

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Coconino
Name	Jonathan Apirion
Website	apirion.org
Email	apirion@apirion.org

Q2

How long have you been engaged in the active practice of law?

15 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

Navajo County Attorney's Office and Coconino County Attorney's Office (most of my work has been in criminal law)

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

(1) Substantial experience with criminal law and felony trial practice. (More than 65 jury trials.) (2) Substantial experience running small groups with large responsibilities, which is exactly what a team of trial attorneys is. Note: My experience running small groups with large responsibilities comes from work I did before I became an attorney in the guiding and instruction field, managing, supervising and training groups of guides as well as when running my own expeditions.

Q5

Please explain what you believe are the most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

I believe we are at a critical turning point in facing the realities of the failed war on drugs. The punishments and police powers associated with crime fighting should be limited to clearly criminal activity. The use of force or intrusive surveillance by police should be limited to taking those actions that a citizen would take themselves, if they could. Treating drug use as a crime causes specific problems for prosecutors. It engenders hypocrisy among prosecutors who may have used some banned substance when they were younger but who have never thought of that activity as reflecting the sort of moral unfitness that should have resulted in a criminal conviction that would have barred them from becoming an attorney.

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

I would shift prosecution resources away from victimless crimes and make some of the resources that have been used for the criminal prosecution of victimless crimes available for treatment programs. I would challenge the assumption that prosecutors are a necessary part of drug court programs. Prosecutors shouldn't be acting as social workers, they should be getting out of the way of social workers and treatment professionals. Drug courts have some success because they offer support that people may have never had before. The threat of criminal punishments for substance abuse issues may have some apparent utility, but it's not a sustainable, healthy system. The necessary recognition that addiction or substance abuse problems are real has too often led to judges to give undue mitigation when a criminal who has committed a real crime that harmed someone else. Substance abuse or addiction problems may make a person who has a criminal impulse more likely to commit a serious crime, but that does not in any way excuse or mitigate the real crime. Neither alcohol intoxication, nor any other form of intoxication, should result in lighter sentences for serious crimes. The way this issue is currently handled creates a perverse incentive to use some sort of intoxicant or maintain some sort of addiction when committing crimes because doing so can result in reduced sentences.

Q2

Please describe any key changes you plan to make to the County Attorney’s office

In addition to what I said above, the particular office I concerned with has had a system of policies in place that fail to give trial attorneys authority and discretion that is proportional to and commensurate with their responsibilities. Giving trial attorneys appropriate discretion does not mean a reduction in supervision, it means working with them on the decisions they have made and adjusting their responsibilities and assignments if they are having problems making good decisions with a given caseload rather than trying to make their important decisions for them, which interferes with their ability to take full responsibility and ownership over their cases.

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

OPPOSE

Financial profit incentives have no place in the criminal justice system. This is why forfeiture has become such a huge area of abuse by law enforcement agencies.

Q2

What is your position on Mandatory Minimums?

OPPOSE

Q3

What is your position on Truth-in-Sentencing?

SUPPORT

I support truth in sentencing on behalf of victims, the community and public trust in the justice system. However, it can mean different things and can reduce the discretion to adjust sentences to address the realities of real change and rehabilitation among those who have been convicted. Truth in sentencing does not necessarily have

to include eliminating options for recognizing real change in those who have been sentenced, so long as the possibilities of sentence reductions are clearly stated at the time of sentencing.

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

- YES: Engage a multi-ethnic, inter-generational community strategy
- YES: Reduce schools' overreliance on the justice system
- NO: Eliminate transfer of minors to adult court (sometimes it is appropriate)
- YES: Increase Community Supervision
- YES: Provide sufficient and affordable drug and mental health treatment in the community
- YES and NO: Divert offenders into problem solving courts with appropriate community services (Some, like veterans court and mental health court are excellent Others, like drug court, look good, but are problematic in their current form.)
- YES: Reduce the length of sentences
- YES: Revise the criminal code to decriminalize health issues e.g. drug abuse and mental illness
- YES: Ensure an appropriate social safety net for the poor and working poor
- YES: Expand and subsidize pre-K programs and after school programs in schools
- YES: Provide full spectrum educational opportunities for inmates
- YES: Offer the full spectrum of religious services for inmates
- YES: Provide support group recovery programs (12-step, rational recovery)
- YES: Provide group counseling with cognitive-behavioral programming materials for inmates
- YES: Provide assessment and treatment for inmates with mental health needs
- YES: Provide meaningful work opportunities for inmates
- YES: Provide opportunities for restorative justice programs
- YES: Provide full-scale recreational programs involving both active and passive activities
- YES: Provide full and inclusive libraries for inmates
- YES: Encourage and facilitate visitation with family and friends
- YES: Increase pro-social incentives by earned release time

- YES: Decrease use of solitary confinement and minimize length of time in solitary
- YES: Pre-release transition programs with sufficient services
- YES: Re-entry programs in the community run by ex-offenders to ease the transition
- YES: Punishment and redirection short of prison for technical parole violators
- NO: Passage of legislation prohibiting discrimination in employment based on felony record (It would be better to eliminate felony designation for many different types of crimes)
- NO: Automatic restoration of voting rights upon completion of sentence

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

I would support the good work that is being done by people who have been involved with the juvenile justice system. It is, and should be, different than the system for adults.

