

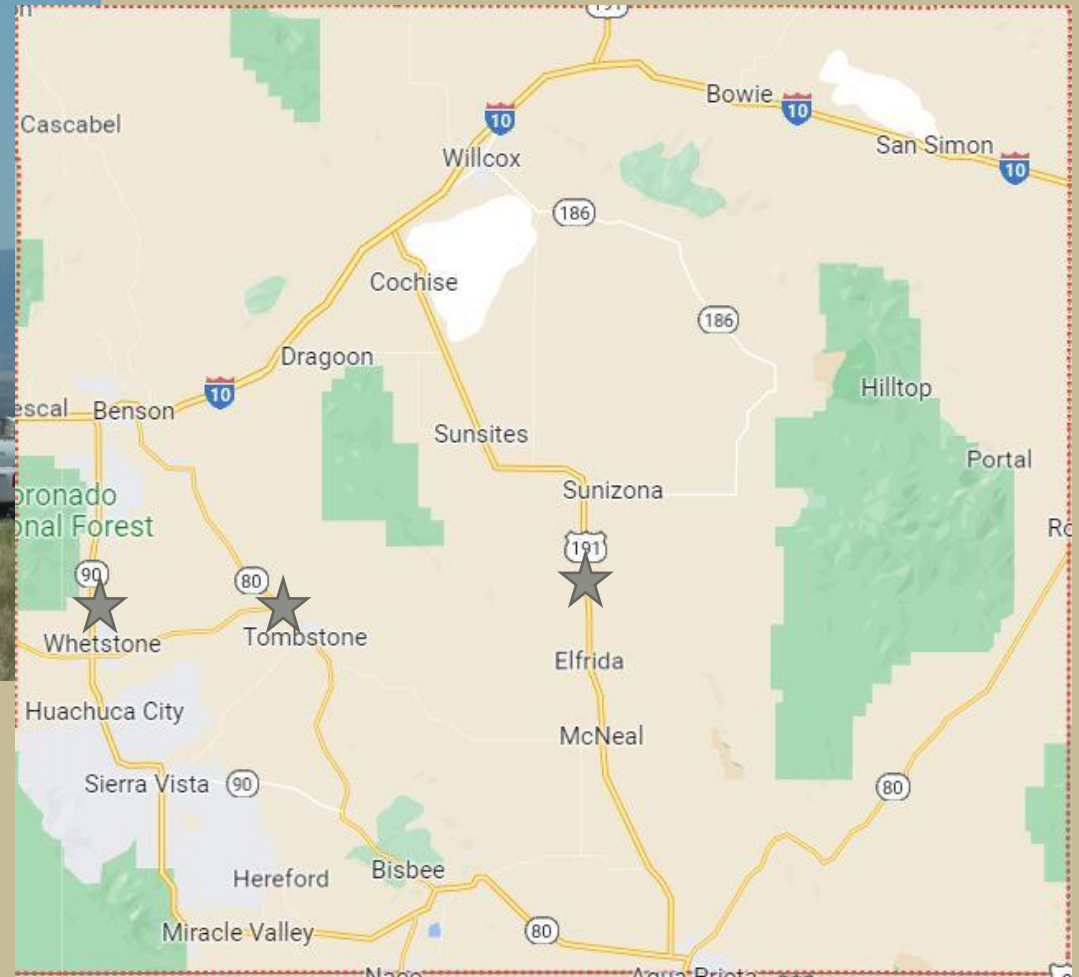
# COCHISE COUNTY ATTORNEY'S OFFICE

Border Crimes Crisis and Response – The Massive Impact on our System  
Alternative Prosecution Programs – Cost Savings and Revenue Generation  
Funding Request – ADRS Legal Secretary II

