$6,300,000	\$16,300,000			
2026/27				\$6,110,000	\$2,250,000	\$8,360,000
2027/28				4,130,000	4,225,050	8,355,050
2028/29				4,320,000	4,039,200	8,359,200
2029/30				4,515,000	3,844,800	8,359,800
2030/31				4,715,000	3,641,625	8,356,625
2031/32				4,930,000	3,429,450	8,359,450
2032/33				5,150,000	3,207,600	8,357,600
2033/34				5,380,000	2,975,850	8,355,850
2034/35				5,625,000	2,733,750	8,358,750
2035/36				5,875,000	2,480,625	8,355,625
2036/37				6,140,000	2,216,250	8,356,250
2037/38				6,420,000	1,939,950	8,359,950
2038/39				6,705,000	1,651,050	8,356,050
2039/40				7,010,000	1,349,325	8,359,325
2040/41				7,325,000	1,033,875	8,358,875
2041/42				7,655,000	704,250	8,359,250
2042/43				7,995,000	359,775	8,354,775
				<u>\$100,000,000</u>	<u>\$42,082,425</u>	<u>\$142,082,425</u>

(a) Pledged Revenues are estimated.

(b) Estimated annual debt service amounts are based upon level principal and interest payments with an estimated interest rate of 4.50%.

How long will it take to build?

Below is a summarized timeline for major project tasks:

- Pre-Design August 2025 – January 2026
- Design January 2026 – March 2027
- Construction March 2027 – November 2028
- Move-in & Training November 2028 – January 2029

How many beds will the new jail hold?

The Chinn Planning and DLR Group Jail Planning Study in May 2025 recommended an initial capacity – 390 beds with space plans for possible expansion in the future. The County will monitor square footage costs in the architectural design process in order to meet this recommendation and stay within project budget.

Where can I learn more about the jail district and Jail District Public Outreach Committee Process?

All of the meetings have been public and you can review all of the agendas, minutes, and videos at: <https://www.cochise.az.gov/856/Jail-District-Public-Outreach-Committee->

Why a sales tax?

The Jail District is a special district that must be funded by tax revenue. The sales tax structure would effectively spread the cost of jail construction and financing to all people engaging in commercial activity within Cochise County, resident or otherwise. The alternative would have been property tax paid solely by Cochise County property tax owners.

Is the tax permanent?

No. This vote is for the approval of a temporary half-cent sales tax that will end automatically on the earlier of:

- Ninety days after the Jail District debt secured by such tax is fully repaid, or
- July 1, 2043.

Are there other funds available to help reduce costs?

County officials working with our state elected officials secured a \$20 million investment from the State of Arizona to help offset some of the costs. These investments, however, are contingent on the County raising sufficient monies to fund the remainder of the new jail project by 2029.

RESOLUTION 25-24

**ORDERING THE CONTINUED ESTABLISHMENT OF THE COCHISE COUNTY JAIL DISTRICT
CONTINGENT UPON VOTER APPROVAL OF AN EXCISE TAX
AND AFFIRMING THE EXCISE TAX QUESTION BE PLACED ON THE BALLOT FOR THE
ELECTION TO BE HELD ON NOVEMBER 4, 2025**

WHEREAS, County Boards of Supervisors are authorized, pursuant to Title 48, chapter 25 (§§ 48-4001, et seq.) of the Arizona Revised Statutes (“A.R.S.”) to establish county jail districts for the purpose of constructing and financing county jails and jail systems upon voter approval of a dedicated tax levy to be used only for that purpose; and

WHEREAS, on July 1, 2025, the Board of Supervisors of Cochise County (“Board”), approved Resolution 25-16, stating its intent to consider the continued establishment of the Cochise County Jail District (the “Jail District”); and

WHEREAS, on August 5, 2025, a public hearing on Resolution 25-16 was held pursuant to A.R.S. § 48-4001(B), at which time the Board heard persons appearing in favor of and against the continued establishment of the Jail District; and **WHEREAS**, after the above-referenced public hearing, the Board, pursuant to A.R.S. § 48-4001(C), considered whether the public interest would be served by the continued establishment of the Jail District.

