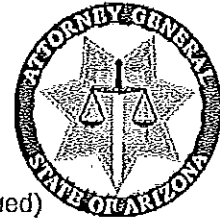




Office of Arizona Attorney General
Mark Brnovich



Legislator Request for Attorney General Investigation of
 Alleged State-Law Violation by County, City, or Town (Continued)

*Identify the member(s) of the Legislature submitting this request for investigation (attach additional sheet if necessary):

Representative Mark Finchem

*Provide a contact person for communications from the Attorney General's Office regarding this request (may be a Legislator listed above or an employee of the Legislature).

*Name: Robert Ellman, General Counsel

*Email address: rellman@azleg.gov

*Phone number: 602-926-5544

*Mailing address: 1700 W. Washington St., Suite H

Phoenix, AZ 85007-2844

*The specific question for the Attorney General to investigate is:

Whether the City of Tucson is destroying confiscated and/or

forfeited firearms in violation of Arizona law.

*The name of the county, city, or town that is the subject of this request:

City of Tucson

*The specific ordinance, regulation, order, or other official action adopted or taken by the governing body of the county, city, or town and the date thereof:

Ongoing destruction of firearms by property control officers

most recently requested and approved Sept. 15-16, 2016. See attached public records.

*The specific Arizona statute(s) and/or constitutional provision(s) with which the action conflicts:

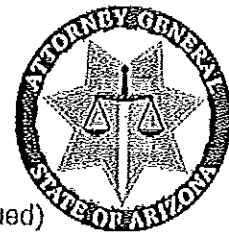
A.R.S. §§ 12-941 through 12-945; 13-3105(A); 13-3108(F).



Office of Arizona Attorney General

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Legislator Request for Attorney General Investigation of Alleged State-Law Violation by County, City, or Town (Continued)



*All relevant facts of which you are aware (attach separate sheet if necessary):

Public records released by the City of Tucson (copy attached) memorialize the ongoing and regular destruction of hundreds of confiscated and forfeited firearms that appear to be valuable, in working condition, and lawful to possess under Arizona and federal law. It appears that the Tucson Police Department regularly approves requests to destroy such firearms notwithstanding Arizona statutes that require the City to sell them.

*All relevant legal authority, including federal and state case law, of which you are aware (attach separate sheet if necessary):

A.R.S. §§ 12-941 through 12-945; 13-3105(A); 13-3108(F); McMann v. City of Tucson, 202 Ariz. 468 (Ariz.App. 2002) (predating enactment of A.R.S. § 13-3108(F) and related provisions).

*Any litigation involving this issue of which you are aware (include case name, number, and court where filed): I am unaware of any litigation involving this issue.

Check this box if you are attaching supporting documentation.

NOTE: This form and other information submitted to the Attorney General's Office is subject to the public records law, A.R.S. § 39-121 et seq.

I, a current member of the Legislature, verify that I and the other Legislators listed on the previous page (if any) are submitting this request for investigation under A.R.S. § 41-194.01.

*First Name: Mark *Last Name: Finchem

*Signature: [Signature] *Date: October 12, 2016

Please submit the completed form to: Arizona Attorney General's Office Attn: Civil Litigation Division/A.R.S. § 41-194.01 1275 West Washington Street Phoenix, Arizona 85007 cldinvestigations@azag.gov