# In 2021 US Border Patrol closes 3 Cochise County Checkpoints



SR-90 Immigration Checkpoint





**BORDER CRIMES CASES FILED BY THE  
COCHISE COUNTY ATTORNEY'S OFFICE  
2022-PRESENT**

**A.R.S. § 28-622.01 FAILURE TO YIELD &  
STARTING SEPTEMBER 24, 2022  
A.R.S. § 13-2323 ASSISTING HUMAN  
SMUGGLING**

<b>2022 Border Crimes Stats</b>	<b>Complaints filed</b>	<b>2023 Border Crimes Stats</b>	<b>Complaints filed</b>	<b>2024 Border Crimes Stats</b>	<b>Complaints filed</b>	<b>2025 Border Crimes Stats</b>	<b>Complaints filed</b>
Jan - '22	7	Jan - '23	44	Jan - '24	18	Jan - '25	8
Feb - '22	7	Feb - '23	28	Feb - '24	23	Feb - '25	4
Mar - '22	23	Mar - '23	43	Mar - '24	28		
Apr - '22	23	Apr - '23	25	Apr - '24	26		
May - '22	26	May - '23	53	May - '24	19		
Jun - '22	21	Jun - '23	40	Jun - '24	19		
Jul - '22	15	Jul - '23	26	Jul - '24	21		
Aug - '22	14	Aug - '23	31	Aug - '24	17		
<b>Sep - '22</b>	<b>14</b>	Sep - '23	24	Sep - '24	11		
Oct - '22	46	Oct - '23	24	Oct - '24	24		
Nov - '22	46	Nov - '23	50	Nov - '24	9		
Dec - '22	33	Dec - '23	18	Dec - '24	12		
<b>2022 Total</b>	<b>275</b>	<b>2023 Total</b>	<b>406</b>	<b>2024 Total</b>	<b>227</b>	<b>2025 Total</b>	<b>12</b>

### **13-2323. Participating in a human smuggling organization or operation; classification**

- A. A person commits participating in a human smuggling organization or operation by any of the following:
  - 1. Intentionally or knowingly organizing, managing, directing, supervising, coordinating, facilitating, leading, assisting, participating in or financing a human smuggling organization or operation that furthers the criminal objectives of the human smuggling organization or operation.
  - 2. Knowingly directing or instructing others to engage in violence or intimidation to promote or further the criminal objectives of a human smuggling organization or operation.
  - 3. Furnishing advice or direction in the conduct, financing or management of a human smuggling organization's or operation's affairs with the intent to promote or further the criminal objectives of a human smuggling organization or operation.
  - 4. Intentionally promoting or furthering the criminal objectives of a human smuggling organization or operation by inducing or committing any act or omission by a public servant in violation of the public servant's official duty.
  - 5. Knowingly assisting a human smuggling organization or operation by transporting a person, or procuring the transportation for a person, with the intent to do either of the following:
    - (a) Conceal the person from a peace officer.
    - (b) Assist the person with fleeing from a peace officer who is attempting to lawfully arrest or detain the person.
- B. Participating in a human smuggling organization or operation is a class 2 felony.
- C. A person who is convicted of a violation of this section is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233, subsection A or B until the sentence imposed by the court has been served or commuted.

# Felony Cases

- 2024 - 1276 Cases Charged, 1535 Cases Submitted
- 2023 - 1575 Cases Charged, 1880 Cases Submitted
- 2022 - 1442 Cases Charged, 1837 Cases Submitted
- 2021 - 1340 Cases Charged, 1545 Cases Submitted
- 2020 - 1278 Cases Charged, 1340 Cases Submitted