IT IS THEREFORE RESOLVED:

1. That the Board of Supervisors of Cochise County finds that the public interest, convenience, and necessity will be served by the continued establishment of the Jail District.
2. That the Board of Supervisors of Cochise County hereby orders the continued establishment of the Jail District contingent upon voter approval of an excise tax as described in A.R.S. § 48-4022, generally with a maximum effective rate not to exceed ½ cent, or .50 percent.
3. That, if approved, collection of the excise tax shall be terminated upon the earlier of ninety days after payment in full of any financing secured by such tax for county jail facilities or July 1, 2043.
4. That the Board acknowledges and affirms that the question of the excise tax be included on the ballot of the election to be held on November 4, 2025.
5. That a publicity pamphlet shall be prepared and distributed in the manner provided A.R.S § 48-4021(C) and that the pamphlet shall include those written arguments in favor of and in opposition to the proposed tax levy that have been filed in the office of the Clerk of the Board of Supervisors no later than 5:00 P.M. on August 6, 2025. Such deadline was published in the Sierra Vista Herald-Review, a newspaper of general circulation within the county, on July 9, 2025, and July 16, 2025.
6. That the Jail District shall be known in all proceedings as the “Cochise County Jail District” with the boundaries of the Jail District to be those of all of Cochise County including the incorporated and unincorporated areas.
7. That the revenues generated by the proposed excise tax shall be used only for constructing and financing county jail facilities.

DATED this 5th day of August 2025.

/s/ Frank Antenori
FRANK ANTENORI, Chairman
Cochise County Jail District Board of Directors

ATTEST:

/s/ Lara Loewenheim
LARA LOEWENHEIM
Clerk of the Board of Directors

APPROVED AS TO FORM:

/s/Dylan HendeL
DYLAN HENDEL
Civil Deputy County Attorney

JAIL DISTRICT RESOLUTION 25-03

A RESOLUTION OF THE COCHISE COUNTY JAIL DISTRICT BOARD OF DIRECTORS PERTAINING TO THE EXCISE TAX ELECTION FOR THE PURPOSE OF APPROVING THE BALLOT QUESTION LANGUAGE

WHEREAS, that pursuant to Arizona Revised Statutes (“A.R.S.”) §§ 48-4001, et seq., the Board of Directors of the Cochise County Jail District has called for the election to consider its continued establishment, contingent on approval of an excise tax as provided in (“A.R.S.”) §§ 48-4022; and

WHEREAS, A.R.S. § 48-4022 provides that the board of directors of a district in a county having a population of less than one million five hundred thousand persons according to the most recent United States decennial or special census may by resolution order the question of a district excise tax to be placed on the ballot of an election pursuant to section 48-4021; and

WHEREAS, the Board of Directors of the Cochise County Jail District seeks to submit the question of the county jail district excise tax to the voters of Cochise County, a county with a population of less than one million five hundred thousand persons, on the ballot of an election to be held on November 4, 2025; and

WHEREAS, A.R.S. § 48-4022 requires the tax rate levy not to exceed ten percent of each rate prescribed by A.R.S. § 42-5010(A) and A.R.S. § 42-5352(A), resulting in the maximum rate set not always being .50 percent (one-half cent) as the rates prescribed by A.R.S. § 42-5010(A) and A.R.S. § 42-5352(A) vary by category.

NOW, THEREFORE, BE IT RESOLVED THAT: the Board of Directors of the Cochise County Jail District hereby calls for the question of a ½ cent, or one half of one percent, excise tax for a period of no longer than 17 years to be used only for the construction and financing of county jail facilities as provided by A.R.S. § 48-4001, et seq., be submitted to the voters of Cochise County through an election to be held on November 4, 2025.

