

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight
Audits and Inspections Unit



Complaint Intake Testing Annual Report

For Fiscal Year Ended June 30, 2024

#BI2024-0084

Testing Program

The Complaint Intake Testing program consists of tests completed by vendors MCSO utilizes to file fictitious complaints in person, by telephone, by mail, by e-mail, or through MCSO's website to determine Office employee adherence to MCSO Policy and Procedures as they relate to civilian complaint intake. MCSO produces an annual report on the testing program for each county fiscal year (July 1 through June 30) to be published by September 15th.

MCSO has contracted with one outside vendor to provide complaint intake testing services. This vendor conducts a sufficient amount of ongoing complaint intake testing throughout each county fiscal year for MCSO to adequately assess the complaint intake process. Currently, the vendor has been authorized to conduct a minimum of 24 tests per fiscal year; due to a new vendor being contracted in February only 10 tests were completed. Five of the tests are conducted by telephone, mail, e-mail, and through MCSO's website. The remaining 5 are conducted in person at an MCSO facility. The vendor selects the type of test, when, where, and how the tests will be conducted throughout the year. The vendor conducts its testing by utilizing the methodology submitted to MCSO. The Audits and Inspections Unit (AIU) of the Bureau of Internal Oversight (BIO) can direct targeted complaint intake tests as needed. BIO did not direct any targeted complaint intake tests during the period covered by this report.

AIU inspects all complaint intake tests completed by the vendor to determine if employees are in compliance with Office Policies GH-2, *Internal Investigations*, GI-1, *Radio and Enforcement Communications Procedures*, and GB-2, *Command Responsibility* as follows:

- 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?

AIU began inspecting Complaint Intake Testing in January 2019 for tests performed during the month of December 2018. This report covers the sixth year of MCSO's inspections of Complaint Intake Testing. To ensure consistency, AIU utilizes the following *Complaint Intake Testing Matrix*:

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

In addition, the following matrix is utilized for tests initiated through the Communications Division:

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.				
Determine if the employee contacted the division/district supervisor and emailed the info to him/her.				
Determine if the employee e-mailed EIU.				
Overall compliance for testing by Telephone via Communications Division				

Testing Methodology

Vendor personnel (tester) perform tests of MCSO’s external complaint intake process by posing as members of the public representing various races and ethnicities and filing fictitious complaints against MCSO employees through a variety of methods: in person, by telephone, via e-mail, website or in writing.

The tester audio and/or video record their interaction with MCSO employees and document their experience on a Test Report Form. The testing process is considered complete when the Tester has received an IA number from the Professional Standards Bureau (PSB).

The following are typical test scenarios involving deputies that are based on real-life complaints, summaries of which MCSO provides to the complaint test vendors on a regular basis:

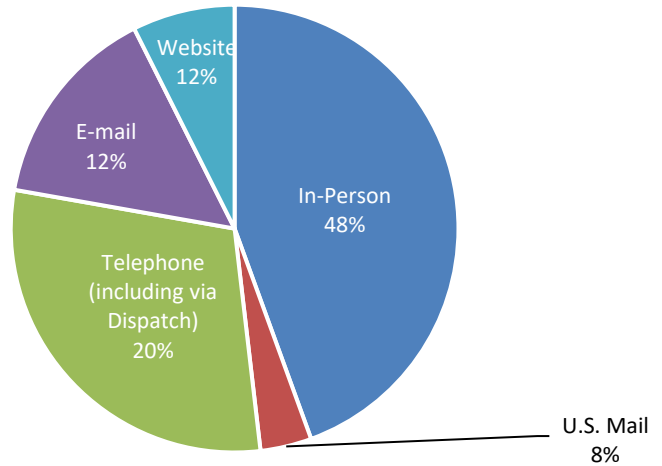
- Derogatory or unprofessional language,
- Rude or unprofessional behavior,
- Unsafe or illegal driving, and
- Parking in a handicap space/abuse of power.

Tests Conducted

Fiscal Year 2024 was the sixth year of the Complaint Intake Testing Inspection. Testers conducted a total of 10 tests for the 12-month period that ended June 30, 2024. The following charts illustrate the number and percentage of tests conducted broken down by type.