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer adequate services for that population. What steps would you take to decrease the use of jails and prisons as holding stations for the mentally ill?

A county attorney can't fix this problem by themselves. However, as county attorney I would continue to support the Coconino County mental health court program, the civil attorney's who work on putting into place appropriate supervision for people with ongoing mental health problems and I would take every opportunity to remind decision makers about just how big a problem this is and the need to address it.

Q7

What is your perspective on racial

This is a huge problem. I do believe that the criminalization of victimless crimes such as substance use contributes to this problem. Most officers set aside racial and

disparity in the criminal justice system? In general and specifically, what tracking measure would you put in place to monitor prosecutorial practices, and what mitigation and accountability measures would you put in place to address racial disparity?

such as substance use contributes to this problem. Most officers set aside racial and class biases when dealing with serious crimes like murder, assault or theft. However, when dealing with something like drug use, they may be more likely to target someone against whom they have some bias while letting someone go who looks like them.

Q8

Given the Supreme Court's recognition that consideration of immigration consequences should be a part of the plea bargaining process, what policies and procedures, if any, would you implement to promote the consideration of immigration consequences on a case-by-case basis?

I am not sure this is something for which I could have a fixed policy. However, when I served as a prosecutor, there were times when I listened to what a defense attorney had to say about the immigration effects a conviction would have on an individual defendant and their family, and I often used my discretion to tailor a resolution that would not disproportionately and unfairly punish someone because of their immigration status..

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Coconino
Name	Gary Pearlmutter
Website	garypearlmutter.com
Email	gpearlmutter.law@yahoo.com

Q2

How long have you been engaged in the active practice of law?

24 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

Coconico County since 1993

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

I have a well-balanced background in criminal justice and public administration distinguishes me from my opponent.
I also have extensive criminal trial experience.
Just as important, I have drafted legislation. I successfully led the effort to re-write the Arizona Public Defender Statute.

Q5

Please explain what you believe are the

most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

What distinguishes me from my opponent is that I have a comprehensive background in criminal justice and record as a leader of innovation. I am well versed in the issues and concerns within the county’s criminal justice system and in the efforts for innovation within it and elsewhere in our country.

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

I will focus on mental health, child abuse and drug and alcohol abuse treatment.

Q2

Please describe any key changes you plan to make to the County Attorney’s office

I want to improve the charging unit
I also want request a seat on the Flagstaff Citizen Liaison Committee. An important key to an effective criminal justice system is good communication with the public and transparency.

I further believe that we as lawyers in the criminal justice system need to do a better job of educating the public about what works to reduce crime and what the science is telling us.

Societal Issues

Q1

What is your position on contracting

with for-profit prisons?

OPPOSE

I strongly oppose for-profit prisons. I do not believe that Arizona should have ever entered into contracts for them. They now actively lobby to remain in Arizona, but to continue to expand private prisons.

Q2

What is your position on Mandatory Minimums?

OPPOSE

I oppose mandatory minimums for non-violent offenders, including non-violent repeat offenders.

Q3

What is your position on Truth-in-Sentencing?

UNSURE

The truth and sentencing law in Arizona follows the federal standard that requires a defendant sentenced to prison to serve 85% of his sentence, before he is eligible for release onto community supervision

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

- X Engage a multi-ethnic, inter-generational community strategy
- X Reduce schools' overreliance on the justice system
- X Eliminating automatic transfers of minors to adult court, but provide for a procedure to petitions in juvenile court for transfer to the adult court
- X Extend the jurisdiction of the juvenile court beyond 18 years of age
- X Increase Community Supervision
- X Provide sufficient and affordable drug and mental health treatment in the community
- X Divert offenders into problem solving courts with appropriate community services
- X Reduce the length of sentences
- X Advocate for civil commitment statutes for drug abusers
- X Ensure an appropriate social safety net for the poor and working poor
- X Expand and subsidize pre-K programs and afterschool programs in schools
- X Provide full spectrum educational opportunities for inmates

- X Offer the full spectrum of religious services for inmates
- X Provide support group recovery programs (12-step, rational recovery)
- X Provide group counseling with cognitive-behavioral programming material for inmates
- X Provide assessment and treatment for inmates with mental health needs
- X Provide [more] meaningful work opportunities for inmates
- X Provide opportunities for restorative justice programs
- X Provide more recreational programs involving both active and passive activities
- X Encourage and facilitate visitation with family and friends
- X Increase pro-social incentives by earned release time
- X Decrease use of solitary confinement and minimize length of time in solitary
- X Pre-release transition programs with sufficient services
- X Re-entry programs in the community run by ex-offenders to ease the transition
- X Significantly improve the libraries for inmates
- X Punishment and redirection short of prison for technical parole violators
- X Passage of legislation prohibiting discrimination in employment based on felony record
- X Automatic restoration of voting rights upon completion of sentence

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

I would support the expansion of after-school programming for juveniles, who have no structured program or home environment in the afternoons and early evening. I would also support the use of early needs assessment upon entry into the juvenile system to improve diversion of low risk offenders and identify early on the needs of the medium to high risk offenders. Furthermore, I would look to improve alternatives to detention, when juveniles are unable to return home for whatever reason.