IT IS FURTHER RESOLVED that a publicity pamphlet shall be prepared and distributed in the manner provided by A.R.S. § 48-4021(C) and that the pamphlet shall include those written arguments in favor of and in opposition to the proposed tax levy that have been filed in the office of the Clerk of the Board of Directors of the Cochise County Jail District no later than 5:00 P.M. on August 6, 2025.

IT IS FURTHER RESOLVED THAT THE BALLOT QUESTION SHALL BE SET FORTH THUS:

OFFICIAL BALLOT

Cochise County Jail District

Cochise County, Arizona – November 4, 2025

FOR ELECTION TO BE HELD IN THE COCHISE COUNTY, ARIZONA JAIL DISTRICT ON NOVEMBER 4, 2025.

Shall the Cochise County, Arizona Jail District (the “Jail District”) be authorized to levy an excise tax (sales tax) of up to ½ cent, or one-half of one percent (0.50%), on most business transactions, starting July 1, 2026? This tax would only pay for the construction and financing of county jail facilities. The Jail District will end the tax on the earlier of:

- Ninety days after the Jail District debt secured by such tax is fully repaid, or
- July 1, 2043.

The tax will not exceed 10% of the State of Arizona sales tax rate and will apply only to those businesses currently taxed under Arizona law (A.R.S. Title 42, Chapter 5, Article 1 and Section 42-5352(A)). Approval of this tax confirms the continued establishment and operation of the Jail District. The average annual revenue needed by the Jail District, including support required by law from Cochise County, is estimated at \$16.3 million.

A "YES" vote shall have the effect of authorizing the Cochise County Jail District, as established, to levy an excise tax (sales tax) generally at a rate of ½ cent, or one-half of one percent (0.50%), to fund county jail construction and financing. The tax will end within ninety days once the debt is paid off or by July 1, 2043— whichever comes first.

A "NO" vote shall have the effect of not authorizing an excise tax (sales tax) for county jail facilities.

YES

NO

PASSED AND ADOPTED by the Board of Directors of the Cochise County Jail District this 1st day of July 2025.

/s/ Frank Antenori
FRANK ANTENORI, Chairman
Cochise County Jail District Board of Directors

ATTEST:
/s/ Lara Loewenheim
LARA LOEWENHEIM
Clerk of the Board of Directors

APPROVED AS TO FORM:
/s/Dylan Hendel
DYLAN HENDEL
Civil Deputy County Attorney

DRAFT

RESOLUTION JD25-01

**CALLING FOR AN ELECTION OF THE COCHISE COUNTY JAIL DISTRICT
DIRECTING THAT THE APPROVAL OF THE EXCISE TAX BE PLACED ON THE BALLOT
FOR THE ELECTION TO BE HELD ON NOVEMBER 4, 2025**

WHEREAS, County Boards of Supervisors are authorized, pursuant to Title 48, chapter 25 (§§ 48-4001, et. seq.) of the Arizona Revised Statutes to establish County Jail District; and

WHEREAS, the Board of Supervisors wishes to conduct an in-person election to allow Cochise County residents a meaningful opportunity to consider the question of the creation of a Cochise County Jail District and related excise tax as described herein; and

WHEREAS, Cochise County Jail District Board of Directors has approved a settlement in the jail district election litigation case of Daniel Lachance, et al., vs County of Cochise, Cochise County Jail District, Board of Supervisors, et al., 2024 WL 5402722 (Ariz. Ct. App. 2024), pending on remand before the County Superior Court; and

WHEREAS, such settlement stipulates a binding term that, “The County will hold a new jail district election for the public to consider the jail tax at an election that meets all legal requirements in November of 2025.”; and

WHEREAS, tthe Cochise County Jail District seeks to mitigate the taxpayers’ expense by holding a special election at the next consolidated election date of November 4, 2025, pursuant to A.R.S. §§ 16-204(A), 16-225(A).