FY2024 Tests by Type

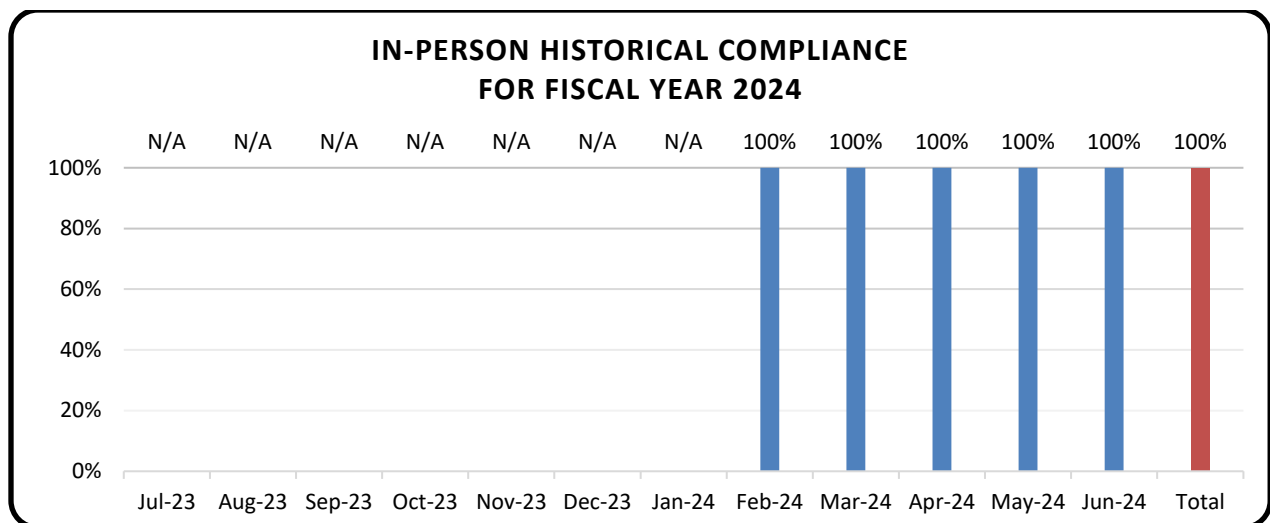
TEST TYPE	# CONDUCTED AND INSPECTED
In-Person	5
U.S. Mail	1
Telephone (including via Dispatch)	2
E-mail	1
Website	2
TOTAL – FY2023	11



In-Person Testing:

There were 5 In-Person Complaint Intake Tests conducted and inspected during Fiscal Year 2024. All five of the tests resulted in an employee compliance rate of 100%. It should be noted that one of the in-person tests was also subject to Policy GI-1, *Radio and Enforcement Communications Procedures*; the tester called the MCSO non-emergency number as the patrol district lobby was closed. The results of testing compliance with Policy GI-1 are presented in the chart **TELEPHONE VIA COMMUNICATIONS DIVISION Compliance for the FISCAL YEAR 2024** under the section **Testing by Telephone**.

The overall compliance rate for In-Person Complaint Intake Testing for Fiscal Year 2024 was 100%, as illustrated by the chart below:



The following is a summary of each of the 5 In-Person tests grouped by month:

February 2024 – 1 Test

The tester posed as a white female who while out jogging a deputy stopped his vehicle and started interacting with her. She said the deputy complimented her figure and asked for her address, phone number, and if she had anyone waiting for her at home. The tester felt this was a strange interaction and it made her very uncomfortable. She felt the deputy was using his position to get her personal information. The tester went to the office of District 7 to file a complaint. The administrative assistant greeted the tester and went to get her an on-duty supervisor. The sergeant audio and video recorded the interview as required by policy. Six days later, PSB emailed the tester with an IA number and the contact information for the assigned investigator. No deficiencies were noted.

The tester's video equipment did not work but they were able to audio record the complaint intake interview via their phone. BIO contacted the vendor to determine why the video equipment failed and the vendor said that it was the tester's first time using the equipment and they had failed to correctly turn it on. The tester now understands how to properly utilize the equipment.