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer adequate services for that population. What steps would you take to decrease the use of jails and prisons as holding stations for the mentally ill?

The better practice would be for the County Attorney to work more closely with the doctors early in the process, including actually drafting the petitions, so that they are in compliance with our statutes.

Q7

What is your perspective on racial disparity in the criminal justice system? In general and specifically, what tracking measure would you put in place to monitor prosecutorial practices, and what mitigation and accountability measures would you put in place to address racial disparity?

Parity and fairness in the charging and plea-bargaining process is highly important. I would be willing to consider a study, in which data is collected on the race, ethnicity and nationality of defendants to evaluate whether there is parity and fairness in the charging and plea-bargaining process. I would want absolute transparency with regards to the data collected and analyzed, as long as privacy of individual is maintained

Q8

Given the Supreme Court's recognition that consideration of immigration consequences should be a part of the plea bargaining process, what policies and procedures, if any, would you implement to promote the

. I would have a policy that directs the deputy county attorneys to consider immigration consequences for non-violent offenders and dreamers and others whose families have been in the United States for a significant part of their lives. The deputies should also consider the nature of the offense (i.e. low level offenses, such as possession of marijuana and shoplifting), along with any objective information

**consideration of immigration
consequences on a case-by-case basis?**

that an offender's life would be significantly endangered, if returned home.

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Coconino
Name	Bill Ring
Website	www.billringforcountyattorney.com
Email	billringforcountyattorney@gmail.com

Q2

How long have you been engaged in the active practice of law?

28 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

* Coconino County Attorneys Office - 15 Years;
All aspects of the County Attorneys Office, both criminal (juvenile, misdemeanor, felony) and civil (advising County government in the performance of its service delivery).
* Law Office of William P. Ring, P.C. – 12 years;
A civil practice in community development.

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

*I have 15 years direct experience in the Coconino County Attorneys Office
I started with the Office in 1989 as a juvenile prosecutor and civil attorney. I followed the progression through misdemeanor and felony prosecution to major crimes including homicide, aggravated assault and child abuse.
* Currently I am the Senior Civil Attorney giving advice and counsel to the County's many governmental functions.
* I served on many civic boards and commissions including the Sustainable Economic

Development Initiative, Bothands (for affordable housing solutions), and the City of Flagstaff/Coconino County Regional Plan Advisory Committee, the comprehensive land use planning committee for Flagstaff and Coconino County.

Q5

Please explain what you believe are the most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

The principle issue is choosing the right advocate for justice in Coconino County. The question and answer is leadership. The County Attorney leads the vision, the priorities, the tone, and the tempo of the 43-person Office. We address crime, victimization and injustice. We care about security and community wellbeing. The County Attorney delivers justice through the rule of law. We task the right people in the Office to do what needs to be done. We train and re-train our team to consistently deliver the best level of talented public service. We are fiscally responsible and we are accountable for the results. The County Attorney is our Community's advocate for Justice. I am the only candidate with true experience. I've devoted most of my professional career to the Coconino County Attorneys Office. This means advancing on the gains we've made in restorative justice, alternative courts like Veterans Court, Drug Court, Mental Health Court and other diversionary programs and solutions-based prosecutions.

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

1. Bordertown Task Force. Our communities in Coconino County are diverse and the presence of the great Native American Nations introduce amazing opportunities for sharing, learning and for cooperation. A Task Force Report can suggest a project list, if that's what the Task Force leads to, and then we can consider funding. There is little capital needed to begin this project. 2.
- Coaching and Mentoring. Our Office has 43 dedicated people working for Justice. My program will focus on coaching and mentoring. Because there is a multiplier present, any inputs for training will provide a greater return on the investment through ever better work results. 3. Focusing on

through our better work habits. ... focusing on
Injustices through the data. For example, would a reading program in a jail setting reduce recidivism? Would economic development programs in cooperation with our Nations improve Bordertown issues and reduce the likelihood that minority populations also disproportionately compose our jail populations? Critical research and thinking about our biggest injustices can lead to surprising answers that improve our common wellbeing.

Q2

Please describe any key changes you plan to make to the County Attorney's office

I would create the position of Investigator, a person who could be tasked with taking a closer look at issues of importance to the Board of Supervisors and the community and that the County Attorney could act upon within the Office's jurisdiction. Other County Attorneys have this position. It is a useful position. An investigator would increase the Office's human capital by adding a skill set the Office does not currently have but would find useful. I would apply the position to improve our Community welfare.

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

We need a Legislature to provide funding for constitutionally adequate prison services and reduce total prison counts.

OPPOSED

Q2

What is your position on Mandatory Minimums?