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. That, if approved, collection of the excise tax would be used only for acquiring, constructing, and financing of county jail facilities with the condition that the Jail District be dissolved, and the excise tax is terminated once sufficient funds have been collected to plan and construct the jail facilities, and retire financing.
2. That the question of approval of the excise tax shall be included on the ballot of the election to be held on November 4, 2025.
3. That a publicity pamphlet shall be prepared and distributed in the manner provided by law and that the pamphlet shall include those written arguments in favor of and in opposition to the proposed tax levy that have been filed in the office of the Clerk of the Board of Supervisors no later than 5:00 P.M. on August 6, 2025.
4. That the Jail District shall be known in all proceedings as the “Cochise County Jail District” with the boundaries of the district to be those of all of Cochise County including the incorporated and unincorporated areas.

DATED this 11th day of May 2025..

/s/ Tom Crosby
TOM CROSBY, Vice-Chairman
Cochise County Jail District Board of Directors

ATTEST:

/s/ Lara Loewenheim
LARA LOEWENHEIM
Clerk of the Board of Directors

APPROVED AS TO FORM:

/s/ Paul Correa
PAUL CORREA
Chief Civil Deputy County Attorney/

ARGUMENTS FOR AND AGAINST THE JAIL DISTRICT EXCISE TAX

ARGUMENTS FOR

Vote to Support the New Cochise County Jail

Why This Matters

Cochise County is home to vibrant communities, hard-working families, and a deep commitment to safety and justice. Supporting the operation and future of the Cochise County Jail isn't just about confinement—it's about safeguarding our neighborhoods, ensuring accountability, and providing pathways to rehabilitation.

- **Compliance with Arizona Law: Per Arizona Revised Statute Title 11, Chapter 3, Article 2, the Sheriff shall** take charge of and keep the county jail, including a county jail under the jurisdiction of a county jail district, and the prisoners in the county jail.
- **Public Safety First:** Ensures that individuals who pose a threat to our community are securely detained.
- **Local Oversight:** Keeps our justice system rooted in county values with transparent, local control.
- **Rehabilitation Opportunities:** Offers programs that help inmates re-enter society as productive citizens.
- **Economic Impact:** Supports local jobs—from correctional officers to administrative staff—and strengthens community infrastructure.

Concerns

With that in mind, this ballot language only provides funding for the construction of a new facility. It would not fund any additional staffing and operations.

Staffing and Operations

Based on our detention experience, our expectations are a modern larger facility would require more staff for security operations and rehabilitation programs to meet current correctional guidelines.

Why Staffing & Operations Matter

A larger, modern facility will require more staff to maintain safe, humane, and efficient operations. Without funding for personnel, our existing team will face overwhelming pressure, risking burnout, reduced oversight, and delays in critical services like mental health care and rehabilitation. Safe incarceration depends on well-supported staff and fully resourced operations.

I declare under penalty of perjury that the foregoing information is true and correct and I am the sponsor of this argument advocating for this measure.

Mark Dannels
Cochise County Sheriff

Statement of Support for Funding a New County Jail

Without a doubt, Cochise County needs a new jail. The old jail is in severe disrepair, very expensive to maintain, and poses a liability risk to taxpayers. We must build a new jail.

The question before the voters and taxpayers is “should the construction of the new jail be funded by a ½ cent sales tax?” The answer to that question should be a resounding yes. Unlike the previous proposal put before the voters in May of 2023, the new proposal is a much better deal for taxpayers. The new Board of Supervisors has corrected many of the concerns with the previous proposal and has focused the effort on

only building and paying for a new jail. Maintenance and operation of the jail WILL NOT be funded by the tax. The result is a 60% reduction in cost to the taxpayers. By using all of the tax revenue for construction related costs, the board will be able to accelerate payments on the bond, with the intent to pay it off early (<10 years). The previous proposal (May 2023) had the tax going for 25 years with the possibility of it being extended for another 25 years.

With this new proposal, as soon as the bond is paid off, the sales tax stops and the district is dissolved. The county will take responsibility for funding the maintenance and operation out of the general fund, as it should be.

To ease the impact of the sales tax, the Board has reduced the county property tax rate by 2%. This helps reduce the tax burden on county residents. Some of the sales tax will also be paid by out of county visitors rather than your property taxes, also reducing the burden on local taxpayers.

