

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



August 2017 County Attorney Turndowns

Inspection Report BI2017-0114

The Audits and Inspections Unit (AIU), of the Sheriff's Office Bureau of Internal Oversight (BIO), will conduct on-going, monthly County Attorney Disposition Inspections. The purpose for these inspections is to determine compliance with Office policies, and promote proper supervision. To achieve this, inspectors will utilize "IAPro" to generate all turndown dispositions from the Superior Court and dismissals from the Justice Courts within the specific month to be inspected. These entries will be uniformly inspected utilizing the Records Division "FileBound" data base and a matrix developed by the AIU. The following procedures, which are outlined in GF-4 and ED-3, will be used in the matrix:

Matrix Procedures:

- Determine what district/division from which the disposition originated
- Ensure the case was assigned a County Attorney administrative status
- Verify what the disposition is for i.e. further, turndown, or charges filed
- Determine if there were any irreversible errors
- Each complainant disposition inspected will be counted as one inspection

Criteria:

MCSO Policy GF-4.11.A.2.3.4 OFFICE REPORTS: 11.A.2. If the case report was forwarded to the County Attorney for prosecution consideration, the case file shall be maintained in a pending/open status. Upon return of the case from the County Attorney's Office, the case will be assigned an administrative case status, in accordance with the County Attorney's disposition, such as turndown, further, or complaint issued.

MCSO Policy ED-3.2.A.B.C REVIEW OF CASES DECLINED FOR PROSECUTION: 2. When the Office receives a turn down or notice of dismissal from the County Attorney's Office, the reason for the action should be reviewed by the commander, or his designee, from the division that submitted the case for prosecution.

- A. The commander, or his designee, shall be responsible for the review and dissemination of pertinent information surrounding turn downs or dismissals and will determine whether the investigation can be completed and resubmitted to the County Attorney's Office for reconsideration of charges.
- B. If the case was turned down or dismissed due to an irreversible error made by Office personnel, the commander, or his designee, will disseminate the information to the supervisor of the investigator who submitted the case.
- C. When an irreversible error is found as the reason the case was turned down or dismissed, the information may be forwarded to the Training Division Commander for inclusion in appropriate training outlines or bulletins in an effort to avoid similar errors in future cases.

Conditions:

The Inspector selected 100% of all County Attorney Turndown dispositions from the Maricopa County Superior Court for the month of August 2017 (45 total cases). There were approximately 245 dismissals of criminal cases from the Maricopa County Justice Courts for the month of August 2017. A random selection of 10% of these cases (24 of 245) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for August 2017.

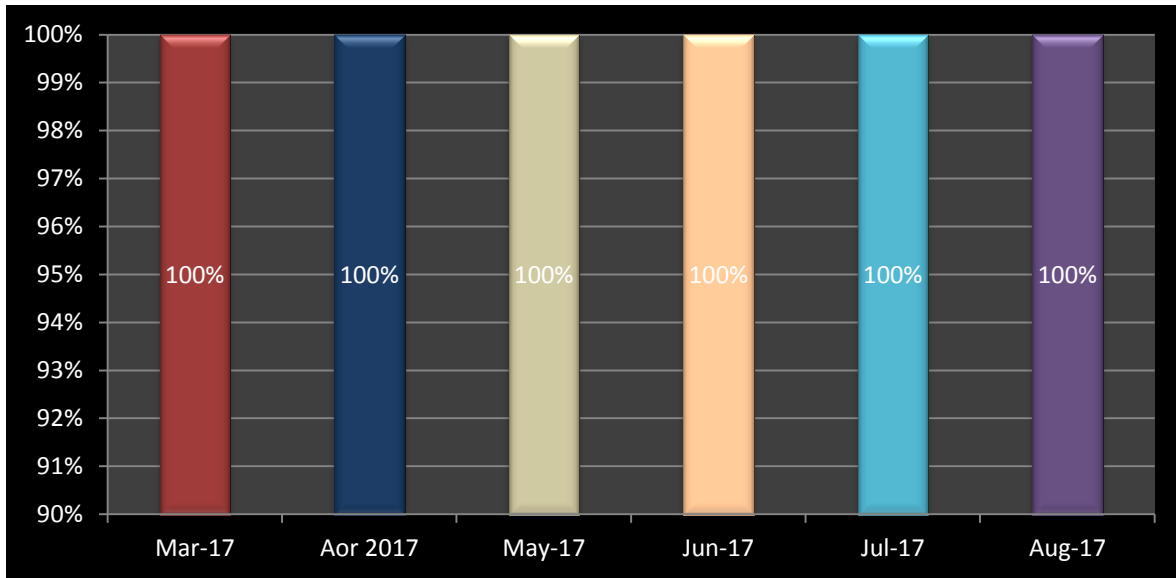
IR Number	C.A. Disposition # and Description	In Custody/Submittal
IR16029844	MCAOTN - 6109 - Self Defense/Mutual Combat	In Custody
IR74017615	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17022783	MCAOTN - 6150 - Inadequate evidence of Dominion/Control/Instrumentality	In Custody
IR16027761	MCAOTN - 6150 - Inadequate evidence of Dominion/Control/Instrumentality	In Custody
IR16027761	MCAOTN - 6150 - Inadequate evidence of Dominion/Control/Instrumentality	In Custody
IR17014087	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR15022123	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17012810	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR16021321	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR 17015828	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
16033849	MCAOTN - 6160 - Pre-file TASC - Successful completion	In Custody
IR17020045	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR17005695	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Submittal