OPPOSED

While I support mandatory minimums for offenses I do so for the constitutional reason that consequences need to be uniform for every citizen throughout a very diverse State. At the same time, the challenge is being able to arrive at a fair and uniform starting point. That initial minimum is a legislative decision where uniformity first arises. The question is whether the minimum sentences established are initially fair or impose disproportionate impacts from their very inception

Q3

What is your position on Truth-in-Sentencing?

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

- o → Engage a multi-ethnic, inter- o Reduce schools' overreliance on generational community strategy the justice system
- o → Divert offenders into problem solving courts with appropriate community service
- o → Expand and subsidize pre-K programs and after school programs in schools
- o → Provide full spectrum educational opportunities for inmates
- o → Provide assessment and treatment for inmates with mental health needs
- o → Provide opportunities for restorative justice programs

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

I do not know that this conclusion is true, but it is true that juvenile criminal justice is the best local opportunity for restorative justice, social service intervention, educational and vocational training, and habilitation/rehabilitation. With innovative approaches already in place in Coconino County we will continue to take a solutions-based approach to juvenile justice

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer adequate services for that population. What steps would you take to decrease the use of jails and prisons as holding stations for the mentally ill?

I do not doubt that this trend is true. Providing mental health care to inmates carries the same equivalent weight as the duty to provide physical health care to inmates. Incustody treatment is a constitutional requirement that, at a minimum, must be personal treatment and where the formularies for medicines are aligned. But jails are not a substitute for community health care, and there should be interventions that occur prior to the jail booking station. We inadvertently ask our police officers to be social workers and mental health care specialists. The communities should provide diversionary stations for temporary placement of individuals to de-escalate. Coconino County and its providers are cooperating on mobile intervention and

temporary de-escalation centers. I support this work

Q7

What is your perspective on racial disparity in the criminal justice system? In general and specifically, what tracking measure would you put in place to monitor prosecutorial practices, and what mitigation and accountability measures would you put in place to address racial disparity?

Every citizen we come in contact with is entitled to life, liberty, decency and respect. With that said, we must be vigilant in identifying when and where racial disparity occurs, and why a criminal justice system may inadvertently tolerate disparate treatment. The Criminal Justice Coordinating Council is a body capable of tracking disparate impacts where they occur and I will work closely with CJCC to remain informed and aware of disparate impacts. My County Attorneys Office will not tolerate disparate treatment

Q8

Given the Supreme Court's recognition that consideration of immigration consequences should be a part of the plea bargaining process, what policies and procedures, if any, would you implement to promote the consideration of immigration consequences on a case-by-case basis?

This item is already a case-by-case consideration in the Coconino County Attorneys Office and I will continue the trend.

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Maricopa
Name	Bill Montgomery
Website	www.montgomery2016.com
Email	MontgomeryforCA2016@gmail.com

Q2

How long have you been engaged in the active practice of law?

15 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

The Maricopa County Attorney's Office, Criminal Law for approximately 11.5 years

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

My leadership training and experience qualifies me to lead one of the largest law firms in the state with over 360 prosecutors, 45 civil attorneys, and another 600 employees.

Q5

Please explain what you believe are the

most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

With a 50-year low in crime, increased community outreach promoting education and awareness from crime prevention to substance abuse, we have moved from an Office mired in controversy to one nationally recognized as a high performing prosecution agency making a difference in our community.

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

Three main programs consist of: Recidivism reduction, intelligence focused prosecution, and enhanced case management system.

Q2

Please describe any key changes you plan to make to the County Attorney's office

Other than future expansion of the Felony Pretrial Intervention Program and developments from the Intelligence Focused Prosecution approach, there are no major changes planned. Most major changes were made in the first 2 – 3 years of my serving in office

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

UNSURE

I say unsure because a County Attorney does not decide nor can I even recommend where a defendant is incarcerated. That is a state level decision. Nevertheless, it is important to note that whether a prison is for-profit or non-profit is immaterial.

Q2

What is your position on Mandatory Minimums?

SUPPORT

Minimums also help ensure consistent justice over time that is beneficial for deterrence and for establishing the framework within which defense and prosecution can work to resolve cases short of trial.

Q3

What is your position on Truth-in-Sentencing?

SUPPORT

You have to first commit a crime for which prison can be imposed before the 85% time served requirement is applicable.

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

- o Engage a multi-ethnic, inter-generational community strategy
- o Increase Community Supervision
- o Provide sufficient and affordable drug and mental health treatment in the community
- o Divert offenders into problem solving courts with appropriate community services
- o Ensure an appropriate social safety net for the poor and working poor
- o Provide full spectrum educational opportunities for inmates
- o Offer the full spectrum of religious services for inmates
- o Provide support group recovery programs (12-step, rational recovery)
- o Provide group counseling with cognitive-behavioral programming materials for inmates
- o Provide assessment and treatment for inmates with mental health needs
- o Provide meaningful work opportunities for inmates
- o Provide opportunities for restorative justice programs

- o Provide full-scale recreational programs involving both active and passive activities
- o Provide full and inclusive libraries for inmates
- o Encourage and facilitate visitation with family and friends
- o Increase pro-social incentives by earned release time
- o Decrease use of solitary confinement and minimize length of time in solitary
- o Pre-release transition programs with sufficient services
- o Re-entry programs in the community run by ex-offenders to ease the transition
- o Punishment and redirection short of prison for technical parole violators
- o Automatic restoration of voting rights upon completion of sentence

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

Currently, we divert 80-90% of youth and our juvenile arrest rate index has been steadily declining over the last several years.