Please support the ½ cent sales tax. Vote YES.

Frank Antenori
Chairman, Board of Supervisors
Cochise, AZ

ARGUMENTS AGAINST

Argument AGAINST the Jail District Sales Tax Measure

The proposed 0.5% sales tax to fund a new jail in Cochise County is unnecessary and burdensome.

First, the estimated cost—up to \$100 million—is excessive. County officials admit there is still no detailed plan for cost control. Voters are being asked to approve a blank check with vague projections, with a serious risk of overspending and long-term tax debt.

Second, the economic impact is poorly timed. With high inflation and rising prices for essentials, this tax makes daily life more expensive for everyone, especially seniors and low-income families. Sales tax is regressive—it hurts those with the least ability to pay.

Third, the entire process has been flawed. The original 2023 election approving the tax disenfranchised over 10,000 voters and was ruled invalid by the courts. Millions were collected anyway and now sit in limbo. The county handled the vote and the money poorly — County Residents have lost trust.

Finally, officials failed to explore alternatives. Arizona had a \$5 billion surplus; yet the county never sought full state funding. Instead of raising taxes, leaders should find smarter ways to pay — grants, phased planning, or even smaller-scale fixes to the existing jail.

The people of Cochise County deserve safety—but not at any cost. Vote **NO** on this tax.

Gregg A. Powell
Sierra Vista, AZ

Argument against the Jail District Tax:

Two years ago, the Cochise County Board of Supervisors attempted to dismiss the will of County voters and the Arizona Constitution by holding an unlawful election to add an additional excise tax on all of us. When they were challenged in court, they lost. They agreed to have the results of the election overturned and stop collection of the new jail tax. Now, after two years, they are taking another run at collecting your tax dollars, not learning from the consequences of their previous legal loss. The Arizona Constitution clearly states we, the voters of Cochise County, must agree by Initiative or Referendum to want a jail tax for the purpose of building a new jail. How many of you signed a petition for this? The answer is NONE, as there

wasn't a legal Initiative or Referendum petitioned by the voters to have a jail tax vote. The County Board of Supervisors simply took it upon themselves to conduct an unlawful election, hoping no one would care enough to challenge them. There has not been a Referendum of Initiative created or acted upon for this latest attack on the Arizona Constitution. If you think it is important for our elected officials to follow the Arizona Constitution, then vote NO on this issue. Make them follow the same rules and regulations they expect us to follow.

Steven C. Dickenson
Sierra Vista, AZ
Argument Against

In May 2023, 4 voters brought a lawsuit against the Cochise County Board of Supervisors (BOS) for the unlawful Jail District election. After a brutal 2-year legal battle, we won a settlement requiring the election process be redone, lawfully.

Fast forward to 5 August 2025. The BOS, in public meeting, voted to conduct the process for the new election UNLAWFULLY! The Constitution mandates the BOS to determine "public interest" (ARS 48-4001 sub B & C), they must receive signed petitions. They do not have any signed petitions from the 2022 process, nor have they stipulated the lawsuit finding, nor petitions from the 5 August hearings. Therefore the BOS cannot put the question on the 4 Nov 2025 ballot. This BOS also refused to state in the Resolutions that 60% YES votes is required to pass. Failing to require a 60% super majority YES vote violates the Constitution to establish a higher standard to increase our already high taxes. It's why we passed Prop 132!

Contrary to what they say, they are already swimming in your tax dollars -every Citizen is TAXED more than enough already. They have already raised over \$40 MILLION including approximately \$24 MILLION from the UNLAWFUL TAX from the previous election - which they said in 2023 would cost 90 MILLION Dollars. Why then would they need to tax you for up to 18 years and a total of approximately 216 MILLION dollars? They must want an unobligated NEW TAX revenue stream/slush fund to spend your hard-earned dollars however they want.

Vote NO! Demand the county make the same hard choices and decisions you have to make to balance your budget to feed, cloth, house and care for your family every day of every month of every year.

