

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight
Audits and Inspections Unit



Sworn Supervisor Note Inspection April 2019

Inspection Report# BI2019-0051

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) will conduct monthly inspections of Supervisory Note entries to determine if these entries are in compliance with Office policies and to help promote proper supervision. To achieve this, inspectors will utilize the IPro System and a sample of randomly selected employees from each district/division for review. These entries will be uniformly inspected utilizing a matrix developed by the Audits and Inspections Unit in accordance with the procedures outlined in policies, EA-11, GB-2, GJ-35 and Administrative Broadcast #16-124.

Matrix Procedures:

- Determine what district/division the notes originated from
- Ensure the supervisor completed two Supervisor Note entries per deputy each month
- Ensure the supervisor completed a minimum of one performance-based entry per deputy each month
- Ensure the supervisor conducted a monthly review of Body-Worn Camera footage
- Ensure the supervisor conducted bi-monthly reviews of EIS data
- Each Blue Team entry inspected will be counted as one inspection

Criteria:

MCSO Policy # EA-11, ARREST PROCEDURES (Section 14, Parts E, F):

- E. Supervisors shall take appropriate action to address all violations or deficiencies in investigatory stops or detentions, including non-disciplinary corrective action for the deputy; or referring the incident for administrative review or criminal investigation. Supervisors shall track, through the Early Identification System (EIS) Blue Team, each deputy's deficiencies or violations and the corrective action taken, in order to identify deputies who need repeated corrective action. Supervisors shall:
1. Notify the Professional Standards Bureau;
 2. Ensure that each violation is documented in the deputy's performance evaluations. The quality and completeness of the supervisory review shall be taken into account in the supervisor's own performance evaluations; and
 3. Take appropriate corrective or disciplinary action against supervisors who fail to conduct complete, thorough, and accurate reviews of deputies' investigatory detentions and stops.
- F. Command level personnel shall review, in the EIS Blue Team, all supervisory reviews related to arrests that are unsupported by probable cause or are otherwise in violation of Office policy; or that indicate a need for corrective action or review of Office policy, strategy, tactics, or training. The commander's review shall be completed within 14 days of receiving the document reporting the event. The commander shall evaluate the corrective action and recommendations in the supervisor's written report and ensure that all appropriate corrective action is taken.

MCSO Policy # GB-2, *COMMAND RESPONSIBILITY* (Section 7B, Parts 1, 2 & 4):

1. Supervisor notes shall be of sufficient quality and frequency to facilitate the preparation of an accurate and detailed performance review, but at a minimum an entry shall be completed every month. Supervisors shall complete two supervisor notes per month on sworn employees at a minimum.
2. Supervisors who have employees that are on an extended leave of absence shall complete a supervisor note to document the beginning date and end date of the absence.
4. Supervisors and commanders shall conduct two reviews per month of each sworn, and one per month of each non-sworn subordinates' EIS information for the purpose of identifying and responding to any conduct patterns or concerns including, but not limited to racial profiling, improper immigration enforcement, investigatory stop violations, detentions unsupported by reasonable suspicion or otherwise in violation of policy. This review shall be documented within the Blue Team Supervisor Notes.

MCSO Policy # GJ-35, *BODY-WORN CAMERAS* (Section 10-10B):

10. On a monthly basis, patrol supervisors shall conduct two random reviews of traffic stop video footage from each subordinate's body-worn camera recordings. Additionally, supervisors must review a subordinate's body-worn camera recordings in relation to a complaint, an investigation, a pursuit, or critical incident. A review of videos in relation to a complaint or an investigation, a pursuit, or critical incident shall not be considered as the monthly review of a randomized video.
 - A. The methodology and checklist for consistently reviewing body-worn camera recordings can be found at the following shared drive location; U:\BIO\FORMS.
 - B. The monthly reviews shall be documented in the EIS Blue Team Supervisor Notes application. The supervisor shall access the following:
 1. The deputy performance and training needs;
 2. Policy compliance;
 3. Consistency between written reports and body-worn camera recordings; and
 4. Whether the camera was functioning properly and its use was consistent with this Policy.

