

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**Complaint Intake Testing Inspection May 2021**

Inspection # BI2021-0066

The Bureau of Internal Oversight's (BIO) Audits and Inspections Unit (AIU) conducts Complaint Intake Test inspections on a monthly basis. The purpose of this inspection is to determine employee compliance with Office Policies GH-2, *Internal Investigations* and GI-1, *Radio and Enforcement Communications Procedures* as they relate to the civilian complaint intake process. To ensure consistent inspections, the *Complaint Intake Testing Matrix* developed by the AIU is utilized.

To achieve this, the AIU will conduct monthly inspections of the complaint intake tests completed by an outside vendor selected by the MCSO for this purpose. This vendor is responsible for having testers file fictitious complaints either in person at MCSO facilities, by telephone, by mail, by e-mail or by using MCSO's website in order to determine if MCSO employees process the intake of complaints in accordance with MCSO policy.

The vendor has been issued open Purchase Orders for Fiscal Year ending June 30<sup>th</sup> which allows for a sufficient number of random and targeted tests to allow MCSO to assess the complaint intake process. The vendor determines the number of tests it will conduct on a monthly basis and when and how it will conduct these tests. Additionally, the vendor has submitted testing methodologies and testing paperwork which has been approved by the AIU. These methodologies include the requirement to audio and video record all in-person tests and audio record all telephone tests. The testing vendor will adhere to these methodologies when conducting complaint intake testing for the Office.

**Compliance Objectives:**

- Are employees providing civilians with appropriate and accurate information about the complaint process?
- Are employees promptly notifying the Professional Standards Bureau (PSB) upon the receipt of a complaint?
- Are employees providing the PSB with accurate and complete information?
- Are employees attempting to discourage, interfere with, or delay civilians from registering a complaint?

**Criteria:**

MCSO Policy GH-2, *Internal Investigations*

MCSO Policy GI-1, *Radio and Enforcement Communications Procedures*

**Conditions:**

AIU began conducting the inspection of Complaint Intake Testing in January 2019 for tests performed during the month of December 2018. The following charts illustrate rolling 12-month histories of compliance with Office Policy. "N/A" indicates a particular type of testing was not performed during that month.

The Complaint Intake Testing vendor conducted nine tests during the month of May 2021; there were eight in-person tests and one telephone test. AIU inspected all nine complaint intake tests. These tests are discussed in further detail under the applicable report sub-sections below.

**In-Person Testing**

There were eight In-Person Complaint Intake Test conducted during the month of May 2021.

**1. TEST #: 65**

**DISTRICT/DIVISION:** District 1

**TEST SCENARIO:** The tester's complaint was about a deputy's unprofessional behavior. She observed a deputy arguing with someone in the parking lot of a fast-food restaurant. At the conclusion of the conversation, the deputy allegedly "flipped off" the other individual. The tester felt this was rude and unprofessional.

**ACTIONS TAKEN:** The tester initially went to District 1 to file the complaint. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The Dispatcher gathered information about the complaint as well as the tester's name and contact information, informing her that a sergeant would be contacting her soon. At this time, the complaint was referred to the on-duty supervisor in District 1 by e-mailing him the complaint information and copying the Early Identification Unit.

After the tester waited in her car for approximately 20 minutes, the District 1 on-duty sergeant called the tester. Since the sergeant was not close-by and the tester did not wish to wait, the sergeant took the complaint at that time.

The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator.

**RESULTS:** No deficiencies were noted.

**TESTER COMMENTS:** ... *[the Dispatcher's] tone sounded a bit patronizing when she said she needed to get information from me ... I found her tone of voice to be inappropriate, as if she was speaking down to a child. Otherwise she was professional.*

**BIO RESPONSE:** BIO disagrees. The Dispatcher was pleasant and professional while, at the same time, reassuring the tester that she wanted to make sure she "got someone out there to talk to her".

**BIO FOLLOW UP:** None required.

## 2. TEST #: 68

**DISTRICT/DIVISION:** District 2

**TEST SCENARIO:** The tester's complaint was about a deputy's unprofessional behavior. She observed a deputy walking around his marked MCSO vehicle that was in the parking lot of a restaurant. The deputy was allegedly on his cell phone, swearing loudly and arguing with someone and becoming very angry.