## Historical Perspective

2016 – 576 Cases Charged, 797 Cases Submitted

2015 – 852 Cases Charged, 1198 Cases Submitted

2014 – 592 Cases Charged, 958 Cases Submitted

2013 – 614 Cases Charged, 981 Cases Submitted





9 BORDER CRIME RELATED  
FATAL COLLISIONS  
2021-2024  
13 DECEASED VICTIMS

# 13 Border Crime Fatalities 2021-2024

1<sup>st</sup> Degree  
Felony Murder  
Charges if FTY

- William Brown – killed 2 UDA's at the Bisbee Traffic circle at 85MPH during FTY – **2 NATURAL LIFE SENTENCES AZ DOC**
- Felix Mendez – 16yo killed 65yo woman on her birthday Mendez driving 100+MPH during FTY - **LIFE WITH POSSIBLE RELEASE AFTER 25 YEARS AZ DOC**
- Roberto Medina – 1 UDA killed in car accident on I-10 during FTY – **7 YEARS AZ DOC / FEDERAL PROSECUTION**
- Elanah Tucker – killed passenger while smuggling UDAs in a car accident at Benson exit doing 90+ MPH during FTY – **16 YEARS AZ DOC PLUS PROBATION TAIL**
- Erick Diliz – killed 3 UDAs on I-10 in a roll over accident doing 100MPH during FTY – **SET FOR TRIAL IN MAY**
- Jairo Castro Guzman – killed 1 UDA during 100+MPH FTY on I-10 – **15 YEARS AZ DOC**
- Keyston Rushion Campbell – killed 1 UDA in a roll over accident – **19.5 YEARS AZ DOC**
- Suspect at Large – killed 1 UDA in a roll over accident in Benson
- Driver Deceased - killed 2 UDAs in an accident in Douglas