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer adequate services for that population. What steps would you take to decrease the use of jails and prisons as holding stations for the mentally ill?

Advocate for a wholesale change in how we address those with mental illness with a community based model that keeps people from coming into contact with the criminal justice system in the first place. Part of that effort includes destigmatizing mental illness.

Q7

What is your perspective on racial disparity in the criminal justice system? In general and specifically, what tracking measure would you put in place to monitor prosecutorial practices, and what mitigation and accountability measures would you put in place to address racial disparity?

To prevent any kind of bias, whether implicit or confirmation bias, my office conducts training to keep prosecutors mindful of the need to look at evidence in an objective manner and to be mindful of the need to step back and assess cases whenever new information is presented.

Q8

Given the Supreme Court's recognition that consideration of immigration consequences should be a part of the plea bargaining process, what policies and procedures, if any, would you implement to promote the consideration of immigration consequences on a case-by-case basis?

None. The U.S. Supreme Court's comments are dicta and in a federal system of government may apply to federal prosecutors but are wide of the mark when it comes to state and local prosecutors.

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Maricopa
Name	Diego Rodriguez
Website	www.Rodriguez2016.com
Email	Diego@rodriguez2016.com

Q2

How long have you been engaged in the active practice of law?

21 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

Pima County- deputy County Attorney
Own practice since 2008

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

In the approximately 4 years I was in that office I tried well over 60 felony jury trials ranging from DUI to first degree homicide. I have been on the ground working line case on both sides of criminal courtroom. I also have extensive experience on both sides of complex civil matters such as: toxic torts, employment law, class actions, wrongful death and breach of contract actions.

Q5

Please explain what you believe are the most significant issues in this race, why

I am running for this office because I understand how dangerous and destructive it is

you are running for this position and what differentiates you from the other candidate(s)?

to have a county attorney who does not understand that the main purpose of the office is to do justice!

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

Implementation of more robust, Veterans, Drug and Mental Health Courts, Community Outreach designed to promote communication with our citizens so we can live in safer neighborhoods and active research into how best to reduce new crimes and recidivism.

Q2

Please describe any key changes you plan to make to the County Attorney’s office

Key changes will include a simplified and more consistent plea policy, new community outreach programs

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

I am morally opposed to the private prison industry.

OPPOSE

Q2

What is your position on Mandatory Minimums?

OPPOSE

minimums remove the human element from the concept of justice by limiting the sentencing options available to the judge regardless of the individual factors which may be present in a given case.

Q3

What is your position on Truth-in-Sentencing?

SUPPORT

Transparency promotes confidence in the fair administration of justice.

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

- o Engage a multi-ethnic, inter-generational community strategy
- o Reduce schools' overreliance on the justice system
- o Increase Community Supervision
- o Provide sufficient and affordable drug and mental health treatment in the community
- o Divert offenders into problem solving courts with appropriate community services
- o Revise the criminal code to decriminalize health issues e.g. drug abuse and mental illness
- o Ensure an appropriate social safety net for the poor and working poor
- o Expand and subsidize pre-K programs and after school programs in schools
- o Provide full spectrum educational opportunities for inmates
- o Offer the full spectrum of religious services for inmates
- o Provide support group recovery programs (12-step, rational recovery)
- o Provide group counseling with cognitive-behavioral programming materials for inmates
- o Provide assessment and treatment for inmates with mental health needs
- o Provide meaningful work opportunities for inmates
- o Provide opportunities for restorative justice programs
- o Provide full-scale recreational programs involving both active and passive activities
- o Provide full and inclusive libraries for inmates

- o Encourage and facilitate visitation with family and friends
- o Decrease use of solitary confinement and minimize length of time in solitary
- o Pre-release transition programs with sufficient services
- o Re-entry programs in the community run by ex-offenders to ease the transition
- o Passage of legislation prohibiting discrimination in employment based on felony record
- o Automatic restoration of voting rights upon completion of sentence

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

We need to remain focused on improving the education system in our state, as well as improving our social safety net

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer adequate services for that population. What steps would you take to decrease the use of jails and prisons as holding stations for the mentally ill?

I would immediately push to have more resources dedicated to the treatment and care of the mentally ill so there is a safe alternative available to incarceration.

Q7

What is your perspective on racial

disparity in the criminal justice system? In general and specifically, what tracking measure would you put in place to monitor prosecutorial practices, and what mitigation and accountability measures would you put in place to address racial disparity?

I will create system which will track outcomes based on both quantitative and qualitative factors. Once a robust data set is collected then I will be in a better position to make a determination of how best to address this serious issue.

Q8

Given the Supreme Court's recognition that consideration of immigration consequences should be a part of the plea bargaining process, what policies and procedures, if any, would you implement to promote the consideration of immigration consequences on a case-by-case basis?

