

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Oct. 2021 Misconduct Investigations Inspection Report

Inspection # BI2021-0150

The Bureau of Internal Oversight's (BIO) Audits and Inspections Unit (AIU) will conduct Misconduct Investigations inspections monthly. The purpose of the inspection is to ensure compliance with Office policies and to promote proper supervision. To achieve this, inspectors will select for review all Misconduct Investigations that were initiated after November 1, 2017, and completed during the month being analyzed. To ensure consistent inspections, the *Misconduct Investigation Matrix* developed by the AIU will be utilized.

Compliance Objectives:

The compliance objectives for this inspection are contained within each of the included tables.

Criteria:

MCSO Policy GC-4, *Employee Performance Appraisals*
 MCSO Policy GC-12, *Hiring, and Promotional Procedures*
 MCSO Policy GC-17, *Employee Disciplinary Procedures*
 MCSO Policy GH-2, *Internal Investigations*
 MCSO Policy GH-4, *Bureau of Internal Oversight*
 MCSO Policy GI-4, *Calls for Service*

Conditions:

A review of the IAPro records revealed that a total of 37 administrative misconduct investigations were started on or after November 1, 2017, and were closed during the month of October 2021. A list of these investigations was provided to the Monitor team. A randomly selected proportionate sample, consisting of 10 investigations, was provided to AIU for inspection. Of the sample provided for inspection, 1 investigation was completed by *Sworn Supervisors* assigned to the Divisions/Districts, 3 investigations were completed by *Sworn Supervisors* assigned to the Professional Standards Bureau (PSB), 5 investigations were completed by *Detention Supervisors* assigned to the PSB, and 1 investigation was completed by *Civilian Investigators** assigned to the PSB.

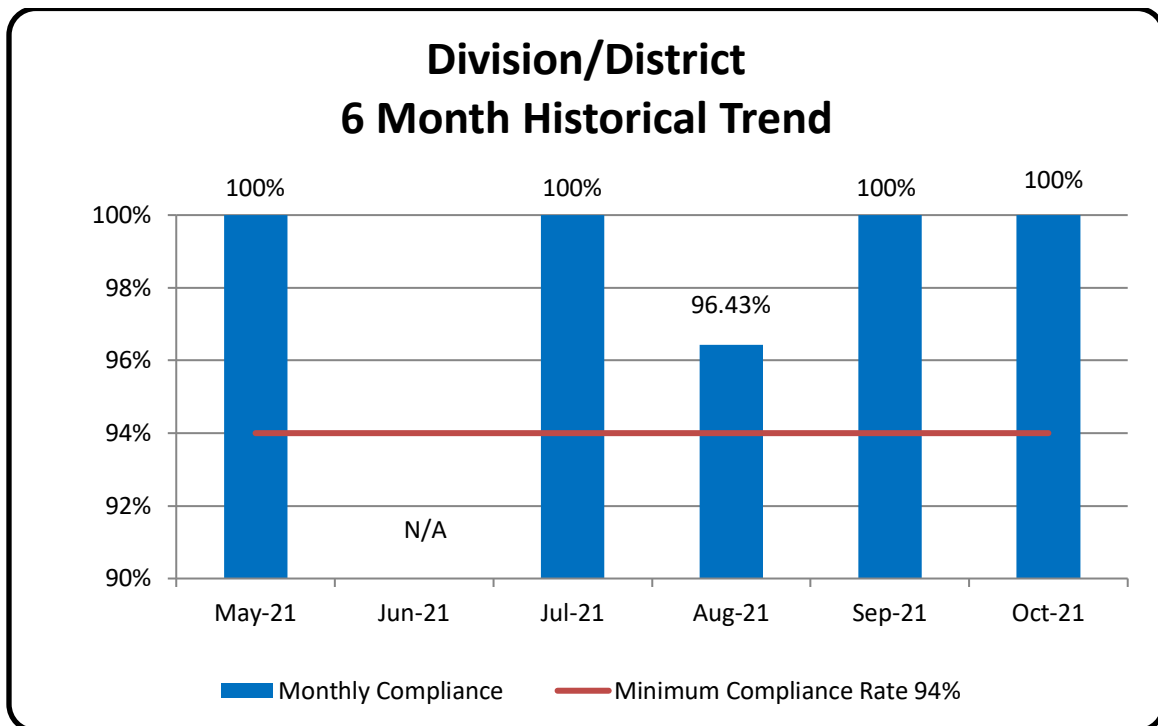
*The category of "*Civilian Investigators* assigned to the PSB" is a category recently incorporated into this report. With the increase in the number of Civilian Investigators assigned to the PSB staff and their increased impact in the number of inspections completed, this new category is necessary to report the findings of this inspection more accurately.