March 2024 – 1 Test

The tester posed as a white female who while out jogging was stopped by a deputy who then started asking her personal questions. She said the deputy asked her if she felt safe running alone and asked for her personal information. She felt this was a strange interaction and it made her very uncomfortable. She felt that the deputy was hitting on her. The tester went to District 2's office and was greeted by the administrative assistant. The tester told the assistant she would like to file a complaint and the administrative assistant went to get her an on-duty supervisor. An on-duty sergeant came out to join the tester and took her complaint. The interview was audio and video recorded by the sergeant in accordance with Office Policy. At the conclusion of the interview, the sergeant explained that he would enter a complaint and that the Professional Standards Bureau would be in contact with her. Six days later, PSB called the tester and left a voicemail with an IA number and the contact information for the assignment investigator. No deficiencies were noted.

April 2024 – 1 Test

The tester posed as a white female who witnessed a truck hit a parked car in the parking lot of a Starbucks. She was able to get the truck's license plate number and tried to report the accident to a deputy who was inside the Starbucks. She said the deputy was uninterested in taking the report and stated he was on break and the person whose vehicle was hit could just file the incident with their insurance company since it occurred on private property. The tester went to the District 3 office which was closed, so she called the number posted on the door. See the below section titled "Testing by Telephone" for the Telephone portion of the test. The on-duty sergeant was contacted by the Communications dispatcher via the CAD system and came outside the district's office and took the complaint. The interview was audio and video recorded by the sergeant in accordance with Office Policy. At the conclusion of the interview, the sergeant explained the process and informed the tester that the matter would be investigated. Five days later, PSB emailed the tester with an IA number and the contact information for the assigned investigator. No deficiencies were noted on the In-Person portion of the test.

May 2024 – 1 Test

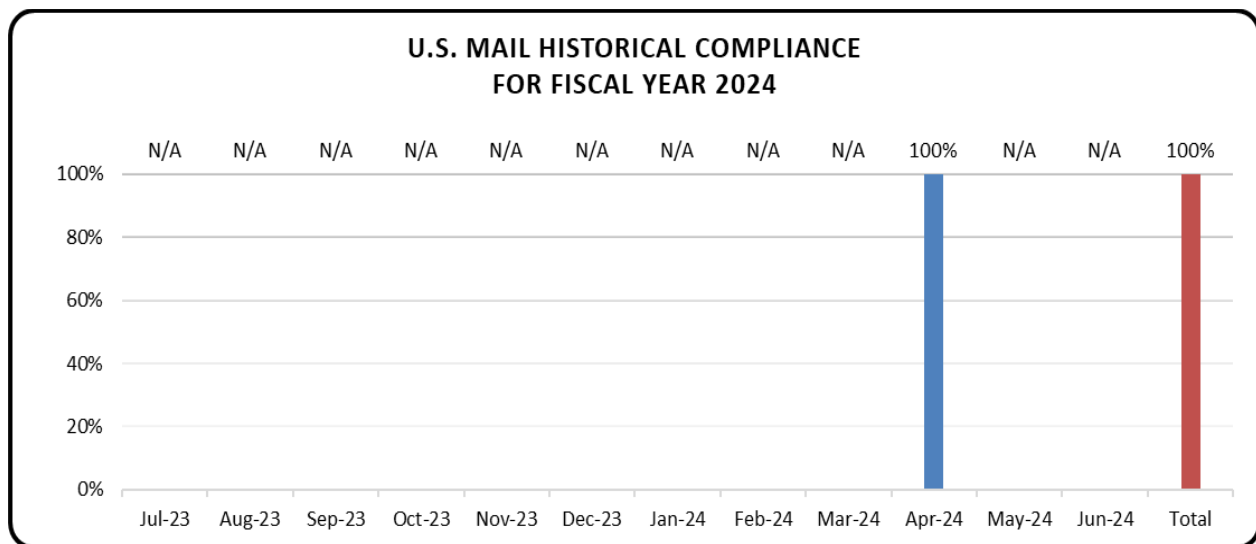
The tester posed as a white female who witnessed two deputies being rude to a Hispanic male who was operating the boat they rented for the day. The tester said their boat had been stopped by two deputies who were very rude to her friend who was operating the boat. They were calling him names and being overall rude. The tester went to the District 4 Cave Creek office and was greeted by the administrative assistant who asked a few questions about the nature of the complaint and then went to get the on-duty supervisor. The on-duty sergeant came and took the complaint. The interview was audio and video recorded by the sergeant in accordance with Office Policy. At the conclusion of the interview, the sergeant explained the process and informed the tester that the matter would be investigated. Five days later, PSB emailed the tester with an IA number and the contact information for the assigned investigator. No deficiencies were noted.