IR Number	C.A. Disposition # and Description	In Custody/Submittal
IR17020002	MCAOTN - 6104 - This case should be submitted to city prosecutor MCAOTN - 6110 - Mens Rea	In Custody
IR17020100	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR15025872	MCAOTN - 6109 - Self Defense/Mutual Combat MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17013231	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17012197	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17012295	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17014190	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17013558	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17015807	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17005547	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6150 - Inadequate evidence of Dominion/Control/Instrumentality MCAOTN - 6114 - No crime committed	In Custody
IR15004902	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17020907	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR17014472	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17021012	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17013713	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17013713	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17020942	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	In Custody

IR Number	C.A. Disposition # and Description	In Custody/Submittal
IR17015850	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17021440	MCAOTN - 6109 - Self Defense/Mutual Combat	In Custody
IR17002373	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17015543	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR16026506	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17021422	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR17016095	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Submittal
IR17012354	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR17012049	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR17022725	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR17020159	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17020218	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
IR16036013	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
IR17021503	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
IR17-021388	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal

IR#	Justice Court Dismissal Description	In Custody/Citation/Civil
IR16005924	JCD - Dismissed on motion/request of prosecutor	Citation
IR17021624	JCD - Dismissed on motion of court or defendant	Citation
IR16024200	JCD - Dismissed on motion/request of prosecutor	Citation
IR17014221	JCD - Dismissed on motion of court or defendant	Citation
IR16026454	JCD - Dismissed on motion of court or defendant	In Custody
IR17011417	JCD - Dismissed on motion/request of prosecutor	Citation
IR17013823	JCD - Dismissed on motion/request of prosecutor	Citation
IR17017404	JCD - Dismissed on motion of court or defendant	Citation
IR16034838	JCD - Dismissed on motion of court or defendant	Citation
IR17020180	JCD - Dismissed on motion of court or defendant	Citation
IR16020623	JCD - Dismissed on motion/request of prosecutor	Civil
IR17023043	JCD - Dismissed on motion of court or defendant	Citation
IR17012592	JCD - Dismissed on motion/request of prosecutor	Citation
IR17019480	JCD - Dismissed on motion of court or defendant	Citation
IR17020307	JCD - Dismissed on motion of court or defendant	Citation
MC17161505	JCD - Dismissed on motion/request of prosecutor	Civil
IR17010233	JCD - Dismissed on motion of court or defendant	Citation
IR17008960	JCD - Dismissed on motion/request of prosecutor	Citation
IR17015292	JCD - Dismissed on motion of court or defendant	Citation
IR17021333	JCD - Dismissed on motion of court or defendant	Citation
IR17003015	JCD - Dismissed on motion of court or defendant	Citation
IR15009263	JCD - Dismissed on motion/request of prosecutor	In Custody
IR17006495	JCD - Dismissed on motion/request of prosecutor	Citation
IR17020752	JCD - Dismissed on motion of court or defendant	Citation

Overall Monthly Compliance County Attorney Dispositions Mar-Aug 2017



Date Inspection Started: September 18, 2017
Date Completed: September 27, 2017
Timeframe Inspected: August 1 – August 31, 2017
Assigned Inspector(s): Sergeant T. Brice S1767

I have reviewed this inspection report.

Capt. B. Roska #078

Captain Barry Roska S0878
Commander
Bureau of Internal Oversight

September 28, 2017

Date

Tr. Skinner #898

Chief Russ Skinner S0898
Bureau Chief
Compliance Bureau

September 28, 2017

Date