

MARICOPA COUNTY SHERIFF'S OFFICE
May 2017 County Attorney Dispositions



Audit and Inspections Unit
Inspections Report
County Attorney Dispositions
Date: June 14, 2017
Inspection #2017-0075



To: Captain B. Roska
Commander
Bureau of Internal Oversight

From: Sergeant T. Brice S1767
Inspections Sergeant
Audit and Inspections Unit

Subject: Inspection of County Attorney Dispositions
BI #2017-0075

Date: June 14, 2017
Review from 5-1-
2017 to 5-31-2017

The Audit and Inspections Unit conducts 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 Audit and Inspections Unit. 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 May 2017 (15 total cases). There were approximately 141 dismissals of criminal cases from the Maricopa County Justice Courts for the month of May 2017. A random selection of 20% of these cases (28 of 141) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for May 2017.

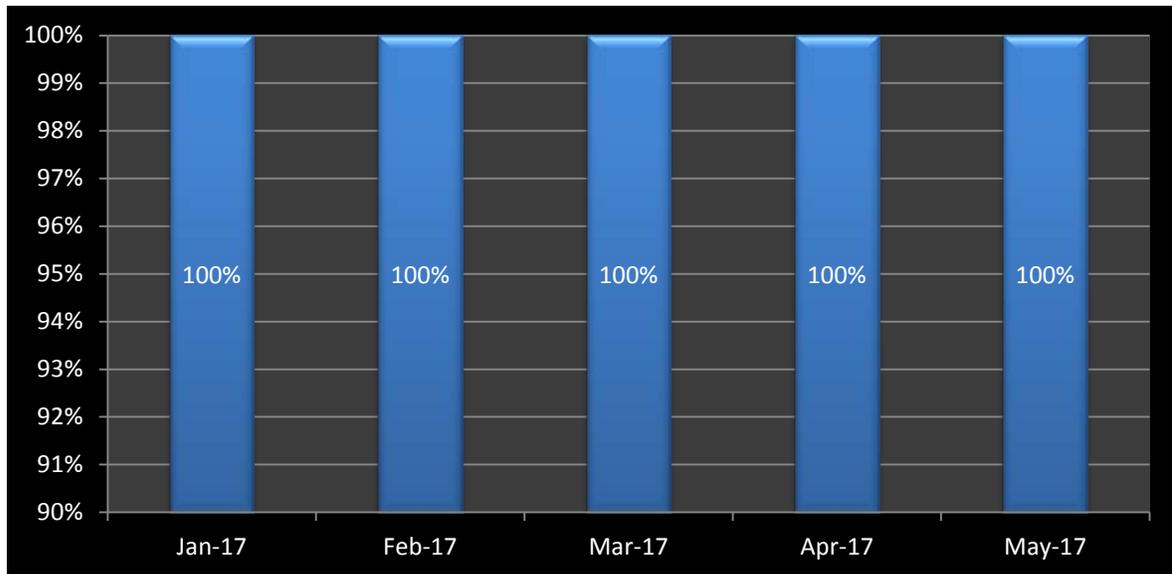
C.A. Turndowns

MC/IR Number	C.A. Disposition # and Description	In Custody/Submittal
MC17036164	MCAOTN - 6109 - Self Defense/Mutual Combat	Submittal
MC16212091	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17035520	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17029678	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17042244	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17118271	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
IR17-002190	MCAOTN - 6102 - Defendant sentenced in other case; no need to prosecute this matter	Submittal
IR16-026056	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16215809	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17-009764	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17102171	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6114 - No crime committed	In Custody
MC15101087	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17044525	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR16-032030	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16277867	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Submittal

Justice Court Dismissals

IR#	Dismissal Description	In Custody/Citation/Civil
IR16004008	JCD - Dismissed on motion/request of prosecutor	In Custody
IR16032271	JCD - Dismissed on motion/request of prosecutor	Citation
IR16022036	JCD - Dismissed on motion/request of prosecutor	Citation
IR17011396	JCD - Dismissed on motion of court or defendant	Citation
IR17001671	JCD - Dismissed on motion/request of prosecutor	In Custody
IR17009755	JCD - Dismissed on motion of court or defendant	Citation
IR15015502	JCD - Dismissed on motion of court or defendant	In Custody
IR17010189	JCD - Dismissed on motion of court or defendant	Citation
MC16263886	JCD - Dismissed on motion/request of prosecutor	Civil
IR17003777	JCD - Dismissed on motion/request of prosecutor	Citation
IR17011255	JCD - Dismissed on motion of court or defendant	Citation
IR17007238	JCD - Dismissed on motion of court or defendant	In Custody
IR17013434	JCD - Dismissed on motion of court or defendant	In Custody
IR17011226	JCD - Dismissed on motion of court or defendant	Citation
IR16030117	JCD - Dismissed on motion/request of prosecutor	Citation
IR17011271	JCD - Dismissed on motion of court or defendant	Citation
IR16036034	JCD - Dismissed on motion/request of prosecutor	Citation
IR17009300	JCD - Dismissed on motion of court or defendant	Citation
IR17002888	JCD - Dismissed on motion/request of prosecutor	Citation
IR17011785	JCD - Dismissed on motion of court or defendant	Citation
Ir17011367	JCD - Dismissed on motion of court or defendant	Citation
IR16035710	JCD - Dismissed on motion/request of prosecutor	Citation
IR16029838	JCD - Dismissed on motion/request of prosecutor	Citation
IR17006154	JCD - Dismissed on motion/request of prosecutor	Citation
IR17011882	JCD - Dismissed on motion of court or defendant	Citation
IR16031110	JCD - Dismissed on motion/request of prosecutor	Citation
IR17004176	JCD - Dismissed on motion/request of prosecutor	Citation
IR15020429	JCD - Dismissed on motion of court or defendant	Citation

Overall Monthly Compliance County Attorney Dispositions 2017



Recommendation:

We continue to recommend all incident reports involving arrests are reviewed by command staff to ensure probable cause has been established, as well as, continual communication through onsite mentoring in the necessity for documenting all cases submitted for prosecution utilizing the Case Tracking data base. Consequently, onsite mentoring should be documented in supervisory notes.

Date Inspection Started: June 7, 2017

Date Completed: June 14, 2017

Timeframe Inspected: May 1st through 31st, 2017

Assigned Inspector(s): Sergeant T. Brice S1767

I have reviewed this inspection report.



Captain B. Roska
Division Commander
Bureau of Internal Oversight

June 14, 2017
Date



Executive Chief R. Skinner S0898
Bureau Commander
Bureau of Internal Oversight

June 14, 2017
Date