

**MARICOPA COUNTY SHERIFF'S OFFICE**

**Bureau of Internal Oversight**

**Audits and Inspections Unit**



**June 2017 County Attorney Disposition**

**Inspection Report**

**July 26, 2017**

**Inspection BI2017-0094**



**To:** Captain B. Roska S0878  
Division Commander  
Bureau of Internal Oversight

**From:** Sergeant K. Bocardo S1775  
Inspections Sergeant  
Audits and Inspections Unit

**Subject:** County Attorney Dispositions Inspection  
June 2017 Data  
BI 2017-0094

**Date:** July 26, 2017

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 June 2017 (6 total cases). There were approximately 230 dismissals of criminal cases from the Maricopa County Justice Courts for the month of June 2017. A random selection of 13% of these cases (29 of 230) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for June 2017.

**C.A. Turndowns**

MC/IR Number	C.A. Disposition # and Description	In Custody/Submittal
IR 16-028700	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR 17-015346	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
IR 17-006636	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR17-008756	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR 16-027857	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR 10-171299	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal

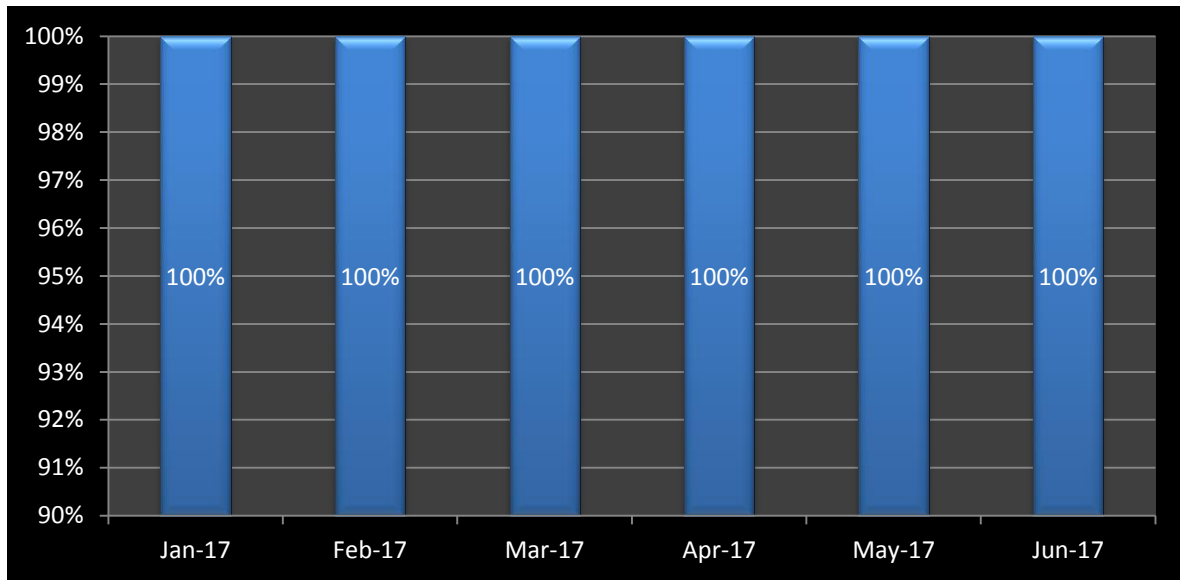
**Justice Court Dismissals**

IR#	Dismissal Description	In Custody/Citation/Civil
MC17101686/ IR17012275	JCD - Dismissed on motion of court or defendant	Citation
MC16207505/ IR16022000	JCD - Dismissed on motion of court or defendant	Citation
MC17062984/ IR17007391	JCD - Dismissed on motion of court or defendant	Citation
MC17081357/ IR17009654	JCD - Dismissed on motion of court or defendant	Citation
MC16128402/ IR16014547	JCD - Dismissed on motion of court or defendant	Citation
MC17066122/ IR17007794	JCD - Dismissed	Citation
MC15229444/ IR15026686	JCD - Dismissed on motion of court or defendant	Citation
MC17058043/ IR17006774	JCD - Dismissed on motion/request of prosecutor	In Custody
MC17132645/ IR17016023	JCD - Dismissed on motion of court or defendant	Citation
MC17082356/ IR17009801	JCD - Dismissed on motion/request of prosecutor	Citation
MC17133191/ IR17016088	JCD - Dismissed on motion of court or defendant	Citation
MC17118734/ IR17014286	JCD - Dismissed on motion of court or defendant	Citation
MC17131060/ IR17015811	JCD - Dismissed on motion of court or defendant	Citation
MC17084817/ IR17010101	JCD - Dismissed on motion of court or defendant	Citation
MC16252579/ IR16026517	JCD - Dismissed on motion of court or defendant	Citation
MC17100170/ IR17012100	JCD - Dismissed on motion of court or defendant	Citation
MC16207769/ IR16022036	JCD - Dismissed on motion/request of prosecutor	Citation
MC17137261/ IR17016650	JCD - Dismissed on motion of court or defendant	Citation
MC17106561/ IR17012868	JCD - Dismissed on motion of court or defendant	Citation
MC17018333/ IR17002094	JCD - Dismissed on motion/request of prosecutor	Citation
MC16050639/ IR16005889	JCD - Dismissed on motion/request of prosecutor	Citation
MC17075698/ IR17008959	JCD - Dismissed on motion/request of prosecutor	Citation
MC17045949/ IR17005349	JCD - Dismissed on motion of court or defendant	Citation
MC16320674/ IR16033231	JCD - Dismissed on motion/request of prosecutor	Citation
MC17114774/ IR17013807	JCD - Dismissed on motion of court or defendant	Citation
MC16347751/ IR16036101	JCD - Dismissed on motion/request of prosecutor	Citation

### Justice Court Dismissals Continued

IR#	Dismissal Description	In Custody/Citation/Civil
MC17037769/ IR17004422	JCD - Dismissed on motion/request of prosecutor	Citation
MC17093897/ IR17011255	JCD - Dismissed on motion/request of prosecutor	Citation
MC15119505	JCD - Dismissed on motion of court or defendant	Citation

### Overall Monthly Compliance County Attorney Dispositions 2017

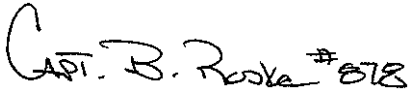


#### Recommendation:

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:** July 7, 2017  
**Date Completed:** July 26, 2017  
**Timeframe Inspected:** June 1<sup>st</sup> through 30<sup>th</sup>, 2017  
**Assigned Inspector(s):** Sergeant K. Bocardo S1775

I have reviewed this inspection report.



Captain B. Roska S0878  
Division Commander  
Bureau of Internal Oversight

Date: July 26, 2017



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

Date: July 26, 2017