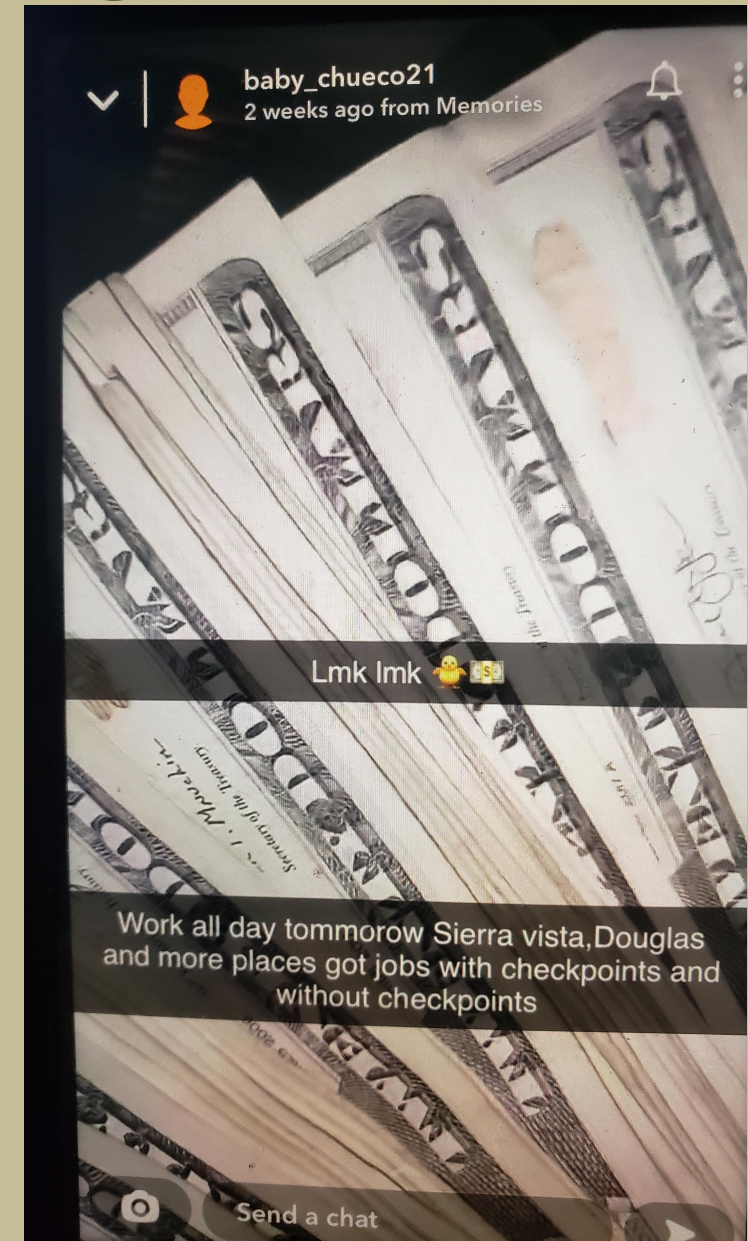
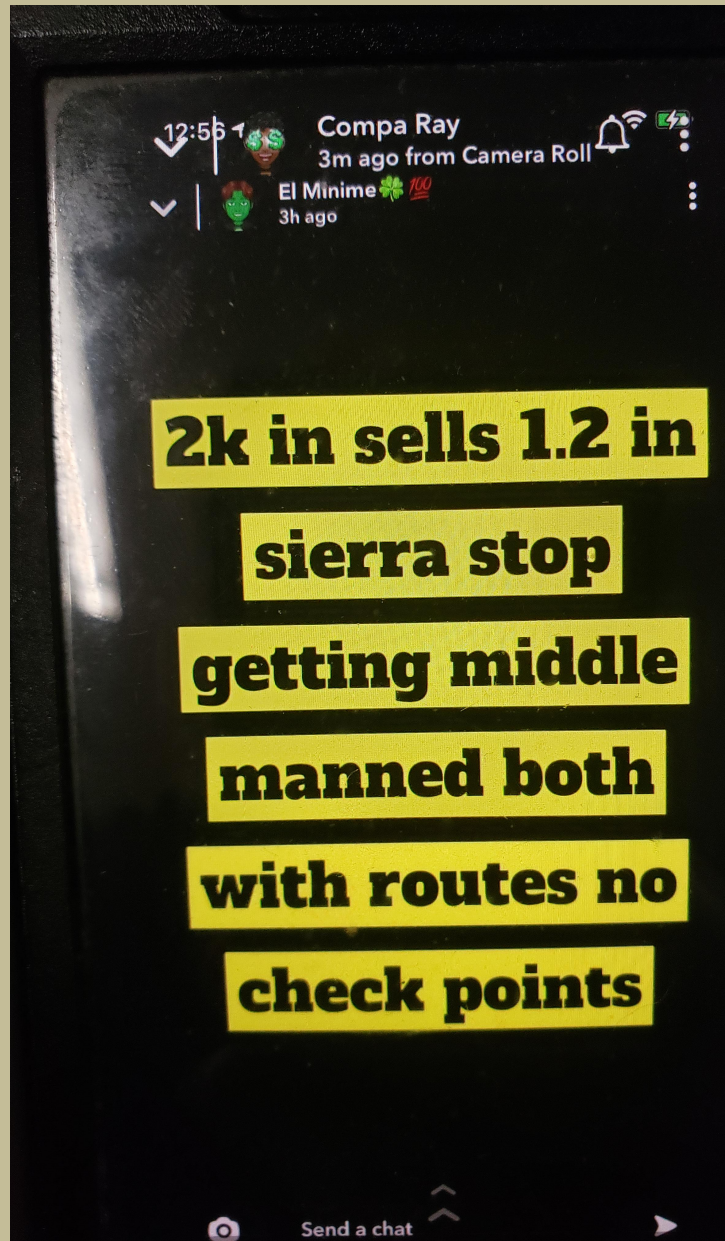
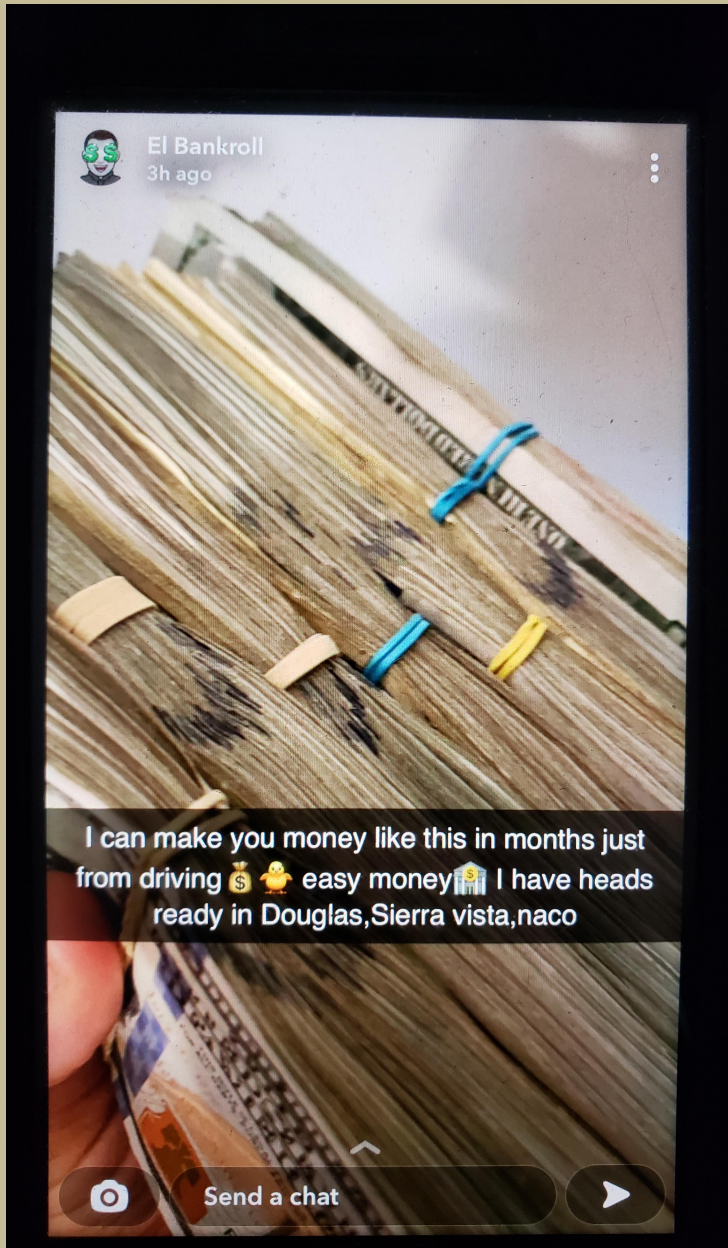
# Juvenile Prosecutions