June 2024 – 1 Test

The tester posed as a white female who was driving on Highway 87 and witnessed two vehicles get into an accident. The tester said she stayed at the scene of the accident to give a statement. An MCSO deputy was the first law enforcement to arrive, and she told the deputy that she had witnessed the accident. She waited in her vehicle for about 10 minutes and then she got out and approached the deputy’s SUV. The deputy did not acknowledge her so knocked on his window. She said the deputy was rude and informed her “This is not our problem this is DPS.” The deputy did not take her statement or contact information leaving her very frustrated. The tester went to District 1’s office and was greeted by the administrative assistant. The tester told the assistant she would like to file a complaint and the administrative assistant went to get her an on-duty supervisor. An on-duty sergeant came out to join the tester and took her complaint. The interview was audio and video recorded by the sergeant in accordance with Office Policy. At the conclusion of the interview, the sergeant explained that he would enter the complaint and that the Professional Standards Bureau would be in contact with her. No deficiencies were noted.

Testing by U.S. Mail:

There was one U.S. Mail Complaint Intake Test conducted and inspected during Fiscal Year 2024. The compliance rate for the was 100%, as illustrated by the following chart:



The following is a summary of the one U.S. Mail test by month:

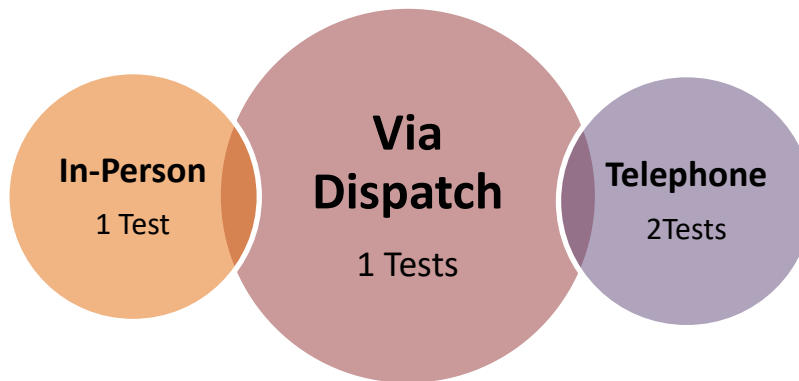
April 2024 – 1 Test

The tester sent a letter by U.S. mail addressed to PSB at 550 W. Jackson Street, Phoenix, AZ 85003 complaining about teenagers speeding in Anthem. The tester said the deputy was very rude when the tester waved him down, the deputy said that he did not have time to deal with the type of BS. PSB received the letter five days after the tester mailed it. Later that day, the tester received a letter electronically (since no return address was provided by the tester) from PSB providing her with an IA number and the contact information for the assigned investigator. No deficiencies were noted.

Testing by Telephone:

There are different ways in which a complaint may be filed via telephone—through Dispatch or directly to the patrol district, PSB, or another division of MCSO. There was a total of two Telephone Complaint Intake Tests conducted and inspected during Fiscal Year 2024. One of those tests was initiated through a call to the district and the phone rolled to the Communications Division by telephone and is discussed in the paragraphs below. As previously stated in the **In-Person Testing** section above, one In-Person test (April 2024) was initiated by telephone through the Communications Division for an annual total of two Telephone Tests Via Dispatch. The following diagram illustrates the relationship between In-Person tests and Telephone tests that also involved the participation of Communications Division personnel:

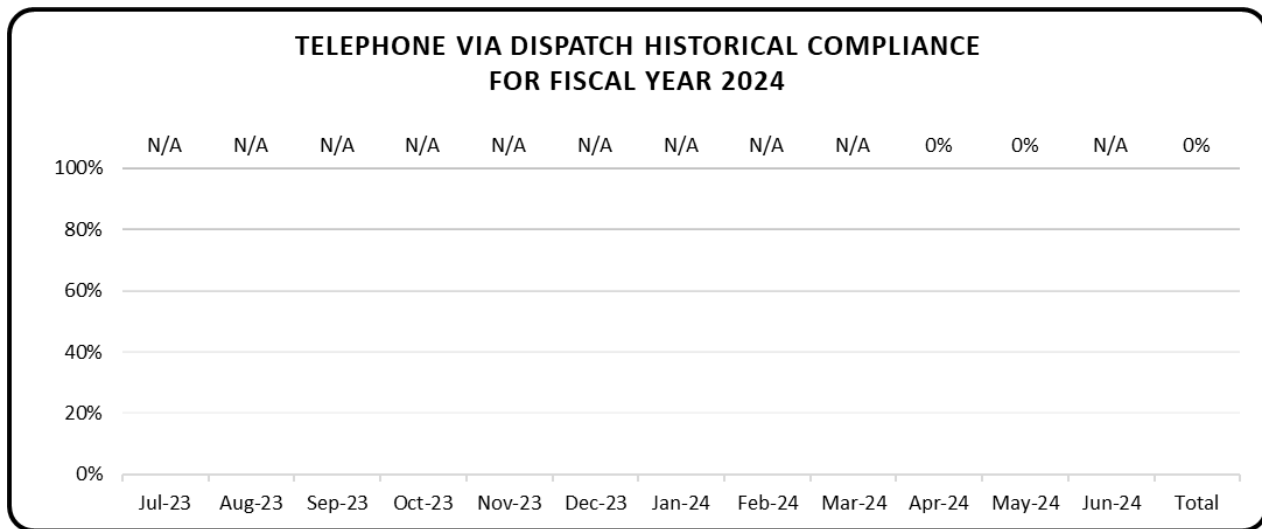
Tests Through Communications Division



The following chart represents MCSO employees' monthly and overall compliance rating with Office Policy GH-2, *Internal Investigations*. The overall compliance rate for Fiscal Year 2024 was 0%.



The following chart represents the Communications Division's monthly and overall compliance rating with Office Policy GI-1, *Radio Enforcement Communications Procedures*. The overall compliance rate for Fiscal Year 2024 was 0%.



The following is a summary of each of the two Telephone tests grouped by month:

April 2024 – 1 Test

The tester posed as a white female who witnessed a truck hit a parked car in the parking lot of a Starbucks. She was able to get the truck's license plate number and tried to report the accident to a deputy who was inside the Starbucks. She said the deputy was uninterested in taking the report and stated he was on break and the person whose vehicle was hit could just file the incident with their insurance company since it occurred on private property. The tester went to the District 3 office which was closed, so she called the number posted on the door. The call was first answered by an automated message and then MCSO dispatch answered. The dispatcher took the complaint information but did not obtain the complainant's name or contact information. The dispatcher contacted the on-duty supervisor via CAD and

told him that there was a person outside wanting to file a complaint. The dispatcher did not email the on-duty supervisor and EIU with the details of the complaint as required by Policy GI-1.

Three deficiencies were noted, 1) Communications Division personnel did take the complainant's name or contact information, 2) they did not e-mail the complaint information to the on-duty supervisor of the district or division in which the complaint was directed, and 3) they did not copy the e-mail sent to the on-duty supervisor with the complaint information, to the Early Intervention Unit at mcsos.eis@mcsos.maricopa.gov to ensure that the complaints are entered into Blue Team. Policy GI-1.12.D.1.a. and b.