Daniel Lachance
Sierra Vista, AZ

Argument against the Jail District Excise Tax

The Cochise County Board of Supervisors (BOS) conducted an unlawful election in 2023 that imposed a new 25-year tax. Thanks to the perseverance of dedicated citizens, that effort was successfully contested and ended with a settlement agreement that would require the tax election to be conducted lawfully. The new Board of Supervisors took office in January 2025 and again they are attempting to conduct an unlawful election in order to get the tax measure to pass.

County supervisors do not possess the necessary authority to impose any new tax without securing support from the required percentage of registered voters. Under ARS 48-4001, the BOS must determine that the creation of a Jail District serves the public interest. But under the Arizona Constitution, they cannot make this determination without first collecting approximately 8,500 signed petitions from registered electors requesting that the Jail District be formed.

Without those petitions, the BOS has no legal authority to place this tax on the ballot. To proceed without the petitions is a clear violation of the law.

Furthermore, during the 2023 election, the BOS ignored the constitutional amendment approved by voters in November 2022 that requires a supermajority of 60% YES votes for any tax-related election to pass.

The newly elected BOS also refuses to include the 60% requirement in the upcoming election resolution-a direct violation of both the Arizona Constitution and the voters' demand for a higher threshold for future tax increases.

The motivation for a new tax is clear. This is about establishing a new, unrestricted and unaccountable revenue stream for the county to spend your hard-earned money however they choose. Don't be a tax donkey, vote no.

E. Allen Groover DoD Ret.
Sierra Vista, AZ

Argument against Jail District Sales Tax increase:

The population of Cochise County is decreasing. Cochise County's population in 2020 was 125,447, down 4.5% from 2010, according to U.S. Census Bureau (Census 2020)

The crime rate in Cochise County is decreasing. In 2022, Cochise County, Arizona, reported 333 violent crimes per 100,000 population. This number has decreased since 2014, when the rate was 603 per 100,000.

Cochise County has an annual budget of \$293 MILLION DOLLARS. If a mere 10% of that budget is allocated toward building the jail every year, they would have the 90 million dollars of construction costs in 3 years, which happens to be the estimated time required to build the jail. So it is entirely possible for the county to fund this jail construction within the current budget without borrowing on a bond at 4.7% interest which would cost tax payers an additional \$42 MILLION DOLLARS. All this is to be funded by a burdensome sales tax increase which would have to run even longer to pay the interest on the bond. The new Jail can easily be built using funds from the current budget by simply staying within the budget and reducing spending by a mere 10% for the three year period the Jail is under construction.

Don't vote for higher taxes for the people in Cochise County. Instead we should be demanding the county stay within their \$293 MILLION DOLLAR budget and concentrate on rooting out fraud, waste and abuse to help fund the Jail.

Vote **NO** to the jail tax.

Sandy Trull
Sierra Vista, AZ

COCHISE COUNTY JAIL DISTRICT ELECTION

SAMPLE BALLOT

DRAFT

IMPORTANT VOTING INFORMATION for November 4, 2025 ELECTION:

The Cochise County Jail District will conduct an Election on **November 4, 2025**.

Vote Centers will be open for this election. The last day to register to vote in this election is October 6, 2025.

An early ballot will be mailed to voters who requested mail ballots or are on the Active Early Voter List on October 8, 2025.

This is an election with Vote Centers. You may go to any of the locations below on Election Day in order to vote in this election.

EARLY BALLOT DROP BOXES

The Cochise County Recorder’s Office will maintain secure ballot drop boxes at the County Service Center locations listed below starting on October 8, 2025 and ending on November 3, 2025 . Ballot drop boxes are available inside the centers during business hours from 8:00 a.m. to 5:00 p.m. Monday – Friday.