- In 2022, ~15 Juveniles were prosecuted under federal law by the U.S. Attorney's Office in cases designated as Border Crimes in our region

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- In 2022, the Cochise County Attorney's Office prosecuted 49 Juveniles  
~38 as adults and ~11 as juveniles in cases designated as Border Crimes
- In 2023, the Cochise County Attorney's Office prosecuted 33 Juveniles  
~20 as adults and ~13 as juveniles in cases designated as Border Crimes
- In 2024, the Cochise County Attorney's Office prosecuted 20 Juveniles  
~13 as adults and ~7 as juveniles in cases designated as Border Crimes

# Social Media Recruiting



# Fentanyl

- ~2020 Fentanyl took over as primary narcotic drug
- Drug Prosecution Unit noted a transition from trafficking of Marijuana to Fentanyl
  - *almost always disguised as Oxycodone (counterfeit Oxycodone M30)*
- “Since 1/1/2023 Cochise County law enforcement has seized over 980 pounds of fentanyl. To put that in perspective, only 12,000 pounds of fentanyl was seized across the entire nation in all of 2023” – CCSO Commander Robert Watkins

# STATE V. JOSE ROMERO BORBON 02/06/2023

15,000 pills = ~\$375,000 (east coast)



# COCHISE COUNTY ATTORNEY'S OFFICE

## **Alternative to Prosecution Programs**

Lori Zucco, County Attorney  
Krist-Anah Watkins, Alternative Prosecution  
Program Manager