**ACTIONS TAKEN:** The tester initially went to District 2 to file the complaint. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The Dispatcher gathered information about the complaint as well as the tester's name and contact information, informing her that a sergeant would be contacting her soon. At this time, the complaint was referred to the on-duty supervisor in District 2 by e-mailing him the complaint information and copying the Early Identification Unit.

After waiting in her car for approximately 20 minutes, the tester called the non-emergency number again to ask that a supervisor come out and speak with her. The second Dispatcher took the tester's contact information so the on-duty supervisor could call the tester and get the complaint details since the on-duty supervisor was not available.

Early the same afternoon, a District 2 sergeant called the tester and left a message. The tester returned the sergeant's call but reached PSB instead. The PSB officer obtained details of the complaint and entered the information into BlueTeam the same day.

The on-duty District 2 sergeant tried reaching the tester two more times during the afternoon before the assigned investigator called the tester later that afternoon.

The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator.

**RESULTS:** No deficiencies were noted.

**TESTER COMMENTS:** *Everyone I talked to was helpful and tried to get me to the right place or person to talk to.*

**BIO FOLLOW UP:** None required.

**3. TEST #: 69****DISTRICT/DIVISION:** District 3**TEST SCENARIO:** None, since the test was terminated before scenario was given.**ACTIONS TAKEN:** The tester initially went to District 3 to file the complaint. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The call was not picked up right away and the greeting repeated instructing the caller to remain on the line; however, the tester ended the call as well as the test.**RESULTS:** No deficiencies were noted.**TESTER COMMENTS:** *I called the number that was listed on the door. It rang for a while, then a long message, then rang again and the message again. There was not a way of leaving a voicemail.***BIO FOLLOW UP:** Approximately 50 minutes following the tester's attempted call to Dispatch, AIU called the same number. The call was immediately answered by a Dispatcher. Communications Division personnel answer non-emergency calls as soon as they are available to do so. If multiple 911 calls come in at the same time, non-emergency callers may be on hold for several minutes. The length of the tester's call, including the greeting, was only two minutes. AIU discussed with the tester that it may be necessary at times to wait on hold for several minutes, or that the tester may need to call back a short while later.**4. TEST #: 74****DISTRICT/DIVISION:** District 1**TEST SCENARIO:** The tester observed a deputy allegedly throwing a bag of fast food out the window of his patrol vehicle while in the parking lot of a retail store.**ACTIONS TAKEN:** The tester went to District 1 to file the complaint. The lobby was closed so the tester called the number posted on the doors. The call was answered by the Office Assistant for District 1, who unlocked the lobby doors so the tester could enter. The Office Assistant gave the tester a *Comment and Complaint Form* to fill out while she went to get a sergeant to take the complaint. The sergeant reviewed the information on the *Comment and Complaint Form* with the tester while asking questions to obtain clarification and additional details. The sergeant concluded the interview by telling the tester that an investigator would be assigned and may be contacting her as a follow-up procedure.

The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator.

**RESULTS:** No deficiencies were noted.**TESTER COMMENTS:** *Very professional and kind interactions with both [Office Assistant and Sergeant].***BIO FOLLOW UP:** None required.**5. TEST #: 75****DISTRICT/DIVISION:** District 2**TEST SCENARIO:** The tester observed a deputy allegedly parked in a handicapped space outside a retail store. The tester said that the deputy sat in his vehicle for about 20 to 30 minutes.

**ACTIONS TAKEN:** The tester went to District 2 to file the complaint. The lobby doors were locked so the tester called the number posted on the doors, which was the MCSO non-emergency number. Dispatch personnel who took the call obtained the tester's name and contact information but did not ask the location of the complaint occurrence or any other information about the complaint as required by Policy GI-1. The Dispatcher immediately contacted the on-duty supervisor of District 2; however, following the call, an e-mail to the on-duty supervisor of the district should have been sent and copied to the Early Identification Unit with the complaint information. These procedures required by Policy GI-1 were not done.

The on-duty supervisor met with the tester in District 2's lobby area and audio recorded the interview but did not also video record the interaction as required by Policy GH-2. The complaint was documented in detail and forwarded immediately to the PSB through BlueTeam.

The tester received a phone call from PSB the following day providing her with a case number and PSB's contact information.

**RESULTS:** Three deficiencies were noted.

**TESTER COMMENTS:** *[Sergeant] was very attentive and made me feel heard.*

**BIO FOLLOW UP:** BIO followed up with the Communications Division through the BIO Action Form process to address the two Policy GI-1 requirements that were not met. In addition, the BIO Action Form process was initiated with District 2 to address the Policy GH-2 requirement that was not met.

