

1 MICHAEL G. RANKIN
City Attorney
2 Michael W.L. McCrory
Principal Assistant City Attorney
3 P.O. Box 27210
Tucson, AZ 85726-7210
4 Telephone: (520) 791-4221
State Bar 3899
5 PCC No. 37268
Attorneys for City of Tucson

6
7 UNITED STATES DISTRICT COURT
8 DISTRICT OF ARIZONA

9 MARTIN H. ESCOBAR,

10 Plaintiff,

11 vs.

12 JAN BREWER, Governor of the State of
13 Arizona, in her Official and Individual
Capacity; THE CITY OF TUCSON, a
14 municipal corporation, and BARBARA
LaWALL, County Attorney, Pima County,

15 Defendants.

No. CV 10-249 TUC DCB

**NOTICE OF FILING AFFIDAVIT IN
SUPPORT OF COMPLAINT FOR
INJUNCTIVE RELIEF**

16 The City of Tucson hereby provides notice that it has filed the attached
17 affidavit of Laura Brynwood in support of its Answer and Cross Claim for injunctive
18 relief.
19

20 RESPECTFULLY SUBMITTED this 1st day of June, 2010.

21 MICHAEL G. RANKIN
22 City Attorney

23 By: /s/ Michael W.L. McCrory
24 Michael W.L. McCrory
Principal Assistant City Attorney
25
26
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1 Copy of the foregoing mailed on
2 this 1st day of June, 2010, to:

3 Richard M. Martinez
4 307 South Convent Avenue
5 Tucson, Arizona 85701

6 Stephen Montoya
7 Augustine B. Jimenez
8 Montoya Jimenez, PA
9 3200 N Central Avenue, #2550
10 Phoenix, AZ 85012
11 Co-counsel for Plaintiff

12 John J. Bouma
13 Robert A. Henry
14 Joseph G. Adams
15 Snell & Wilmer, LLP
16 One Arizona Center
17 400 E. Van Buren
18 Phoenix, AZ 85004-2202

19 Joseph A. Kanefield
20 General Counsel
21 Office of the Governor
22 1700 W. Washington
23 Phoenix, AZ 85007
24 Co-counsel for Defendant/Cross-
25 Defendant Jan Brewer

26 *Jannette Madrid*
27

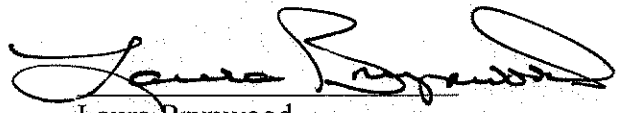
AFFIDAVIT

STATE OF ARIZONA)
) cc.
County of Pima)

I, Laura Brynwood, do hereby affirm the following:

1. I am the Chief City Prosecutor for the Tucson City Prosecutor's Office. I have held this position since January 2000. I have 25 years overall experience as an attorney, with 20 years experience as a prosecutor for the City of Tucson.
2. The Tucson City Prosecutor's Office is responsible for the prosecution of all misdemeanor offenses that occur within the Tucson City limits.
3. In FY 2009, the Tucson City Prosecutor's Office prosecuted a total of 56,971 misdemeanor cases.
4. Of these 56,971 cases, 36,821 involved persons who had been cited for committing misdemeanor crimes and then released pursuant to A.R.S. 13-3903.
5. Included in these 36,821 cases were citations for criminal trespass, minor in possession of alcohol, drinking in public, open container, urinating in public, disorderly conduct, park after hours, minor drug offenses, simple assault, excessive speeding, driving under the influence and similar offenses.
6. Since FY 2009, two (2) prosecutor, four (4) clerical, one (1) legal investigator and one (1) law clerk position have been eliminated from the City Prosecutor's budget.
7. In FY 2010, the City Prosecutor's Office experienced nine (9) furlough days and anticipates another nine (9) furlough days in FY2011.
8. Reduced staff and work hours have caused the City Prosecutor's Office to rely more heavily on diversion, dismissals and plea offers to manage its workload. The City Prosecutors Office will continue to rely on such measures to manage any increase in caseload caused by newly enacted legislation.

Submitted this 1st day of June, 2010.


Laura Brynwood
Chief City Prosecutor

Sb/0610