



Memorandum

To: Members of the Arizona State 56th Legislature

From: Amanda Webster, Cold Case and Missing Person Project (DPAA)

Date: 22 March 2024

Re: Lack of Cold Case and Missing Persons Resources

Executive Summary:

To address the critical deficiencies in cold case and missing persons investigations in Arizona, we recommend reallocating funds from the death penalty to establish dedicated units, particularly in under-resourced counties such as Navajo, Apache and Pinal as well as enhancing existing units with dedicated advocates to help victim's families navigate the system. This will significantly enhance investigative capabilities and alleviate the confusion and trauma faced by affected families.

Verified Data:

Statistics regarding resource deficiencies in Navajo, Apache and Pinal Counties, as well as the financial requirements for cold case and missing persons units, have been verified by deputies and the board of supervisors, ensuring accuracy and reliability.

Financial Requirements:

Establishing a cold case and missing persons unit in Navajo County would require an estimated \$140,000 annually. Establishing a cold case and missing persons unit in Apache County would require an estimated \$85,133 annually. Establishing a cold case and missing persons unit in Pinal County would require an estimated \$585,397 annually. These estimates have been validated by local authorities and are crucial for addressing resource gaps.

Testimony from Surviving Family Member:

Fabrice, father of missing person Axel Brugere, faced immense challenges navigating the court system without an advocate. He spent hundreds in filing fees for forms he had to learn about on his own and didn't fully understand. During one unexpected court hearing, the judge officially announced his son's death with no prior warning, causing immense trauma for Fabrice.



Background and Methodology:

The data presented in this memo has been collected through direct communication with deputies and the board of supervisors in Navajo, Apache and Pinal Counties. Financial estimates for cold case units have been validated by local authorities. Limitations include potential fluctuations in budgetary requirements and the evolving nature of investigative needs as well as the inability to gather data for other counties to compare unit size, budget and efficiency.

A 2015 Maricopa County audit determined that the cost to defend a non-capital first degree murder case is \$27,191 while the cost to defend a capital case that results in a death sentence is \$1,066,187. According to the Arizona Department of Corrections, there are currently 111 inmates on death row. The difference in savings if these cases would have been non-capital would have been approximately \$118,047,656.

Recommendation:

Reallocate death penalty funds throughout the state to establish permanent cold case and missing persons units. This includes approximately \$140,000 annually for Navajo County, \$85,133 annually for Apache County and \$585,397 annually for Pinal County. Enhance existing units, such as the one in Maricopa that has been severely understaffed for years. This reallocation will address critical resource gaps and enhance investigative capabilities.

Conclusion:

Taking immediate action to reallocate funds from the death penalty to cold case and missing persons units is imperative. After establishing the appropriate units, the funds left over from the difference could be used for: trauma centers, preventative programs for at-risk youth and designated advocates by families affected by cold cases or missing persons incidents. Verified data, validated financial estimates, and the poignant testimony of Fabrice, who is just one of many families that face financial burdens and traumatic experiences in the court system, underscores the urgency of this recommendation. Acknowledging both the fear of inadequate resources and the optimism for improved investigative outcomes, this call to action aligns with the state's commitment to justice, efficiency, and public safety.

RESOURCE DEFICIENCIES VERIFIED BY:

Bruce Tucker, Navajo County Deputy Chief (February 23, 2004)

Dawnafe Whitesinger, Navajo County Supervisor, District 5 (February 21, 2024)