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

May 2024 – 1 Test

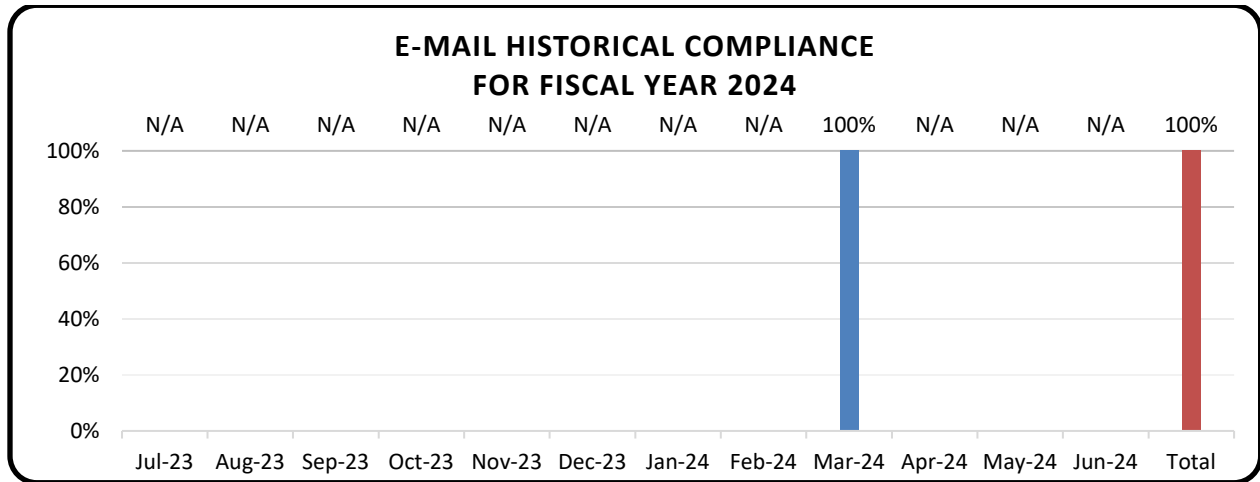
The tester posed as a female who was hitchhiking on the I-10 and had been picked up by an African American female. The driver was pulled over by a deputy on the I-10 by the power plant. The tester felt that the deputy was being racist and targeting the driver due to her race. The deputy mentioned that it was out of place for a black person to be in the area and to be picking up hitchhikers. The tester said she did not remember the deputy giving the driver a ticket or warning. The tester called the District 2 phone number which initially was answered by an automated message and then by dispatch. The tester stated she would like to file a complaint. The dispatcher asked for the report number which the tester did not have and then the location of the incident. When the tester said it was on the I-10 by the power plant the dispatcher said she would need a better location than that to take the complaint. The dispatcher then asked what happened, but again said she could not take the complaint without a better location as she did not know which substation to contact.

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

Testing by E-mail:

There was one E-mail Complaint Intake Test conducted and inspected during Fiscal Year 2024. The test resulted in an employee compliance rate of 100%. The overall compliance rate for Complaint Intake Testing by E-mail for Fiscal Year 2024 was 100%, as illustrated by the following chart:



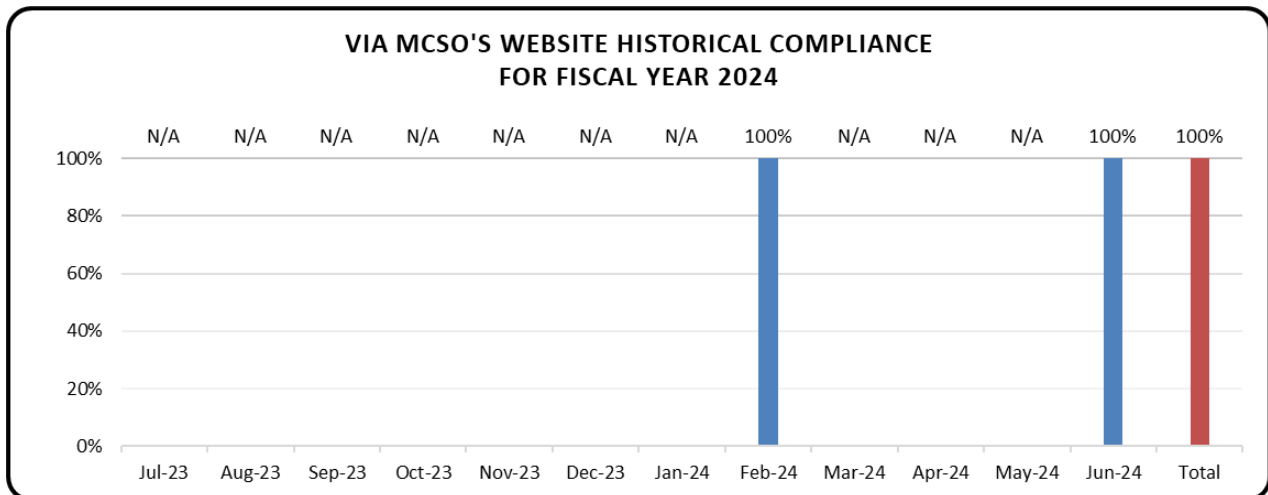
The following is a summary of the one E-mail test by month:

March 2024 – 1 Test

The tester posed as a white male who had been hanging out in a local park in a predominantly Hispanic neighborhood. When he decided to leave the park and walk down the street he was stopped by a deputy. The tester said that the deputy asked for identification and if he had any drugs or firearms on him. The tester felt he was only stopped based on his race. The tester e-mailed PSB directly. The next day the tester received a response from PSB with the IA number and contact information for the assigned investigator. No deficiencies were noted.

Testing Online via MCSO’s Website:

There were two Online Complaint Intake Tests conducted and inspected during Fiscal Year 2024. Both tests resulted in an employee compliance rate of 100%. The overall compliance rate for Complaint Intake Testing Online via MCSO’s Website for Fiscal Year 2024 was 100%, as illustrated by the following chart:



The following is a summary of each of the two Online tests grouped by month:

February 2024 – 1 Test

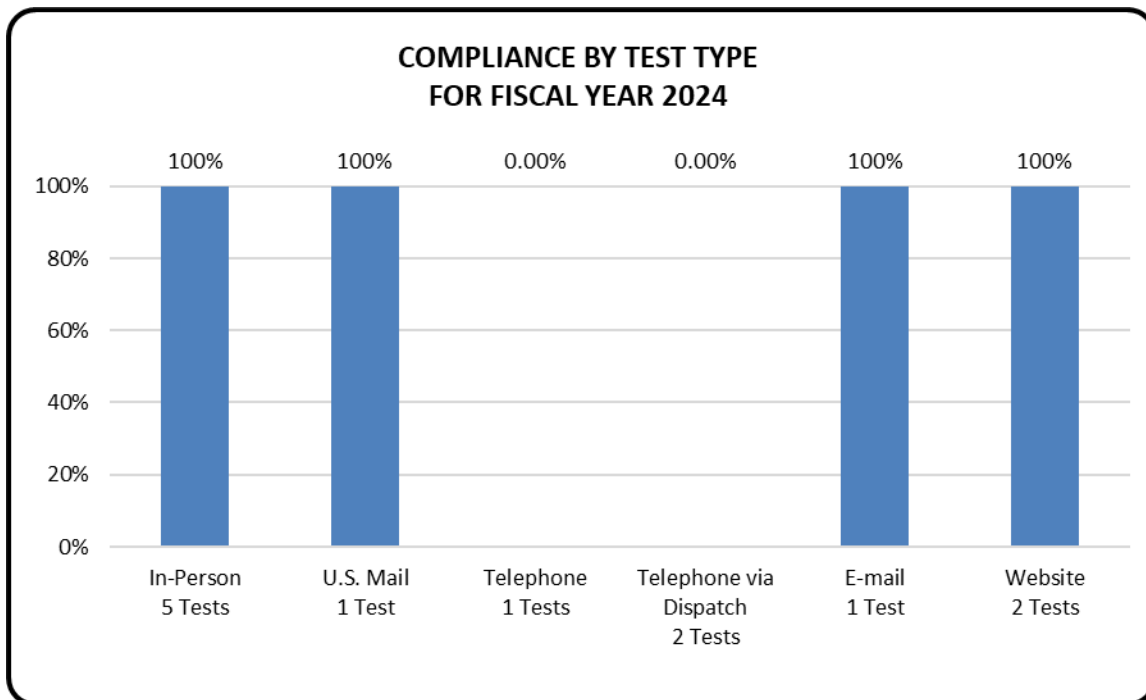
The tester posed as a homeless male with dwarfism who was hitchhiking and was picked up by an older gentleman who was subsequently stopped by a Sheriff’s deputy. The tester said the deputy asked for identification from both of them and was very rude when he said he didn’t have any identification. The tester also said the deputy made derogatory statements to him about his disability. The tester filed the complaint through the MCSO website at www.mcso.org/i-want-to/share-comments-or-complaints. Seven days later, the tester received an e-mail response from PSB with an IA number and the name and contact information of the assigned investigator. No deficiencies were noted.