My office policies will reflect that true justice is based upon the characteristics of each individual and the unique facts and circumstances of each case.

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Pima
Name	Joel Feinman
Website	www.joelfeinman.com
Email	joel@joelfeinman.com

Q2

How long have you been engaged in the active practice of law?

8 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

Assistant Pima County public defender

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

I spent my career as a criminal defense attorney, which means I spent every working moment protecting and defending the rule of law and the Constitution of the United States. I spent days in court and nights and weekends in jail, getting to know police officers, judges, mental health specialists and deputy prosecutors. I lived and breathed the criminal justice system from deep inside its trenches, witnessing policies that wasted taxpayer money and imprisoned the poor and the mentally ill.

Q5

Please explain what you believe are the

1. Prioritize the investigation and prosecution of violent crimes

most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

2. Best ways to reduce future crimes

2. Strengthen public faith in our LE agencies.

The main difference between opponent and me is she believes "all the right people are in prison."

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

- 1. Recruitment and retention policies to boost morale.
- 2. Implement policies to reduce mass incarceration
- 3. Change the fact that Pima County jail is the largest health care provider.

Q2

Please describe any key changes you plan to make to the County Attorney’s office

I plan to immediately implement vertical prosecution. I will no longer make the Pima Co Attorney's main focus prosecuting non-violent drug offenses.

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

For-profit prisons should not exist

OPPOSE

Q2

What is your position on Mandatory Minimums?

One possible solution is making mandatory minimums advisory

UNSURE

Q3

What is your position on Truth-in-Sentencing?

This needs to change.

OPPOSE

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention

- ✓ Engage a multi-ethnic, inter-generational community strategy
- ✓ Reduce schools' overreliance on the justice system
- ✓ Increase Community Supervision
- ✓ Provide sufficient and affordable drug and mental health treatment in the community
- ✓ Divert offenders into problem solving courts with appropriate community services
- ✓ Reduce the length of sentences
- ✓ Revise the criminal code to decriminalize health issues e.g. drug abuse and mental illness
- ✓ Ensure an appropriate social safety net for the poor and working poor
- ✓ Expand and subsidize pre-K programs and after school programs in schools
- ✓ Provide full spectrum educational opportunities for inmates
- ✓ Offer the full spectrum of religious services for inmates
- ✓ Provide support group recovery programs (12-step, rational recovery)
- ✓ Provide group counseling with cognitive-behavioral programming materials for inmates

- ✓ Provide assessment and treatment for inmates with mental health needs
- ✓ Provide meaningful work opportunities for inmates
- ✓ Provide opportunities for restorative justice programs
- ✓ Provide full-scale recreational programs involving both active and passive activities
- ✓ Provide full and inclusive libraries for inmates
- ✓ Encourage and facilitate visitation with family and friends
- ✓ Increase pro-social incentives by earned release time
- ✓ Decrease use of solitary confinement and minimize length of time in solitary
- ✓ Pre-release transition programs with sufficient services
- ✓ Re-entry programs in the community run by ex-offenders to ease the transition
- ✓ Punishment and redirection short of prison for technical parole violators
- ✓ Passage of legislation prohibiting discrimination in employment based on felony record
- ✓ Automatic restoration of voting rights upon completion of sentence

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

I will ensure that the Office understands the spectrum of juvenile behavior is better dealt with through the family and educational institutions

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer adequate services for that population. What steps would you take to decrease the use of jails and prisons as holding

If elected I will change the fact that Pima County Jail is the County's largest mental health care provider and push for implementation of a mental health crisis program

stations for the mentally ill?

Q7

What is your perspective on racial disparity in the criminal justice system? In general and specifically, what tracking measure would you put in place to monitor prosecutorial practices, and what mitigation and accountability measures would you put in place to address racial disparity?

The most important accountability measure I can imagine, and the one that will most immediately and positively impact racial disparities in our justice system, is rethinking how we prosecute the war on drugs.

Q8

Given the Supreme Court's recognition that consideration of immigration consequences should be a part of the plea bargaining process, what policies and procedures, if any, would you implement to promote the consideration of immigration consequences on a case-by-case basis?

The policies and procedures we need to implement are to rethink drug prosecutions, and recognize that a prosecutor's main job is not merely to obtain convictions, but to do justice. All people in the United States are entitled to justice, regardless of their immigration status.

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Pima
Name	Barbara LaWall
Website	www.barbaralawall.com
Email	barbaralawall@yahoo.com

Q2

How long have you been engaged in the active practice of law?

41 years

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

I have been employed by the Pima County Attorney's Office throughout my entire legal career.

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

I have four decades of relevant, on-the-job experience as a prosecutor, service provider to crime victims, developer and manager of diversion programs, developer and manager of crime prevention programs, special investigator, manager of an anonymous tip line, and civil legal advisor.

Q5

Please explain what you believe are the most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

A number of serious public safety issues are significant issues in this race. Pima County is at the epicenter of a major drug trafficking corridor, through which massive quantities of heroin, methamphetamine, cocaine and marijuana are transported, contributing to the ready availability of low-cost, highly dangerous narcotics.