## 6. TEST #: 76

**DISTRICT/DIVISION:** District 3

**TEST SCENARIO:** The tester observed a deputy allegedly sitting in his patrol vehicle for an extended period of time (approximately 2 ½ hours). He appeared to be eating while looking at a mobile device and laughing; "he was definitely not working".

**ACTIONS TAKEN:** The tester went to District 3 to file the complaint. The lobby doors were locked so the tester called the number posted on the doors, which was the MCSO non-emergency number. Dispatch personnel who took the call obtained the tester's name and contact information, as well as the location of the complaint occurrence. Although Dispatch personnel immediately contacted the on-duty supervisor for District 3, a follow-up e-mail to the sergeant should have been sent and copied to the Early Identification Unit with the complaint information. These procedures required by Policy GI-1 were not done.

A District 3 sergeant called the tester approximately two hours later and obtained additional details of the complaint. The complaint information was entered into BlueTeam that same day.

**RESULTS:** One deficiency was noted.

**TESTER COMMENTS:** *[Sergeant] was very pleasant and professional, and seemed concerned about the incident ... It was a positive experience because of the sergeant's demeanor and interaction with me.*

**BIO FOLLOW UP:** BIO followed up with the Communications Division through the BIO Action Form process to address the two Policy GI-1 requirements that were not met.

## 7. TEST #: 77

**DISTRICT/DIVISION:** District 6

**TEST SCENARIO:** The tester observed a deputy allegedly driving unsafely while speeding with no emergency lights or siren.

**ACTIONS TAKEN:** The tester went to District 6 to file the complaint and initially spoke to the Administrative Assistant. The Administrative Assistant referred the complaint to the on-duty supervisor. The sergeant recorded the interview on his body worn camera. At the conclusion of the interview, the sergeant explained MCSO's complaint intake process and what to expect next.

Two days later, an investigator from PSB called the tester and interviewed her regarding her complaint.

The tester received a phone call from PSB five days later providing her with an IA number and the contact information for the assigned investigator who had already contacted her.

**RESULTS:** No deficiencies were noted.

**TESTER COMMENTS:** The tester waited in the lobby for an extended period of time while the on-duty sergeant was finishing another call. *[Administrative Assistant] checked in on me a couple more times before [Sergeant] was available, which made me feel that I had not been forgotten ... After waiting some time, she offered to take my information in case I needed to leave, and she said that someone could return my call. I appreciated that, but I decided to wait. ... Overall, it was a good experience (except for the wait).*

**BIO FOLLOW UP:** None required.

#### 8. TEST #: 78

**DISTRICT/DIVISION:** District 7

**TEST SCENARIO:** The tester complained that a deputy stopped her while out on a bike ride with her husband. The deputy allegedly made insensitive racist remarks to them because they were Hispanic. The deputy's attitude was combative and his behavior unprofessional.

**ACTIONS TAKEN:** The tester went to District 7 to file the complaint and initially spoke to the Office Assistant. The Office Assistant referred the complaint to the on-duty supervisor. The sergeant recorded the interview on his body worn camera. At the conclusion of the interview, the sergeant explained MCSO's complaint intake process and what to expect next.

The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator.

**RESULTS:** No deficiencies were noted.

**TESTER COMMENTS:** *[Sergeant] began by providing his first and last name, along with his badge ID, which I found warm, professional, and transparent. He was attentive and detailed, and he expressed concern about the incident. It was obvious he took the matter seriously. He was also very thorough ... Based on his attitude and professional demeanor, I felt confident that the agency would investigate the matter quickly and efficiently. Kudos to [Sergeant] for such a positive experience. He struck a balance between being empathetic while remaining neutral.*