# GRACe

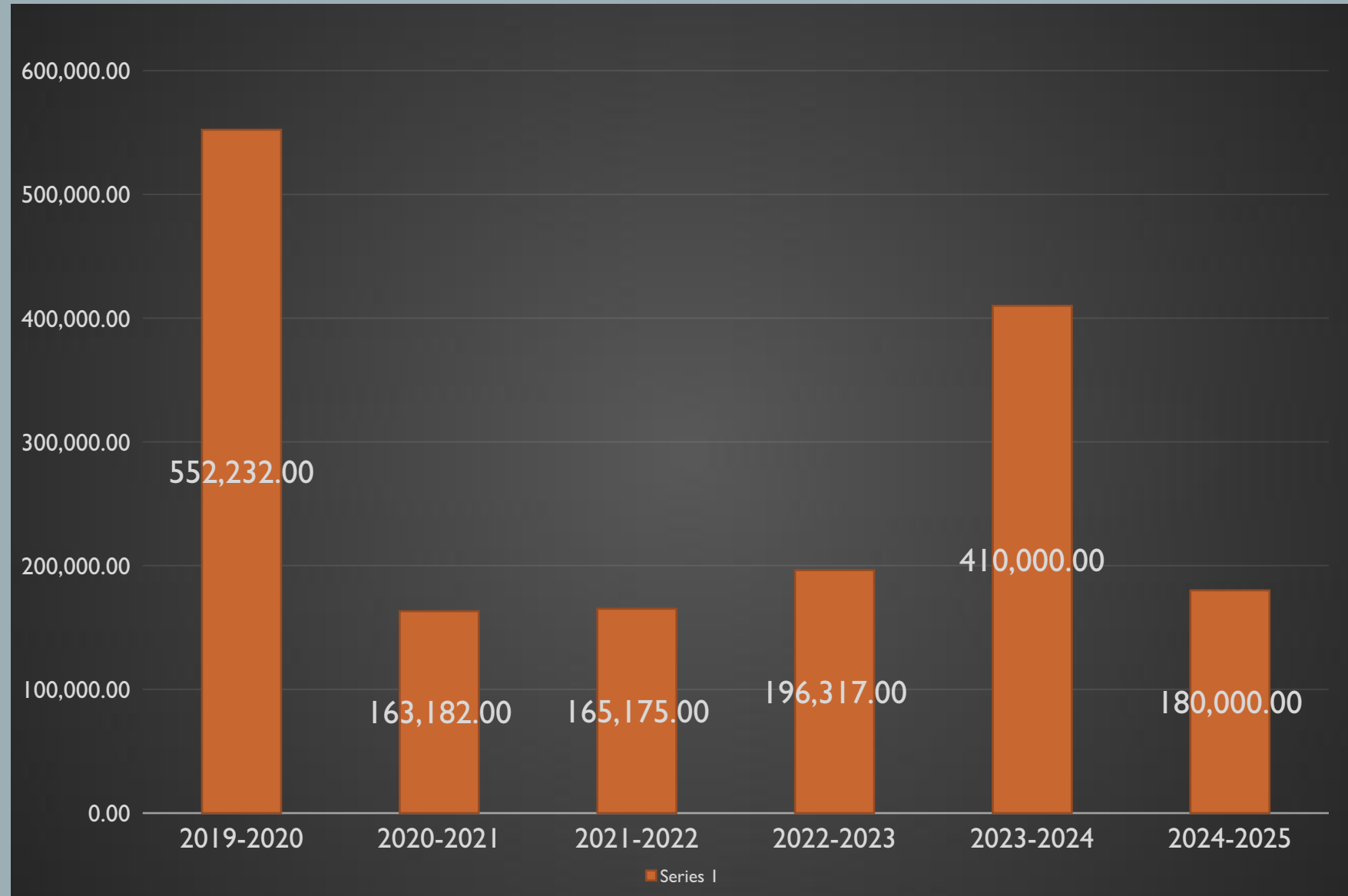
Giving  
Recovery  
A  
Chance

A Mental Health  
Diversion Program

## GRACe:

- Was developed and implemented in 2020 to combat the exorbitant cost associated with the Rule 11 process
- Developed in partnership with law enforcement, public health agencies, and community organizations

# RULE II COST





GRACe  
Savings

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2020-Present  
Estimated  
\$5 Million  
Dollars