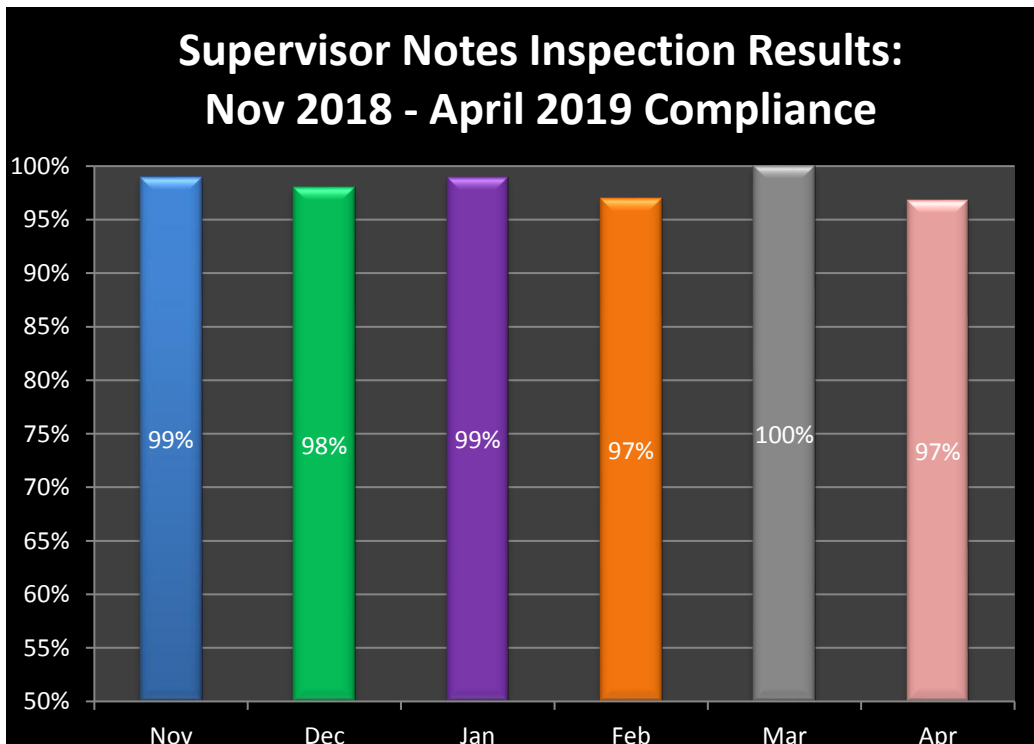
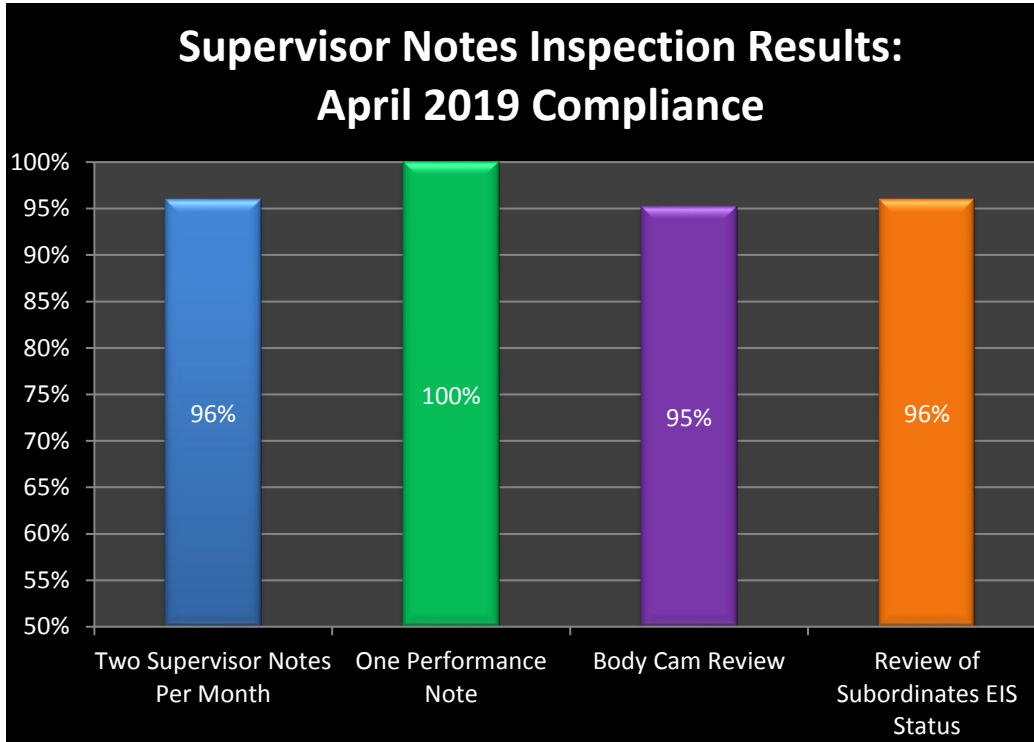
MCSO Administrative Broadcast Number 16-124 (effective 12/7/2016):