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

* In my next term, I plan to implement a Crime Strategies Unit prosecution program that is presently in the planning stages.
* I will continue to advocate for expansion of treatment alternatives to incarceration for those who suffer from drug addiction and mental illness
*I will continue to work on implementation of the recently-funded MacArthur Foundation Safety + Justice Challenge to reduce Pima County's jail population and eliminate racial and economic disparities through targeted strategies including screening, assessment, and services with alternatives to jail and bail for pretrial defendants

Q2

Please describe any key changes you plan to make to the County Attorney's office

* I plan to complete the process of going paperless and implementing a new case management system with significantly expanded data analytics capability
* I plan to expand the work of the current cutting-edge Trial Support Services Unit
* I plan to allocate more resources to data analytics for the MacArthur Foundation Safety + Justice Challenge.

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

OPPOSE

I am absolutely opposed to private, for-profit prisons, and always have been. Private industry and the "bottom-line" should not be a part of the government responsibility of incarcerating offenders.

Q2

What is your position on Mandatory

Minimums?

Clarification is essential

Q3

What is your position on Truth-in-Sentencing?

SUPPORT

I believe the defendant and the victims should receive truthful information about what term of imprisonment a sentence actually involves. In AZ, truth in sentencing requires defendants to serve 85% of the time they are sentenced to before being eligible for release.

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

X Engage a multi-ethnic, inter-generational community strategy X Reduce schools' over-reliance on the justice system
o Eliminate transfer of minors to adult court
X Increase Community Supervision
X Provide sufficient and affordable drug and mental health treatment in the community
X Divert offenders into problem solving courts with appropriate community services
o Reduce the length of sentences (It would depend on the offense).
o Revise the criminal code to decriminalize health issues e.g. drug abuse and mental illness
X Ensure an appropriate social safety net for the poor and working poor
X Expand and subsidize pre-K programs and after school programs in schools
X Provide full spectrum educational opportunities for inmates
X Offer the full spectrum of religious services for inmates
X Provide support group recovery programs (12-step, rational recovery)
X Provide group counseling with cognitive-behavioral programming materials for inmates
X Provide assessment and treatment for inmates with mental health needs
X Provide meaningful work opportunities for inmates
X Provide opportunities for restorative justice programs
X Provide full-scale recreational programs involving both active and passive activities

- X Provide full and inclusive libraries for inmates
- X Encourage and facilitate visitation with family and friends and children
- X Increase pro-social incentives by earned release time
- X Decrease use of solitary confinement and minimize length of time in solitary
- X Pre-release transition programs with sufficient services
- X Re-entry programs in the community run by ex-offenders to ease the transition
- X Punishment and redirection short of prison for technical parole violators
- X Passage of legislation prohibiting discrimination in employment based on felony record
- X Automatic restoration of voting rights upon completion of sentence
- Others:
- X Bail reform
- X Alternatives to jail to ensure appearances for non-violent, non-dangerous offenders
- X Enhanced use of electronic monitoring in lieu of jail
- X Screening, assessment, and treatment for pretrial detainees in jail
- X Domestic Violence offender education and treatment programs in jail and prison

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

We are leading this effort statewide and nationally. Our Juvenile Detention Center has reduced its daily population from more than four hundred to fewer than several dozen

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer

I have already taken quite a number of steps to implement specialized programs to deal with the mentally ill and substance abuse addicted who are currently detained in the Pima County jail.

**adequate services for that population.
What steps would you take to decrease
the use of jails and prisons as holding
stations for the mentally ill?**

Q7

**What is your perspective on racial
disparity in the criminal justice
system? In general and specifically,
what tracking measure would you put
in place to monitor prosecutorial
practices, and what mitigation and
accountability measures would you put
in place to address racial disparity?**

The only point where racial bias was not found was at the felony charging decision stage.

Q8

**Given the Supreme Court's recognition
that consideration of immigration
consequences should be a part of the
plea bargaining process, what policies
and procedures, if any, would you
implement to promote the
consideration of immigration
consequences on a case-by-case basis?**

It is the policy of my office that all types of collateral consequences of convictions and sentences, including immigration consequences, are to be considered on a case-by-case basis

AJA 2016 Questionnaire

Qualifications

Q1 :

County	Pima
Name	Cyndi Tuell
Website	https://sites.google.com/site/consultingtuell/home
Email	tuellforpimacountyattorney@outlook.com

Q2

How long have you been engaged in the active practice of law?

2007

Q3

Who have been your major employers and what type of law have you practiced since becoming licensed?

Center for Biological Diversity September 2007 – October 2013, self-employed (Tuell Consulting)

Q4

Please describe the qualifications and experiences that make you the best candidate for the County Attorney's

I have a strong understanding of how the County Attorney can not only affect our community regarding criminal law issues, but I also clearly see the County Attorney's role in ensuring our communities have an environment that is safe and healthy.

Q5

Please explain what you believe are the

most significant issues in this race, why you are running for this position and what differentiates you from the other candidate(s)?