# ALTERNATIVE TO PROSECUTION PROGRAMS

## GRACE

Traditional Diversion

Drug Diversion

Traffic Diversion

Misdemeanor Diversion

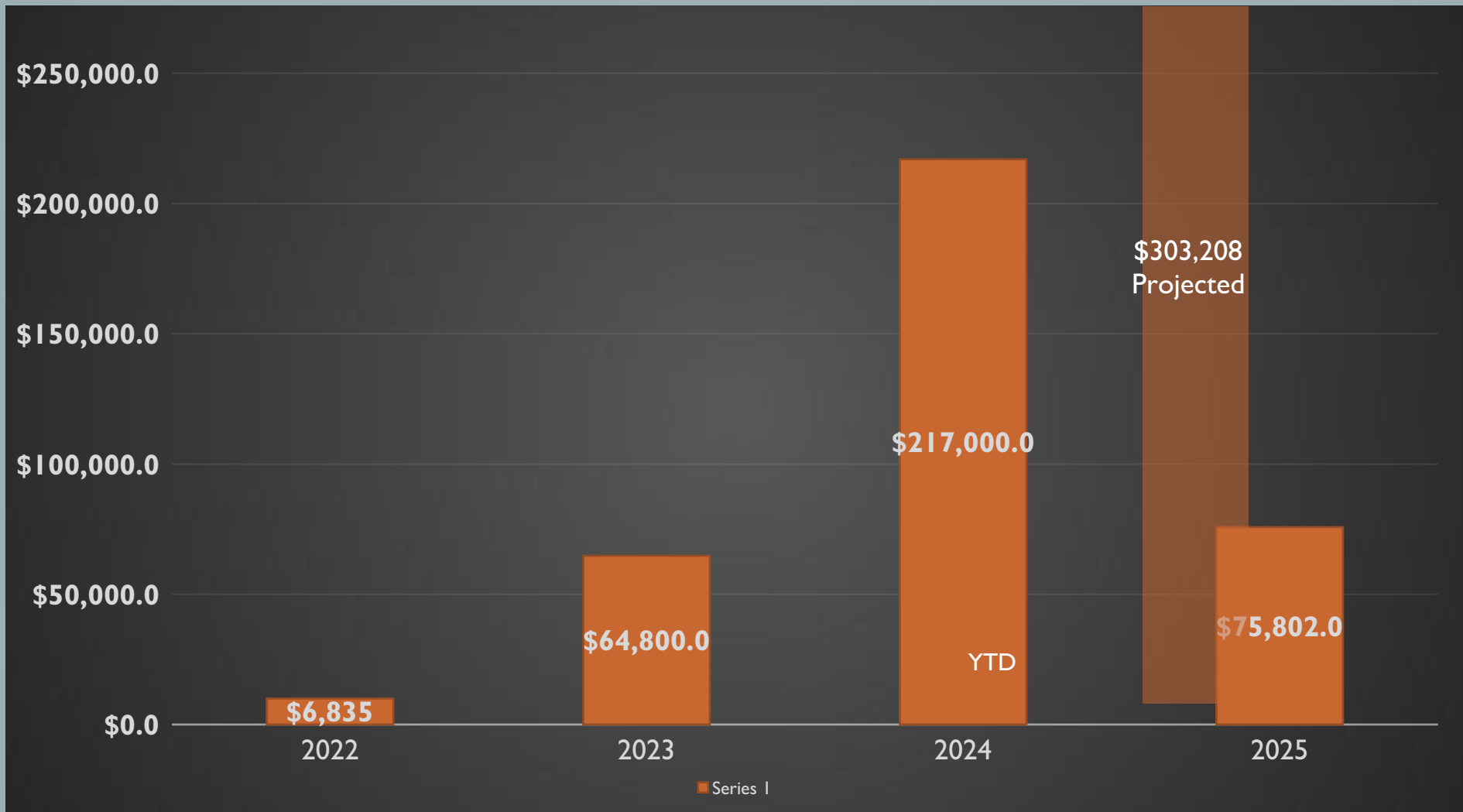
Petty Crimes

# OVERVIEW OF THE OTHER ALTERNATIVE TO PROSECUTION PROGRAMS

## **Traditional Diversion, Drug Diversion, Traffic Diversion**

- In 2023, CAO obtained a half million-dollar grant from the Arizona Criminal Justice Commission
- Successfully diverted over 1,000 cases, significantly reducing costs associated with prosecution and incarceration and delivering substantial savings to taxpayer

# YEARLY REVENUE – ALTERNATIVE PROSECUTION



PER ARS §11-363 – MONEY COLLECTED MUST  
BE USED FOR DIVERSION PROGRAMS

B. Monies in the fund shall be used at the discretion of the county attorney for administering deferred prosecution programs established pursuant to section 11-361.

## MEASURABLE OUTCOMES & COMMUNITY IMPACT

- Reduction in traditionally prosecuted cases
- Over 1,000 cases diverted annually
- Consistently above 80 percent success rate
- Reduces court time, legal fees, and incarceration cost
- Frees up prosecutorial resources for serious and violent crimes

# MEASURABLE OUTCOMES & COMMUNITY IMPACT CONT.

## **Community Impact / Health Outcomes**

- Participants are able address their individual challenges and often permanently exit the criminal justice system.
- Early intervention helps prevent relapse and future arrests.

