

MARICOPA COUNTY SHERIFF'S OFFICE
March 2017 County Attorney Dispositions



Audit and Inspections Unit
Inspections Report
County Attorney Dispositions
Date: April 20, 2017
Inspection #2017-0049



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 #2017-0049

Date: April 20, 2017
Review from 3-1-
2017 to 3-31-2017

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 March 2017 (37 total cases). There were approximately 126 dismissals of criminal cases from the Maricopa County Justice Courts for the month of March 2017. A random selection of 30% of these cases (38 of 127) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for March 2017.

C.A. Turndowns

MC/IR Number	C.A. Disposition # and Description	In Custody/Submittal
MC16150750	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16134519	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16329162	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16340122	MCAOTN - 6148 - Inadaquate evidence of Corroboration	Submittal
MC16298166	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16320058	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17022865	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16237565	MCAOTN - 6109 - Self Defense/Mutual Combat	Submittal
MC16252203	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16224961	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16339513	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17056532	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16068663	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17061684	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC17063596	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16345822	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17055672	MCAOTN - 6104 - This case should be submitted to city prosecutor	In Custody
MC17057878	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC17006348	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17055413	MCAOTN - 6101 - Limited resources/offense does not warrant prosecution/extradition	In Custody
MC17024514	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
MC16337854	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal

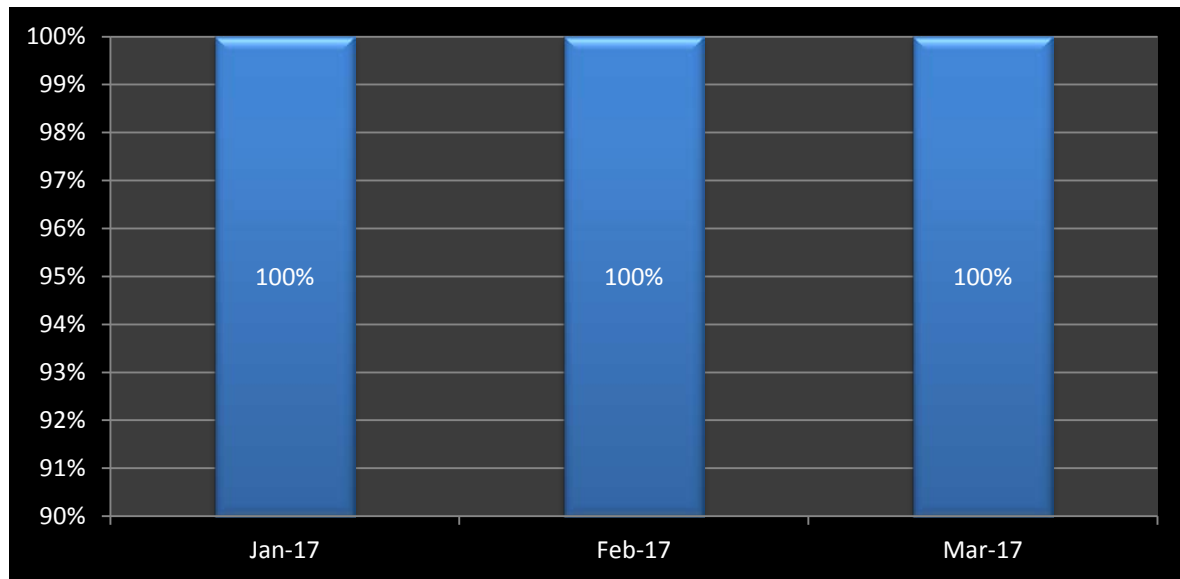
MC17062467	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16335383	MCAOTN - 6104 - This case should be submitted to city prosecutor	In Custody
MC16172123	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6116 - Victim/Witness reluctance/refusal to prosecute	Submittal
MC17004284	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17002407	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16315879	MCAOTN - 6109 - Self Defense/Mutual Combat	In Custody
MC16344276	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR16-030702	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16322558	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	In Custody
MC17005559	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16260633	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16224823	MCAOTN - 6102 - Defendant sented in other case; no need to prosecute this matter	Submittal
MC16111791	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC16188698	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC15163877	MCAOTN - 6157 - Old case/stale	In Custody

Justice Court Dismissals

MC#	Dismissal Description	In Custody/Citation/Civil
MC16388799	JCD - Dismissed on motion/request of prosecutor	Citation
MC16335678	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16340860	JCD - Dismissed on motion of court or defendant	Civil
MC16345916	JCD - Dismissed on motion/request of prosecutor	Citation
MC16344094	JCD - Dismissed on motion/request of prosecutor	Citation
MC16278214	JCD - Dismissed on motion/request of prosecutor	Citation
MC16255496	JCD - Dismissed on motion/request of prosecutor	Citation
MC16340659	JCD - Dismissed on motion/request of prosecutor	Citation
MC17009197	JCD - Dismissed on motion/request of prosecutor	Citation
MC16162487	JCD - Dismissed on motion of court or defendant	In Custody
MC16324641	JCD - Dismissed on motion/request of prosecutor	Citation
MC17035667	JCD - Dismissed on motion of court or defendant	Citation

MC17060983	JCD - Dismissed on motion of court or defendant	Citation
MC17016064	JCD - Dismissed on motion/request of prosecutor	In Custody
MC17006418	JCD - Dismissed on motion/request of prosecutor	Citation
MC16199176	JCD - Dismissed on motion/request of prosecutor	Citation
MC16270398	JCD - Dismissed on motion of court or defendant	In Custody
MC16210099	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16339402	JCD - Dismissed on motion of court or defendant	Citation
MC17042709	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16320262	JCD - Dismissed on motion/request of prosecutor	In Custody
MC17018330	JCD - Dismissed on motion/request of prosecutor	Citation
MC16230129	JCD - Dismissed on motion of court or defendant	Citation
MC15205690	JCD - Dismissed on motion of court or defendant	Citation
MC17625614	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16292457	JCD - Dismissed on motion/request of prosecutor	Citation
MC17018498	JCD - Dismissed on motion/request of prosecutor	Citation
MC17000786	JCD - Dismissed on motion/request of prosecutor	Citation
MC17008017	JCD - Dismissed on motion/request of prosecutor	Citation
MC17015631	JCD - Dismissed on motion of court or defendant	Citation
MC16344717	JCD - Dismissed on motion of court or defendant	Citation
MC16245042	JCD - Dismissed on motion/request of prosecutor	In Custody
MC17072738	JCD - Dismissed on motion of court or defendant	Citation
MC16333269	JCD - Dismissed on motion/request of prosecutor	Citation
MC17025038	JCD - Dismissed on motion/request of prosecutor	Civil
MC17026494	JCD - Dismissed on motion/request of prosecutor	Citation
MC17065788	JCD - Dismissed on motion of court or defendant	Citation
MC16206568	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: April 10, 2017

Date Completed: April 20, 2017


Timeframe Inspected: March 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

April 20, 2017
Date

 #898
Executive Chief R. Skinner S0898
Bureau Commander
Bureau of Internal Oversight

April 20, 2017
Date