June 2024 – 1 Test

The tester posed as a male driving in Sun City when his vehicle was passed by a Sheriff’s vehicle that was being driven very aggressively. The deputy was changing lanes without warning and causing other vehicles to slam on their brakes to avoid hitting the deputy’s vehicle. The tester also said that the deputy ran a red light and was not driving with his lights or siren on. The tester filed the complaint through the MCSO website at www.mcso.org/i-want-to/share-comments-or-complaints and received an automated confirmation response a short time later. No deficiencies were noted.

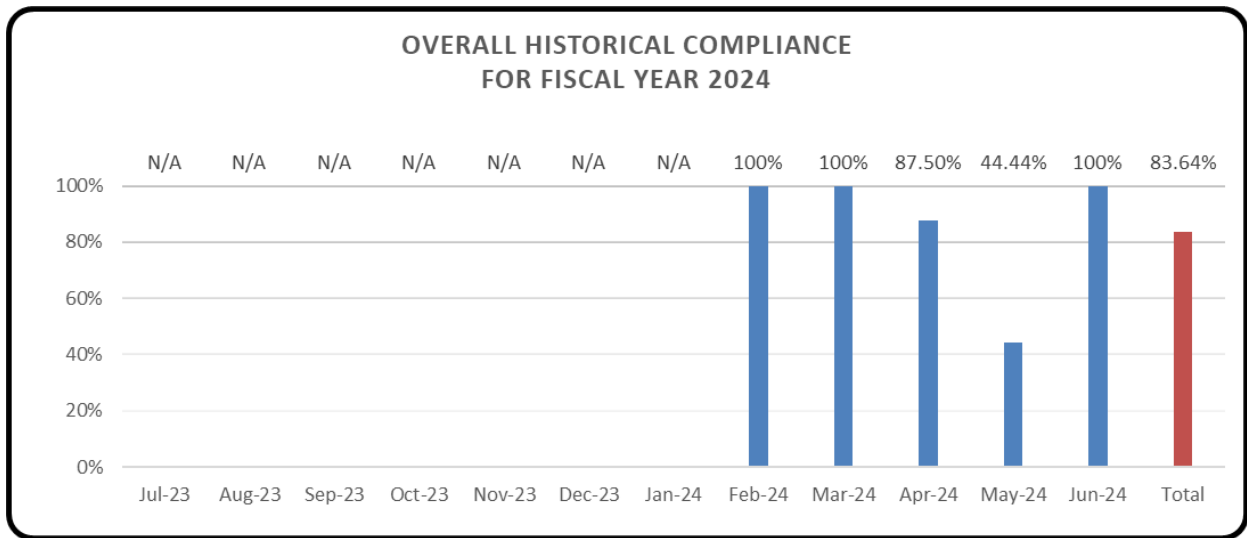
Compliance by Test Type

Below is a chart illustrating the overall compliance rate and the number of tests by type for each method of testing for Fiscal Year 2024:



History of Overall Compliance:

Below is a chart illustrating the overall compliance rate by month for Fiscal Year 2024:



Conclusion

MCSO and the testing vendor continue to maintain a good working relationship through timely communication, respectful dialogue, and proactive problem-solving. These key elements are responsible for the low number of challenges that the Complaint Intake Testing Program has faced this fiscal year.

I have reviewed this annual report.

Lt. Brian Arthur S1806

 Lieutenant T. Brian Arthur S1806
 Commander, Audits and Inspections Unit
 Bureau of Internal Oversight

8/6/2024

 Date