

MARICOPA COUNTY SHERIFF'S OFFICE
April 2017 County Attorney Dispositions



Audit and Inspections Unit
Inspections Report
County Attorney Dispositions
Date: May 30, 2017
Inspection #2017-0061



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 #2017-0061

Date: May 30, 2017
Review from 4-1-
2017 to 4-30-2017

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 April 2017 (12 total cases). There were approximately 110 dismissals of criminal cases from the Maricopa County Justice Courts for the month of April 2017. A random selection of 20% of these cases (22 of 110) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for April 2017.

C.A. Turndowns

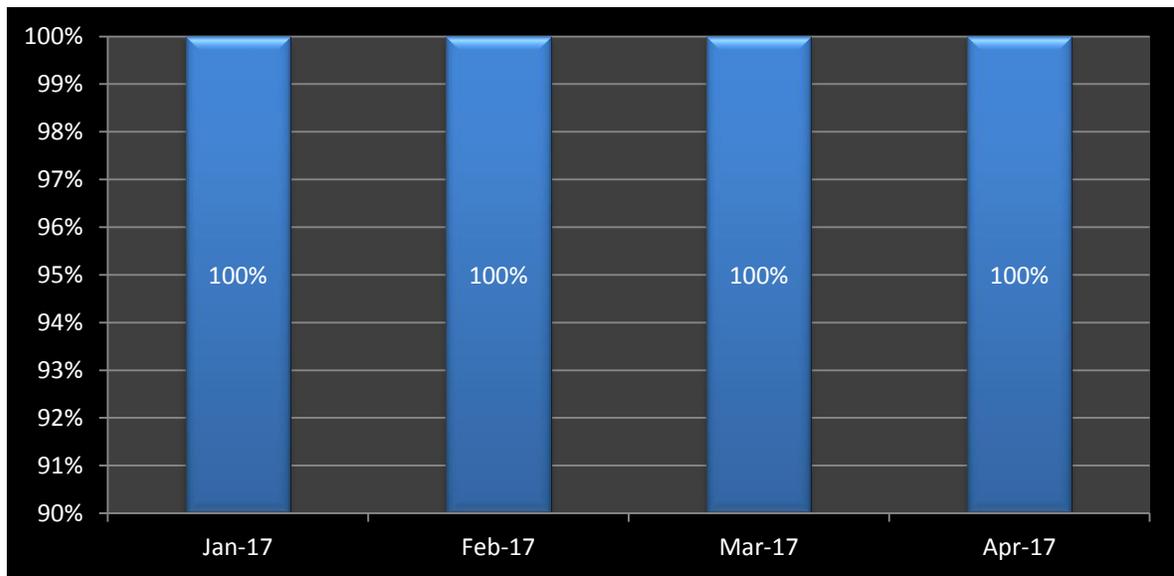
MC/IR Number	C.A. Disposition # and Description	In Custody/Submittal
MC16209563	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC170222874	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16188698	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC16278836	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC17055488	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
MC17022865	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17015595	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17014573	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17031365	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16278836	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC16229397	MCAOTN - 6109 - Self Defense/Mutual Combat	Submittal
MC17053336	MCAOTN - 6109 - Self Defense/Mutual Combat	Submittal

Justice Court Dismissals

MC#	Dismissal Description	In Custody/Citation/Civil
MC16284502	JCD - Dismissed on motion/request of prosecutor	Citation
MC17042503	JCD - Dismissed on motion of court or defendant	Citation
MC16275484	JCD - Dismissed on motion/request of prosecutor	Citation
MC17034020	JCD - Dismissed on motion of court or defendant	Citation
MC16334281	JCD - Dismissed on motion/request of prosecutor	Citation
MC16155131	JCD - Dismissed on motion of court or defendant	In Custody

MC#	Dismissal Description	In Custody/Citation/Civil
MC17061393	JCD - Dismissed on motion of court or defendant	Citation
MC17063766	JCD - Dismissed on motion of court or defendant	In Custody
MC17021569	JCD - Dismissed on motion/request of prosecutor	Citation
MC16278904	JCD - Dismissed on motion/request of prosecutor	Citation
MC17026965	JCD - Dismissed on motion/request of prosecutor	Civil
MC17023973	JCD - Dismissed on motion/request of prosecutor	Citation
MC17024599	JCD - Dismissed on motion of court or defendant	Citation
MC17059937	JCD - Dismissed on motion of court or defendant	Citation
MC16343196	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16308636	JCD - Dismissed on motion/request of prosecutor	Citation
MC17075050	JCD - Dismissed on motion/request of prosecutor	Citation
MC17068753	JCD - Dismissed on motion of court or defendant	Citation
MC17016095	JCD - Dismissed on motion of court or defendant	Citation
MC17050437	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16337842	JCD - Dismissed on motion of court or defendant	Citation
MC17050437	JCD - Dismissed on motion/request of prosecutor	In Custody

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: May 25, 2017
Date Completed: May 30th, 2017
Timeframe Inspected: April 1st through 30th, 2017
Assigned Inspector(s): Sergeant T. Brice S1767

I have reviewed this inspection report.



Captain B. Roska
Division Commander
Bureau of Internal Oversight

May 30, 2017
Date



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

May 30, 2017
Date