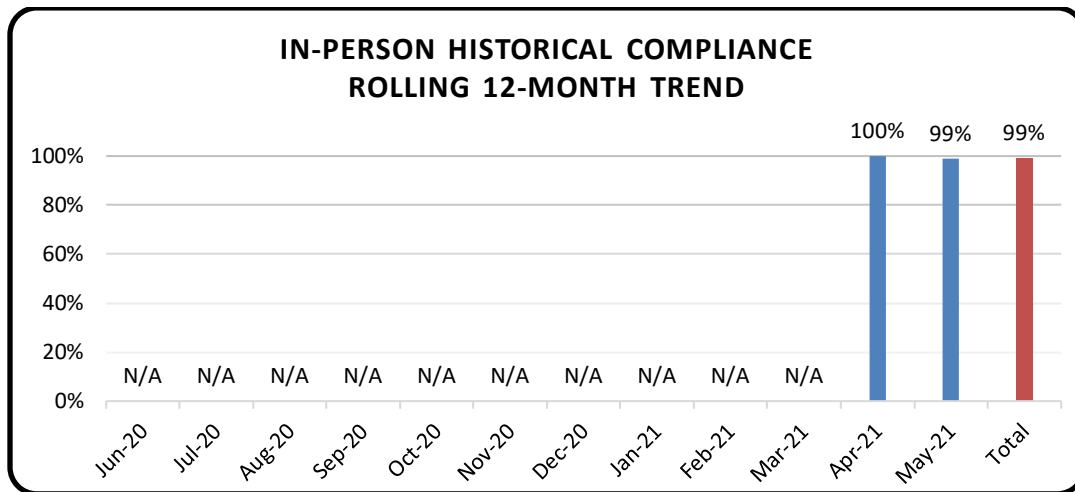
**BIO FOLLOW UP:** None required.

It was determined that MCSO employee compliance with applicable Office Policy (GH-2, *Internal Investigations*) was 99%, as illustrated by the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.	0	7	7	100%
Determine if the complaint was taken in a courteous manner.	0	7	7	100%
If the complainant did not speak, read, or write in English, or was deaf or hard of hearing, determine if the complaint was accepted.	N/A	N/A	N/A	N/A
Determine if the complaint was referred to the on-duty supervisor.	0	7	7	100%
If a supervisor was not available, verify that the employee obtained pertinent information and had a supervisor make contact with the complainant as soon as possible.	0	4	4	100%
Determine if original recordings and documents were attached to BlueTeam or sent via interoffice mail to PSB.	0	7	7	100%
Verify that complaint was entered into BlueTeam or IAPro.	0	7	7	100%
Determine if the employee attempted to discourage, interfere or delay complaint.	0	7	7	100%
If alleged conduct is of a criminal nature, determine that the chain of command was notified, who then notified PSB.	N/A	N/A	N/A	N/A
Verify that the complaint was audio and/or video recorded.	1	6	7	86%
Determine if the following minimum amount of information was obtained: <ul style="list-style-type: none"> <li>• Complainant's name</li> <li>• Complainant's contact information</li> <li>• Location of the complaint occurrence</li> <li>• Report number and deputy name, if known</li> </ul>	0	7	7	100%
Determine if verbal or written acknowledgement was provided that the complaint was received, documented, forwarded for investigation and that complainant would be contacted by a department representative.	0	7	7	100%
Determine if the complaint was immediately forwarded to PSB.	0	7	7	100%

Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	0	5	5	100%
Determine if the employee reported accurate information in the complaint.	0	7	7	100%
<b>Overall compliance for testing conducted In Person</b>	<b>1</b>	<b>85</b>	<b>86</b>	<b>99%</b>

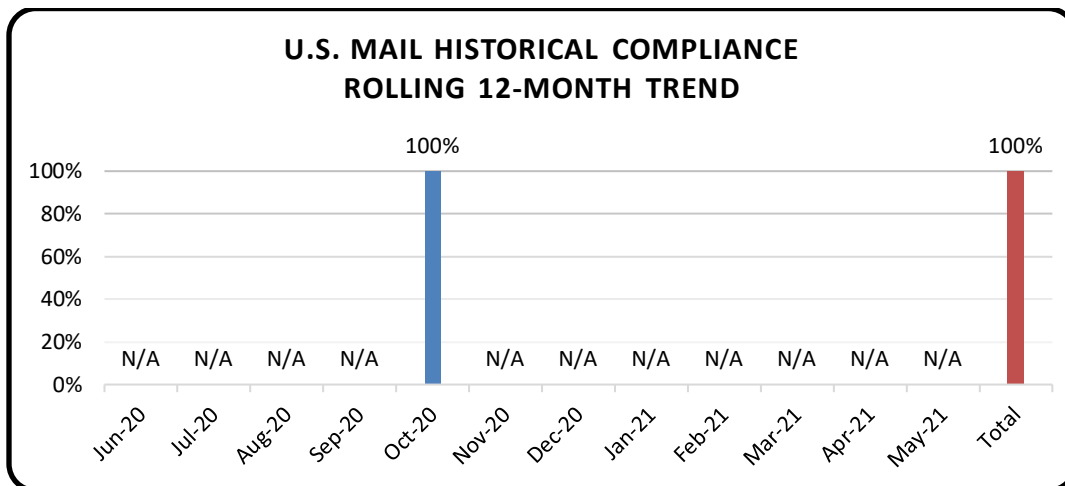
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



**Testing by U.S. Mail**

There were no Complaint Intake Tests conducted by U.S. Mail during the month of May 2021.

