

MARICOPA COUNTY SHERIFF'S OFFICE
February 2017 County Attorney Dispositions



Audit and Inspections Unit
Inspections Report
County Attorney Dispositions
Date: March 28, 2017
Inspection #2017-0036



To: Lt. R. Morris S1014
Commander
Audit and Inspections Unit

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

Subject: Inspection of County Attorney Dispositions
BI #2017-0036

Date: March 28, 2017
Review from 2-1-
2017 to 2-28-2017

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 Bureau of Internal Oversight. 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 February 2017 (35 total cases). There were 190 dismissals of criminal cases from the Maricopa County Justice Courts for the month of February 2017. A random selection of 20% of these cases (38 of 190) was selected for review. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for February 2017.

C.A. Turndowns

MC/IR Number	C.A. Disposition # and Description	In Custody/Submittal
MC17023737	MCAOTN - 6158 - To city prosecutor in accordance with office policy delegating C6F offense for local level prosecution	In Custody
IR16-025324	MCAOTN - 6128 - Double Jeopardy would result MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Submittal
MC14193060	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17028937	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	In Custody
MC16321234	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16206577	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16320941	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16329282	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16218657	MCAOTN - 6101 - Limited resources/offense does not warrant prosecution/extradition MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16142406	MCAOTN - 6104 - This case should be submitted to city prosecutor	Submittal
MC16280740	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
MC17031363	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16288174	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16322034	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17005945	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16245758	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	In Custody
MC17037905	MCAOTN - 6109 - Self Defense/Mutual Combat	In Custody
MC17037828	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16308333	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal

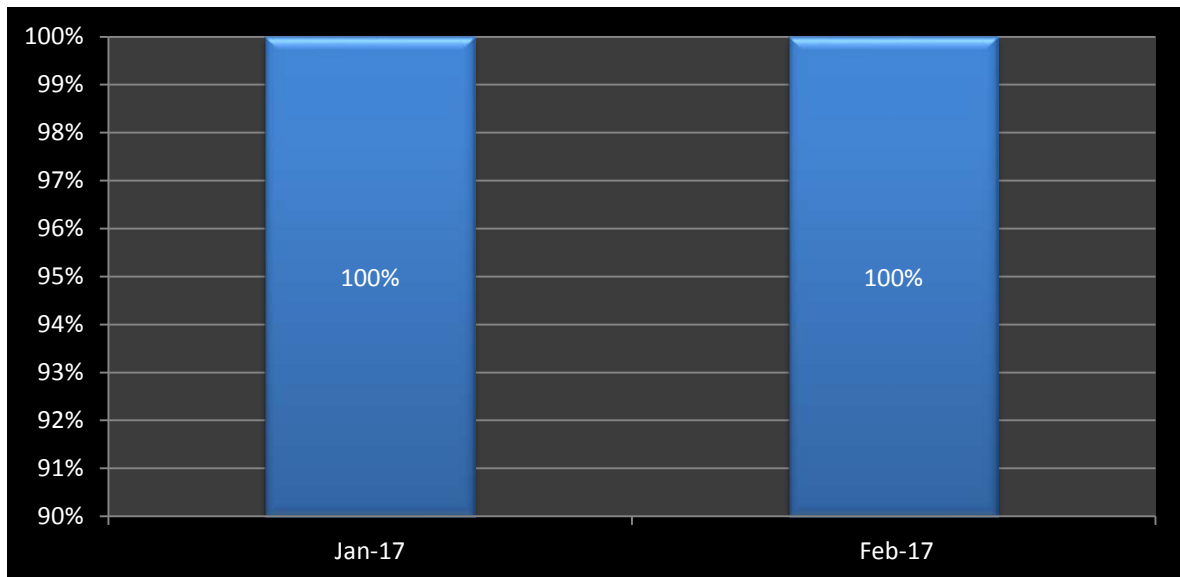
MC16320589	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17041530	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC17035904	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC16333998	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16188698	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
IR12-052589	MCAOTN - 6102 - Defendant sented in other case; no need to prosecute this matter	In Custody
MC17045348	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC17029870	MCAOTN - 6113 - No reasonable likelihood of conviction	In Custody
MC17017263	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR13-050542	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16337470	MCAOTN - 6107 - Civil Matter, Not criminal	Submittal
MC16188698	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC15131341	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC17034760	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
IR16-023733	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR16-009754	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal

