Representative Mark Finchem

*Name: Robert Ellman, General Counsel
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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(P).
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):


*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
civilinvestigations@azap.gov