I want to ensure people in our community have a county attorney willing to prosecute polluters, willing to hold those who run-down our cyclists and pedestrians accountable in the court system, who prioritizes conservation issues and who advises county agencies about public records and open meetings with a presumption of open government and public participation. We also need to focus on decriminalizing being poor.

Office Management

Q1

Please list the top 3 programs/projects that will be your focus in the upcoming term, why they are important and what are the funding issues associated with the projects

It is clear from recent budget requests from the County Attorney to the Pima County Board of Supervisors that the County Attorney relies heavily on federal funds from asset seizures. I think this is inappropriate. To rely on asset seizure funds creates a perverse incentive for the office to seize funds to ensure revenue, which could be contrary to the interests of justice

Q2

Please describe any key changes you plan to make to the County Attorney’s office

There are three issues that I see as immediately needing change: motorists who kill cyclists or pedestrians need to be prosecuted more vigorously; the County Attorney needs to be more aggressive in engaging in environmental permitting processes such as Rosemont and SunZia and should more often consider litigation to protect the air and water quality in Pima County

Societal Issues

Q1

What is your position on contracting with for-profit prisons?

OPPOSE

For profit prisons create a perverse incentive to encourage recidivism and the maltreatment of the people who are incarcerated. Private prisons should not be allowed.

Q2

What is your position on Mandatory Minimums?

OPPOSE

Human beings should be making the decisions about sentencing other human beings to incarceration.

Q3

What is your position on Truth-in-Sentencing?

UNSURE

Truth-in-Sentencing” can result in people being incarcerated for far longer than necessary, overcrowded prisons, and may simply serve as a way to increase the profits of private prisons. However, the community supervision provision may provide some incarcerated persons with an option to fulfill their obligation to the community outside of prison.

Q4

What, if any, efforts would you lead or join regarding specific reforms relating to incarceration in jail or state prison, pretrial detention and the prevention of recidivism?

- ✓ Engage a multi-ethnic, inter-generational community strategy
- ✓ Reduce schools’ overreliance on the justice system
- ✓ Eliminate transfer of minors to adult court
- ✓ Increase Community Supervision
- ✓ Provide sufficient and affordable drug and mental health treatment in the community
- ✓ Divert offenders into problem solving courts with appropriate community services
- ✓ Reduce the length of sentences
- ✓ Revise the criminal code to decriminalize health issues e.g. drug abuse and mental illness
- ✓ Ensure an appropriate social safety net for the poor and working poor
- ✓ Expand and subsidize pre-K programs and after school programs in schools
- ✓ Provide full spectrum educational opportunities for inmates

- ✓ Offer the full spectrum of religious services for inmates
- ✓ Provide support group recovery programs (12-step, rational recovery)
- ✓ Provide group counseling with cognitive-behavioral programming materials for inmates
- ✓ Provide assessment and treatment for inmates with mental health needs
- ✓ Provide meaningful work opportunities for inmates
- ✓ Provide opportunities for restorative justice programs
- ✓ Provide full-scale recreational programs involving both active and passive activities
- ✓ Provide full and inclusive libraries for inmates
- ✓ Encourage and facilitate visitation with family and friends
- ✓ Increase pro-social incentives by earned release time
- ✓ Decrease use of solitary confinement and minimize length of time in solitary
- ✓ Pre-release transition programs with sufficient services
- ✓ Re-entry programs in the community run by ex-offenders to ease the transition
- ✓ Punishment and redirection short of prison for technical parole violators
- ✓ Passage of legislation prohibiting discrimination in employment based on felony record
- ✓ Automatic restoration of voting rights upon completion of sentence

Q5

Juvenile crime and detention have decreased dramatically in the last ten years. What steps would you take to continue that decline?

As County Attorney I would encourage alternatives to arrest and incarceration for children who are acting like children – let's treat mistakes like mistakes and not like crimes. Children should not be charged as adults.

Q6

Nationwide prisons and jails have been found to detain far more mentally ill people than hospitals or other treatment institutions yet prisons and jails are the least prepared to offer

I want people who are identified as having mental health issues to be given the resources they need to address those medical issues and take their health into account when identifying the appropriate forum for addressing the crimes they may have committed.

**adequate services for that population.
What steps would you take to decrease
the use of jails and prisons as holding
stations for the mentally ill?**

Q7

**What is your perspective on racial
disparity in the criminal justice
system? In general and specifically,
what tracking measure would you put
in place to monitor prosecutorial
practices, and what mitigation and
accountability measures would you put
in place to address racial disparity?**

. I am not informed enough to identify which tracking measures are necessary to monitor prosecutorial practices, but this is something that I would investigate and ask for community input on. Perhaps simply releasing statistical information on prosecutions and convictions would be a helpful first step

Q8

**Given the Supreme Court's recognition
that consideration of immigration
consequences should be a part of the
plea bargaining process, what policies
and procedures, if any, would you
implement to promote the
consideration of immigration
consequences on a case-by-case basis?**

The County Attorney should not be over-charging people for minor crimes simply to encourage a plea agreement because this, intentionally or unintentionally, results in the sentencing people to deportation or removal – a punishment far greater than they would otherwise receive for most of the crimes they are charged with.