Below is a rolling 12-month historical comparison of compliance for tests conducted by U.S. Mail:

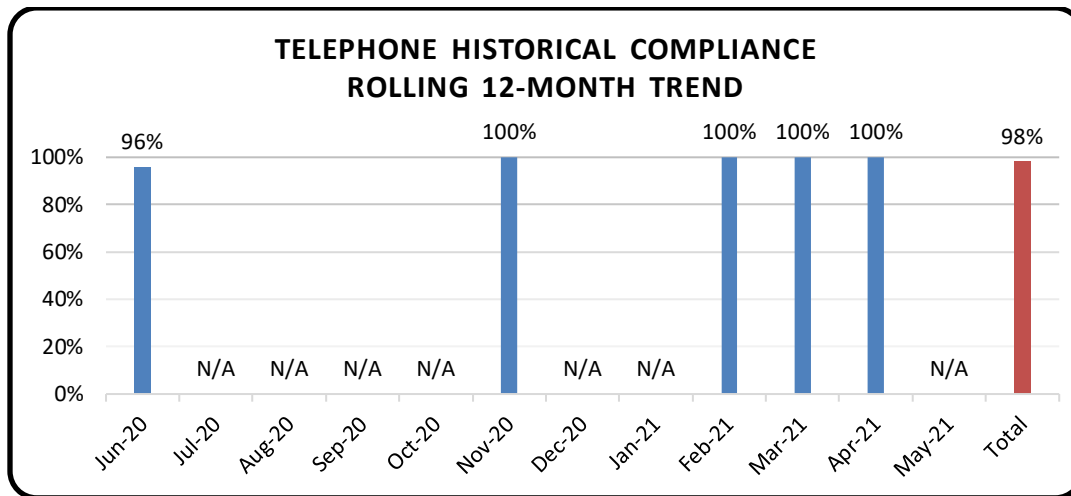


**Testing by Telephone**

There were no Complaint Intake Tests conducted by Telephone during the month of May 2021.



Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone:



#### **Testing by Telephone via Communications Division**

There were five Complaint Intake Tests initiated by Telephone via the Communications Division for the month of May 2021. See the above section titled “In-Person Testing” for descriptions of Tests 65, 68, 75, and 76, and the following description of Test 73.

**TEST #:** 73

**DISTRICT/DIVISION:** Communications Division

**TEST SCENARIO:** Tester observed a deputy allegedly berating and yelling racially insensitive remarks at a Hispanic driver he had pulled over for a traffic stop.

**ACTIONS TAKEN:** The first call made by the tester to the MCSO general information number went unanswered, so the tester called the following day. The Dispatcher who took the call documented the complaint information and the complainant’s name and contact information as required by Policy GI-1. However, Policy GI-1, *Radio and Enforcement Communications Procedures*, also requires that Communications Division personnel verbally contact the on-duty supervisor of the appropriate district immediately with the complaint information. Following the call, an e-mail to the on-duty supervisor of the district should have been sent and copied to the Early Identification Unit with the complaint information. These procedures required by Policy GI-1 were not done.

**RESULTS:** Two deficiencies were noted.

**TESTER COMMENTS:** *During my second attempt, I felt that she was listening but she was not interested in really taking a complaint or having anyone contact me back.*

