New polling from Data For Progress and The Justice Collaborative Institute shows bipartisan support among Maricopa County voters for a County Attorney who will embrace new police accountability measures and support new protections against police violence. Our research found that:

- 59% of voters, including 52% of Republicans, are more likely to vote for a County Attorney who will create a public list of law enforcement officers who have a history of misconduct or disciplinary problems, and not accept their cases for prosecution or rely on them for testimony;

- 66% of likely voters, including 62% of Republicans, are more likely to vote for a County Attorney who will create an independent unit for the investigation and charging for incidents of police violence against citizens;

- 67% of voters, including 67% of Republicans, are more likely to vote for a County Attorney who supports banning chokeholds, like the kind that killed George Floyd;

- 66% of voters, including 49% of Republicans, are more likely to vote for a County Attorney who supports banning no-knock warrants, like the kind that led to Breonna Taylor’s death; and

- 74% of voters, including 76% of Republicans, are more likely to vote for a County Attorney who supports requiring body-worn cameras for all police officers, and speedy public disclosure of these videos.

These results make clear that Maricopa County voters want assurance from the next elected prosecutor in Arizona’s most populous county that they will hold law enforcement accountable and create more transparency around law enforcement practices. This is an issue that divides Republican incumbent Allister Adel and Democratic Challenger Julie Gunnigle. Both candidates have responded to ACLU Smart Justice questionnaires that offered each candidate an opportunity to present their vision for the office of Maricopa County attorney, and Adel’s record thus also illustrates her positions.

- Gunnigle committed that she would create “a conviction integrity unit that checks the work of police and prosecutors to ensure that convictions are just” and pledged “to assign special prosecutors to investigate and prosecute police killings of civilians, use-of-force cases, sexual assault by law enforcement officers and other cases of police
misconduct.” Gunnigle has also committed to looking at “no-call” lists, which would prevent reliance on the testimony of an officer with a history of violence or misconduct.

- Adel’s office has created a new critical incident response protocol to review police use of force cases, among other things, but has not committed to establishing an independent prosecutor or investigatorial unit for police use of force. Her office recently established a Prosecutor Integrity Unit, headed up by Rachel Mitchell, the prosecutor that questioned Christine Blasey Ford in Brett Kavanaugh’s Supreme Court confirmation hearings.

- Recently, Adel declined to prosecute an Arizona State Trooper who shot a Black man the same day that Minneapolis Police murdered George Floyd, and so far she has not provided a public list identifying police officer misconduct. She has also declined to commit to a “no-call” list.

In November, there will be an election for Maricopa County District Attorney. Below you’ll read a list of proposals. For each, indicate if you’d be more or less likely to vote for a candidate who supports any of these proposals. -- Creating an independent unit for the investigation and charging for incidents of police violence against citizens.
Creating a public list of law enforcement officers who have a history of misconduct or disciplinary problems, and not accepting their cases for prosecution or relying on them for testimony.

Banning chokeholds, like the kind that killed George Floyd.
Banning no-knock warrants, like the kind that led to Breonna Taylor’s death.

Requiring Body-worn cameras for all police officers, and speedy release to the public of these videos.
The context. Arizona, and Maricopa County in particular, have been grappling with law enforcement brutality and misconduct for years. In 2019, a national study by the Plainview Project found that 75 Phoenix police officers had made bigoted or racist posts on social media, and 11 of those officers have been accused of wrongfully injuring or killing people. Those incidents came on the heels of a year in which Phoenix police recorded the highest number of officer shootings their history. Another analysis found that police officers in Arizona shoot someone every five days, and in 2018 Phoenix led the nation in police shootings, with more than in New York, Los Angeles, Chicago or Houston.

Last summer, the Phoenix police made national headlines when a video showed Phoenix police officers pointing guns and profanely threatening the lives of a family whose 4-year-old daughter had taken a doll from a local store. Maricopa County residents were outraged and thousands attended a community meeting to share their fears and grief over Phoenix law enforcement interactions. In February, the Phoenix City Council narrowly approved a civilian oversight committee for law enforcement, but Maricopa County still struggles to find ways to hold law enforcement accountable.

While the murder of George Floyd galvanized much of the nation, Phoenix had its own police killing that same day. On May 25, an Arizona State Trooper shot to death Dion Johnson, a Black 28-year-old man. Maricopa County Attorney Allister Adel has declined to bring charges against the officer.

Another recent investigation found that Arizona’s “scattered and broken ‘Brady List system’” fails to hold dishonest law enforcement officers accountable. It relies on self-reporting and lacks meaningful oversight. For example, Maricopa County officials have delayed putting officers on this list at least 175 times. The statewide prosecutorial association, the Arizona Prosecuting Attorney’s Advisory Council (APAAC), has been promising such a list for over two years but has yet to provide one. While Adel has stated that her office “has been working with the 14 other county attorneys ... [to have] the ability for the public to look up an officer statewide,” her office has yet to produce such a resource.

Methodology

From 10/2/2020 to 10/8/2020 Data for Progress conducted a survey of 386 likely voters in Maricopa County using web panel respondents. The sample was weighted to be representative of likely voters by age, gender, education, race, and voting history. The survey was conducted in English. The margin of error is +/- 5 percentage points.