

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



July 2017 County Attorney Turndowns

Inspection Report BI2017-0101

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:

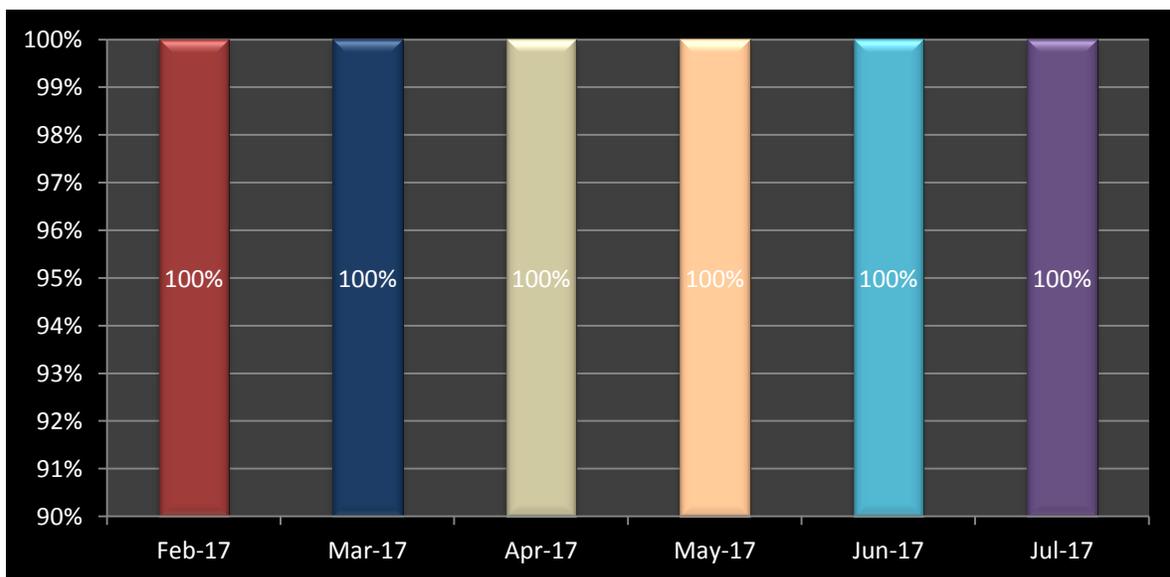
The Inspector selected 100% of all County Attorney Turndown dispositions from the Maricopa County Superior Court for the month of July 2017 (6 total cases). There were approximately 219 dismissals of criminal cases from the Maricopa County Justice Courts for the month of July 2017. A random selection of 10% of these cases (22 of 219) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for June 2017.

IR Number	C.A. Disposition # and Description	In Custody/Submittal
16-012234	MCAOTN - 6102 - Defendant sentenced in other case; no need to prosecute this matter.	Submittal
17-018503	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency.	In Custody
16-016132	MCAOTN - 6113 - No reasonable likelihood of conviction.	Submittal
17-018987	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency.	In Custody
17-007973	MCAOTN - 6113 - No reasonable likelihood of conviction.	Submittal
16-022626	MCAOTN - 6160 - Pre-file TASC - Successful completion.	Submittal

IR#	Dismissal Description	In Custody/Citation/Civil
2017-005808	JCD - Dismissed on motion/request of prosecutor	Citation
2017-009161	JCD - Dismissed on motion of court or defendant	Citation
2017-014412	JCD - Dismissed on motion/request of prosecutor	Citation
2017-016487	JCD - Dismissed on motion of court or defendant	Citation
2017-012153	JCD - Dismissed/Juvenile Diversion	Citation
2017-011274	JCD - Dismissed on motion of court or defendant	Citation
2017-003746	JCD - Dismissed on motion/request of prosecutor	Citation
2017-018738	JCD - Dismissed on motion/request of prosecutor	Citation
2017-015899	JCD - Dismissed on motion/request of prosecutor	Citation

IR#	Dismissal Description	In Custody/Citation/Civil
2017-015729	JCD - Dismissed/Juvenile Diversion	Citation
2017-011970	JCD - Dismissed on motion/request of prosecutor	Citation
2017-016254	JCD - Dismissed on motion of court or defendant	Citation
2017-018482	JCD - Dismissed on motion of court or defendant	Citation
2017-017639	JCD - Dismissed on motion of court or defendant	Citation
2017-016002	JCD - Dismissed on motion of court or defendant	Citation
2017-012912	JCD - Dismissed on motion/request of prosecutor	Citation
2017-011404	JCD - Dismissed on motion of court or defendant	Citation
2016-035244	JCD - Dismissed on motion/request of prosecutor	Citation
2017-015192	JCD - Dismissed on motion of court or defendant	Citation
2016-028383	JCD - Dismissed	Citation
2017-018563	JCD - Dismissed on motion of court or defendant	Citation
2016-034362	JCD - Dismissed on motion/request of prosecutor	Citation

Overall Monthly Compliance County Attorney Dispositions Feb-Jul 2017



Date Inspection Started: August 9th, 2017
Date Completed: August 24th 2017
Timeframe Inspected: July 1 – July 31, 2017
Assigned Inspector(s): Sergeant T. Brice S1767

I have reviewed this inspection report.

Capt. B. Roska #878

Captain Barry Roska S0878
Commander
Bureau of Internal Oversight

August 24, 2017

Date

T. Skinner #898

Chief Russ Skinner S0898
Bureau Chief
Compliance Bureau

August 24, 2017

Date