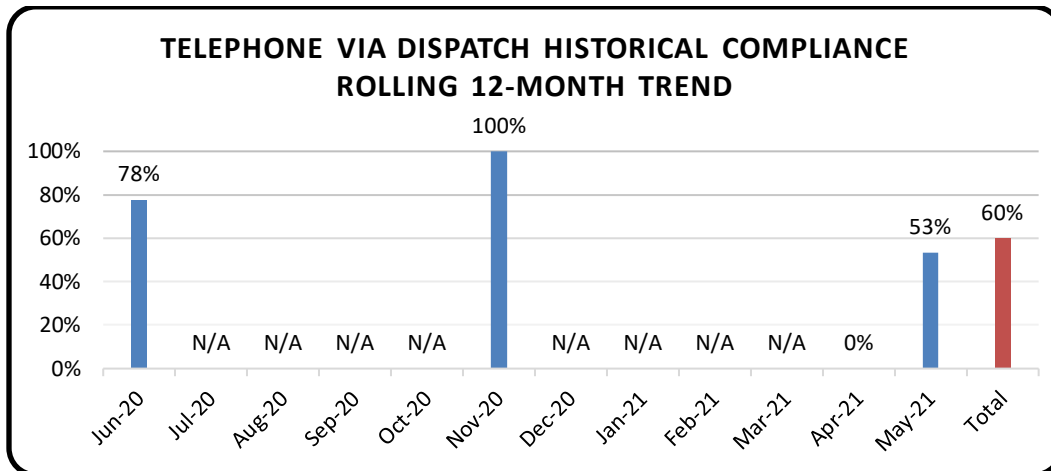
**BIO RESPONSE:** BIO disagrees. The Dispatcher was pleasant and professional, showing her interest by asking follow-up questions and obtaining complaint details. The Dispatcher concluded the call by reassuring the tester that the complaint would be logged into the system and that she would be contacted.

**BIO FOLLOW UP:** AIU followed up with Communications Division through the BIO Action Form process to address the two Policy GI-1 requirements that were not met.

It was determined that MCSO employee compliance with the applicable Office Policy (GI-1, *Radio and Enforcement Communications Procedures*) was 53%, as illustrated in the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the employee attempted to gather the complainant’s name and contact info, location of occurrence, report #, and name of deputy, if known.	1	4	5	80%
Determine if the employee immediately verbally contacted the on-duty division/district supervisor and e-mailed info to him/her.	3	2	5	40%
Determine if the employee e-mailed EIU.	3	2	5	40%
<b>Overall compliance for testing by Telephone via Communications Division</b>	<b>7</b>	<b>8</b>	<b>15</b>	<b>53%</b>

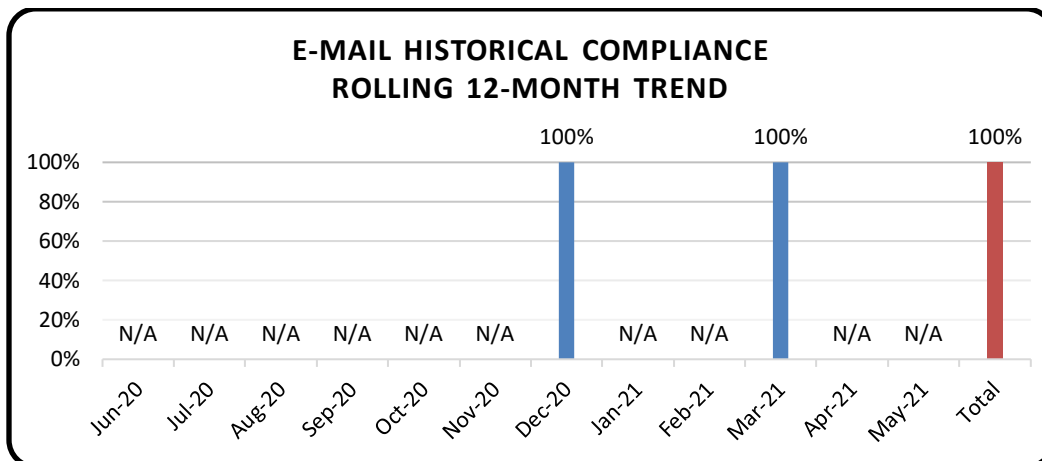
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



**Testing by E-Mail**

There were no Complaint Intake Tests conducted by E-mail during the month of May 2021.