“MCSO commander and Supervisor **review**, on a regular basis, but not less than bimonthly, of EIS reports regarding each officer under the commander or Supervisor’s direct command and, at least quarterly, broader, pattern-based reports”.

Conditions:

MCSO’s assigned Court Monitors provided a sample of one patrol squad from each Patrol Division for the April 2019 Supervisory Note Review. The Supervisor Notes of the assigned patrol roster are reviewed, including the selected employee’s chain of command. AIU reviewed the completed Supervisor Notes of 29 deputies, 7 sergeants, 7 lieutenants and 7 captains. (Note: completion of a Supervisory Note inspection is dependent on when the AIU receives the sample from the Court Monitors.) Our inspection revealed:

- 96% of the inspected sample met the requirement of two Supervisor Notes per month for sworn employees.
- 100% met the requirement to complete at least one performance-based supervisor note per deputy.
- 95.24% of the inspected sample was in compliance with the requirement to complete monthly reviews of Body Camera footage in accordance with MCSO Policy # GJ-35.
- 96% of the inspected sample met the requirement for supervisor documentation of bi-monthly EIS data review.



Note: The overall compliance rate (**96.81%**) is an average of the four measures (Minimum of two notes per deputy, minimum of one performance-based note, bi-monthly reviews of EIS data and Body Camera review).

<i>District/Division</i>	<i>Supervisor Note Recipient</i>	<i>Supervisor</i>	<i>Commander</i>	<i>Potential Deficiency</i>
District 1	Deputy	Sergeant	Captain	-Two Supervisor Notes on sworn employees per month at a minimum -Supervisor Notes lacked documentation of bi-monthly EIS review

<i>District/Division</i>	<i>Supervisor Note Recipient</i>	<i>Supervisor</i>	<i>Commander</i>	<i>Potential Deficiency</i>
District 7	Deputy	Sergeant	Captain	-Two Supervisor Notes on sworn employees per month at a minimum -Supervisor Notes lacked documentation of bi-monthly EIS review -Supervisor Notes lacked documentation of review of two Body Cam videos

A total of **2** BIO Action Forms are requested from the affected division. **The form shall be completed utilizing Blue Team.** It is permissible to complete one BIO Action Form for a supervisor covering multiple deficiencies identified in this inspection.

Recommendations:

It is recommended that Supervisory Note Inspections continue at the Division level to provide assurance that the compliance rates continue to show improvement and remain constant over time. To accomplish this goal, the following criteria must be met:

1. **On a monthly basis**, a minimum of (2) Supervisory Notes shall be completed per Deputy on a monthly basis to specifically document the following requirements:
 - a. The Deputy’s work performance.
 - b. The review of 2 randomly selected traffic stop video footage (If only 1 traffic stop then only 1 reviewed).
 - c. The bi-monthly review of subordinates’ EIS Data.
 - i. Documented in two supervisor notes with the “Notes – Reviewed employees EIS Information” allegation.

Or

- ii. One supervisor note with the two dates the review took place in addition to the “Notes – Reviewed employees EIS Information” allegation. The two dates will serve as evidence that the reviews were bi-monthly.

Date Inspection Started: 05/20/2019
Date Completed: 05/21/2019
Timeframe Inspected: April 1st, 2019 – April 30th, 2019
Assigned Inspector(s): Sgt. D. Gardner S1608

I have reviewed this inspection report.

James McFarland S1344

06/04/2019

Captain James McFarland S1344
Commander, Bureau of Internal Oversight

Date