Justice Court Dismissals

Citation Number	Dismissal Description	In Custody/Citation/Civil
70012011633601	JCD - Dismissed on motion/request of prosecutor	Cite and release
70011551626101	JCD - Dismissed on motion/request of prosecutor	Cite and release
70011401702602	JCD - Dismissed on motion of court or defendant	Civil Citation
70012581628703	JCD - Dismissed on motion/request of prosecutor	In Custody
70000821501401	JCD - Dismissed on motion of court or defendant	Cite and release
70011951617001	JCD - Dismissed on motion/request of prosecutor	Cite and release
70002331436501	JCD - Dismissed on motion/request of prosecutor	Cite and release
70011051630201	JCD - Dismissed on motion of court or defendant	Cite and release
70012901613701	JCD - Dismissed on motion/request of prosecutor	Cite and release
A922212	JCD - Dismissed on motion of court or defendant	Cite and release
70010981634401	JCD - Dismissed on motion of court or defendant	Cite and release
70010231602101	JCD - Dismissed on motion of court or defendant	Cite and release
70011081634401	JCD - Dismissed on motion of court or defendant	Cite and release
70012671633201	JCD - Dismissed on motion of court or defendant	Cite and release
70012651634001	JCD - Dismissed on motion of court or defendant	In Custody
70011511630102	JCD - Dismissed on motion of court or defendant	Cite and release
70010511630301	JCD - Dismissed on motion/request of prosecutor	Cite and release
70056301628701	JCD - Dismissed on motion/request of prosecutor	In Custody

70011361619301	JCD - Dismissed on motion/request of prosecutor	Cite and release
70015241609103	JCD - Dismissed on motion/request of prosecutor	Cite and release
70011471624901	JCD - Dismissed on motion/request of prosecutor	Cite and release
70002241527901	JCD - Dismissed on motion/request of prosecutor	Cite and release
70012241609801	JCD - Dismissed on motion/request of prosecutor	Cite and release
A922319	JCD - Dismissed on motion of court or defendant	Cite and release
70012621623404	JCD - Dismissed on motion of court or defendant	Cite and release
70012961634401	JCD - Dismissed on motion of court or defendant	Cite and release
70010731635902	JCD - Dismissed on motion/request of prosecutor	Cite and release
70010361607801	JCD - Dismissed on motion/request of prosecutor	In Custody
70012791630101	JCD - Dismissed on motion/request of prosecutor	Cite and release
70012291613101	JCD - Dismissed on motion of court or defendant	Cite and release
70010361634502	JCD - Dismissed on motion/request of prosecutor	Cite and release
70010251634701	JCD - Dismissed on motion/request of prosecutor	Cite and release
70050991532501	JCD - Dismissed on motion of court or defendant	In Custody
70011251631404	JCD - Dismissed on motion of court or defendant	Cite and release
70012761702702	JCD - Dismissed on motion of court or defendant	Cite and release
70011431635901	JCD - Dismissed on motion/request of prosecutor	Cite and release
70012181619501	JCD - Dismissed on motion/request of prosecutor	Cite and release
70050861624001	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: March 23, 2017

Date Completed: March 28, 2017

Timeframe Inspected: February 1st, 2016 through February 28th, 2017

Assigned Inspector(s): Sergeant T. Brice S1767

I have reviewed this inspection report.



Lieutenant Rick Morris S1014
Commander
Audits and Inspections

March 28, 2017
Date



Executive Chief Bill Knight S1011
Bureau Commander
Bureau of Internal Oversight

March 28, 2017
Date