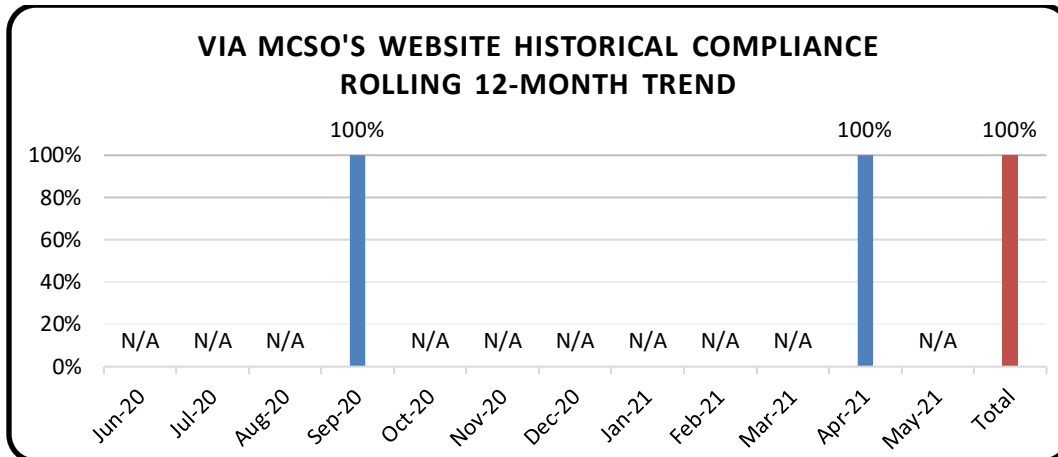
Below is a rolling 12-month historical comparison of compliance for tests conducted by E-mail:



**Testing Online via MCSO's Website**

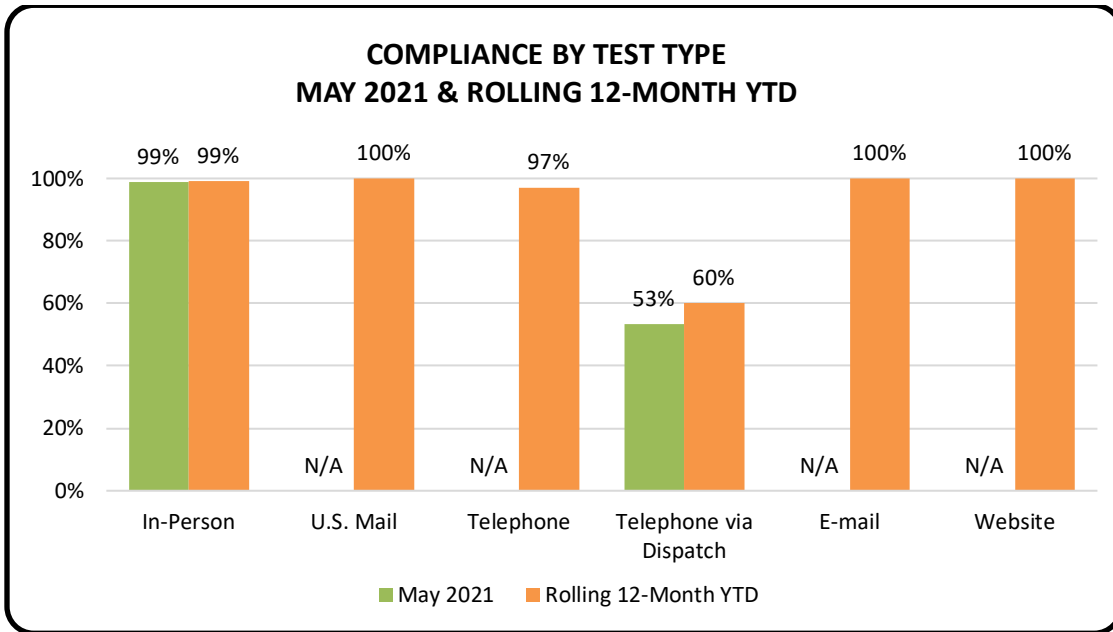
There were no Complaint Intake Tests conducted online during the month of May 2021 using the Office's website.

Below is a rolling 12-month historical comparison of compliance for filing a complaint Online:

**Overall Compliance for May 2021:**

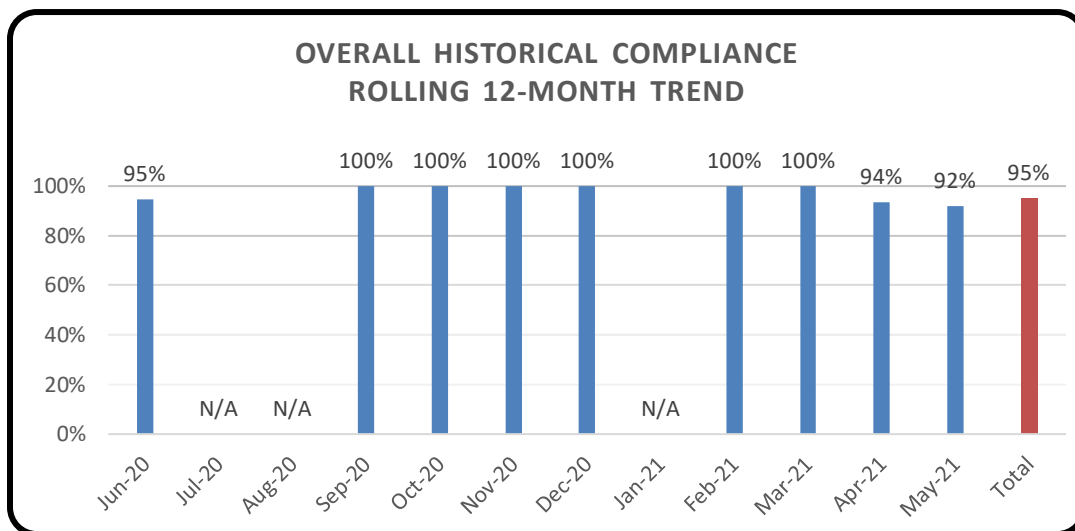
<b>Compliance Rate by Method of Testing May 2021</b>	<b>Compliance Rate</b>
Tests conducted In Person	99%
Tests conducted by U.S. Mail	N/A
Tests conducted by Telephone	N/A
Tests conducted via Dispatch	53%
Tests conducted via E-mail	N/A
Tests conducted by filing a complaint Online	N/A
<b>Overall Compliance for all Complaint Intake Tests Inspected – May 2021</b>	<b>92%</b>

Below is a chart illustrating compliance rate by type of test conducted for the month of May 2021 as compared with the corresponding year-to-date compliance rate:



**History of Overall Compliance:**

Below is a rolling 12-month historical comparison of compliance for all Complaint Intake Testing:



The following deficiencies were noted during the inspection period:

### Communications Division (3 BIO Action Forms)

District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
Communications	Employee	5/20/2021	None	Supervisor	Director
<b>Deficiencies</b>					
<ol style="list-style-type: none"> <li>1. The on-duty supervisor of the relevant district was not immediately verbally contacted with the complaint information. (GI-1.12.C.1.)</li> <li>2. The complaint information was not e-mailed to the district on-duty supervisor and copied to the Early Identification Unit at mcso.eis@mcso.maricopa.gov. (GI-1.12.C.1.a. and b.)</li> </ol>					
District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
Communications	Employee	5/27/2021	SC2021-0162	Supervisor	Director
<b>Deficiencies</b>					
<ol style="list-style-type: none"> <li>1. The location of the complaint occurrence, as well as any other relevant information was not obtained. (GI-1.12.C.)</li> <li>2. The complaint information was not e-mailed to the district on-duty supervisor and copied to the Early Identification Unit at mcso.eis@mcso.maricopa.gov. (GI-1.12.C.1.a. and b.)</li> </ol>					
District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
Communications	Employee	5/13/2021	None	Supervisor	Director
<b>Deficiency</b>					
The complaint information was not e-mailed to the district on-duty supervisor and copied to the Early Identification Unit at mcso.eis@mcso.maricopa.gov. (GI-1.12.C.1.a. and b.)					

### District 2 (1 BIO Action Form)

District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
District 2	Sergeant	5/27/2021	SC2021-0162	Lieutenant	Captain
<b>Deficiency</b>					
The interview was audio recorded but not also video recorded. (GI-1.12.C.1.b.(1)(a))					

Unless noted above in the deficiency tables, there were no prior BIO Action Forms similar in nature or supervisor notes addressing the deficiencies.

**Action Required:**

With the resulting **92%** compliance rate for Inspection #BI2021-0066, **four BIO Action Forms** are requested. The forms shall be completed utilizing BlueTeam.

Date Inspection Started: May 26, 2021  
Date Completed: June 17, 2021  
Timeframe Inspected: May 1<sup>st</sup> to May 31<sup>st</sup>, 2021  
Assigned Inspector: Connie Phillips B3345

I have reviewed this inspection report.

*Lt. Jonathan Halverson S1674*  
\_\_\_\_\_  
Lt. Jonathan Halverson S1674  
Commander, Audits and Inspections Unit  
Bureau of Internal Oversight

7/6/2021  
\_\_\_\_\_  
Date