BALLOT DROP BOX LOCATIONS (October 8, 2025 through November 3, 2025)	Times
BISBEE: Cochise County Recorder, 1415 Melody Ln Bldg B	Monday-Friday 8:00 am-5:00 pm
BENSON: County Service Center, 126 W. 5 th ST	Monday-Friday 8:00 am-5:00 pm
DOUGLAS: County Service Center, 1012 N. G Ave	Monday-Friday 8:00 am-5:00 pm
SIERRA VISTA: County Service Center, 4001 E. Foothills Dr	Monday-Friday 8:00 am-5:00 pm
WILLCOX: County Service Center: 450 S. Haskell Ave	Monday-Friday 8:00 am-5:00 pm

For questions regarding drop box locations, visit <https://www.cochise.az.gov/509/Voter-Information> or call the Recorder’s Office at 1-888-457-4513 or 520-432-8358.

ELECTION DAY (November 4, 2025) EARLY BALLOT DROP OFF AND VOTE CENTER LOCATIONS ONLY

All sites open on Election Day only from 6:00 a.m. to 7:00 p.m.

In order for your ballot to be counted, it must be received by 7:00 p.m. on Election Day – November 4, 2025

**COCHISE COUNTY ELECTIONS - 2025
18 VOTE CENTER LOCATIONS COUNTYWIDE**

All Vote Centers are open from 6:00 a.m. to 7:00 p.m. on Election Day.
Voters may vote at any of the Vote Centers listed below.

Vote Center #	Vote Center Area	Vote Center Location
VC 1	Douglas	Cochise County Douglas Service Center 1012 N. G Ave
VC2	Bisbee	Cochise County (BOS) Room 1415 Melody Ln Bldg G
VC3	Tombstone	American Legion Hall 225 E. Allen St.
VC4	Willcox	Willcox Community Center 312 W. Stewart St.
VC5	Benson	Benson School District Board Room 360 S. Patagonia St.
VC6	Huachuca City & Whetstone	Huachuca City Community Center 201 Yuma St
VC7	Sierra Vista West	St Andrews Catholic Church – Kino Hall 800 Taylor Dr. NW
VC8	Sierra Vista East (Mega VC)	Shiloh Christian Ministries 1519 Avenida Del Sol
VC9	Sierra Vista Central (Mega VC)	Sierra Vista United Methodist Church 3225 S. St. Andrews Dr.
VC10	Sierra Vista Southeast	Mountain Vista Baptist Church 5499 S. Moson Rd.
VC11	Palominas	Palominas Fire District Training Center 9222 S. Kings Ranch Road
VC12	Bowie & San Simon	Bowie Unified School District Office 315 W. 5th St.
VC13	Cochise Stronghold & Sunizona	Sunsites Community Center 1216 Treasure Rd.
VC14	McNeal	Valley Bible Church 4188 Double Adobe Rd.
VC15	Webb	Elfrida Elementary School District (Cafeteria) 4070 Jefferson Road.
VC17	Saint David	St. David High School – Multipurpose Room 70 E. Patton Hwy
VC18	Mescal / J-Six	Peace in the Valley Lutheran Church 551 S. J-Six Ranch Rd.
VC19	San Simon & Surrounding Areas	First Baptist Church of San Simon (Fellowship Hall) 2907 Cochise Ave.

Cochise County Jail District
Board of Directors
1415 Melody Lane, Building G
Bisbee, AZ 85603

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PROOF 08/11/25

- Approved as is**
- Approved with changes**

Signature

DRAFT

OFFICIAL VOTING MATERIALS - ONLY ONE PAMPHLET HAS BEEN MAILED TO EACH HOUSEHOLD CONTAINING A REGISTERED VOTER. PLEASE MAKE IT AVAILABLE TO ALL REGISTERED VOTERS IN THE HOUSEHOLD.

MATERIALES OFICIALES ELECTORALES - SOLAMENTE UN FOLLETO SE HA ENVIADO A CADA DOMICILIO EN EL CUAL RESIDE UN VOTANTE REGISTRADO. FAVOR DE UTILIZARLO PARA TODOS LOS VOTANTES REGISTRADOS EN SU DOMICILIO.