## **Cost Savings**

- Saves court time, legal fees, and incarceration cost
- Frees up prosecutorial resources for serious and violent crimes

## **Recognition and Expansion:**

2020 Arizona Counties: Summit Award Winner

2022 National Association of Counties: Achievement Award Winner

# Cochise County Attorney's Office

Funding Request FY25-26

ADRS Legal Secretary II

# County Attorney Funding Request

## ADRS Legal Secretary II - \$55,000 including EREs

- Arizona Disposition Reporting System (ADRS) electronic reporting is becoming mandatory pursuant to ARS §41-1750 – Go Live date April 14, 2025
- In 2020 CAO received \$150,000 ADRS Grant to purchase by Prosecutor by Karpel (PbK) an electronic case management system which has increased efficiency in CAO just in time for the spike in border related crime
- Most counties in AZ and the defense bar use PbK/DbK which allows seamless, real-time transfer of defendant information, disclosure and digital evidence
- The deal was: Grant funds must be used towards to the ADRS Automation Project which are the requirements of ARS §41-1750 and which PBK makes possible with additional effort

# Meeting ADRS Requirements with Reduced Staffing: An Overview of Current Challenges

- 7 felony legal secretaries were reduced to 5 removing a legal secretary supervisor position.  
(with the loss of 2 border crimes secretaries with the DEMA grant ending)
- Each felony secretary is responsible for between 150-250 felony cases
- Complying with the ADRS reporting requirement will require a minimum of 40hrs per week for data entry and correction
- Many other counties in Arizona, of similar size, have dedicated 1-3 full time employees to comply with this requirement

# Do we HAVE to?

ARS § 41-1750(U): In order to ensure that complete and accurate criminal history record information is maintained and disseminated by the central state repository:

- 9. In every criminal case in which the defendant is incarcerated or fingerprinted as a result of the charge, an originating law enforcement agency or prosecutor, within forty days of the disposition, **shall** advise the central state repository of all dispositions concerning the termination of criminal proceedings against an individual arrested for an offense specified in subsection C of this section. This information shall be submitted on a form or in a manner required by the department.
- 10. Dispositions resulting from formal proceedings in a court having jurisdiction in a criminal action against an individual who is arrested for an offense specified in subsection C of this section or section 8-341, subsection Q, paragraph 3 **shall** be reported to the central state repository within forty days of the date of the disposition. This information shall be submitted on a form or in a manner specified by rules approved by the supreme court.

The “manner required/specified” will now be ADRS electronic reporting. Failing to comply may result in loss of access and other consequences.

# Why does it matter?

- Fingerprinting happens on every jail booking, for all felonies, and for many misdemeanors (Domestic Violence, DUI, Theft, etc.)
- ADRS estimates that over 26.2% of criminal histories are incomplete. 1,435,885 Felony Charges show NO disposition recorded. Our CCSO clean up, alone is over 30,000 charges.
- Accurate criminal histories are important to everyone; law enforcement, victims, and offenders.
- Victims – if dispo is “unreported” on CCH, then repetitive offenders are not adequately punished or charged
- Offenders – if dispo is “unreported” on CCH this will cloud security clearances, firearm rights, housing opportunities, professional opportunities.

# ADRS Legal Secretary II

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- Salary \$38,000 - \$40,000 + EREs
  - Totaling: \$55,000 including EREs
- ADRS Compliance fulfills our end of the agreement with the ADRS Grant to purchase PbK and our obligations under the law
- ADRS estimates over 26.2% of criminal histories are not accurate or incomplete. CAO backlog over 50,000 charges.
- PbK allows the CAO to be more responsive to the public in our role as ministers of justice
- With the near 30% reduction in Felony Legal Secretaries, we do not have the manpower to comply with ADRS, which impacts public safety and tracking felony criminal histories

# THANK YOU

Lori Zucco, County Attorney

Kenny Reeves, Chief of Staff

Krist-Anah Watkins, Alternative Prosecution Program Manager

Dallas Bullington, Technology Project Manager