Inspection results for the 1 Misconduct Investigation conducted by Sworn Supervisors at the Division/District

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	1	1	0	100%
Verify complaint was assigned a unique identifier	1	1	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	1	1	0	100%
Verify deadlines were met	1	1	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	1	1	0	100%
Determine if an investigation was conducted by an employee with a history of multiple sustained misconduct allegations, or one sustained allegation of a Category 6 offense from the MCSO's disciplinary matrices	1	1	0	100%

Determine if an investigation was conducted by an employee who was named as a principal or witness in any investigation of the underlying incident	1	1	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	1	1	0	100%
Determine if interviews were audio and video recorded	1	1	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	1	1	0	100%
Determine if an employee was promoted or received a salary increase while named as a principal in an ongoing misconduct investigation absent the required written justification	1	1	0	100%
Determine if a final finding was reached on a misconduct allegation	1	1	0	100%
Determine if an employee's disciplinary history was documented	1	1	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	1	1	0	100%
Overall Compliance for Misconduct Investigations conducted at the Division/District	14	14	0	100%

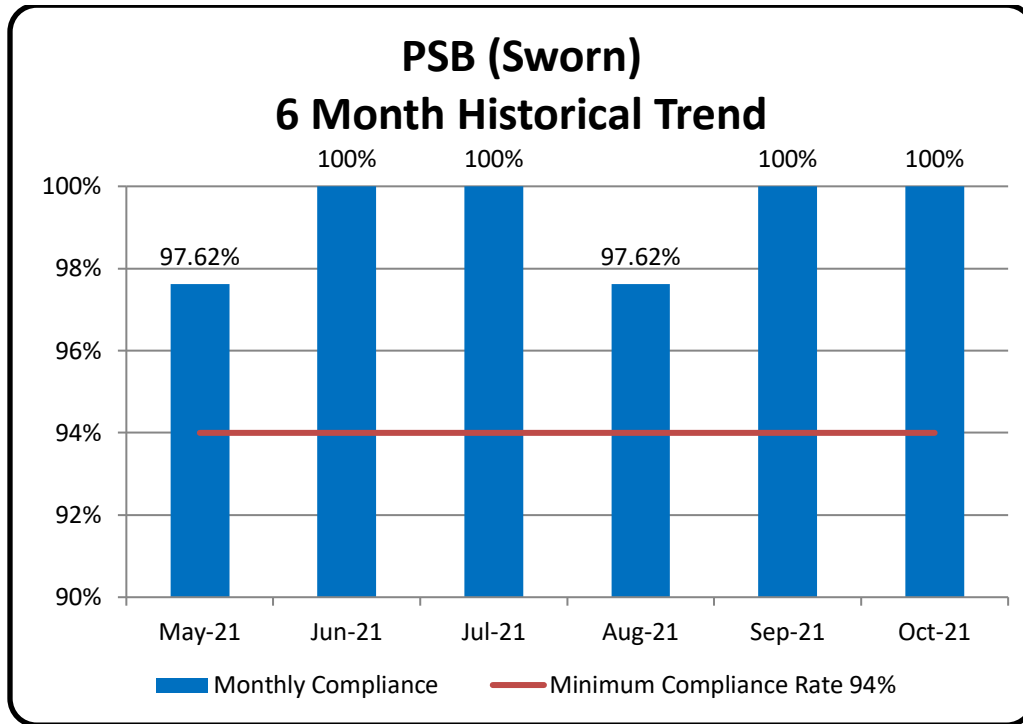
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



Inspection results for the 3 Misconduct Investigations conducted by Sworn Supervisors at the PSB

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	3	3	0	100%
Verify complaint was assigned a unique identifier	3	3	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	3	3	0	100%
Verify deadlines were met	3	3	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	3	3	0	100%
Determine if an investigation was conducted by an employee with a history of multiple sustained misconduct allegations, or one sustained allegation of a Category 6 offense from the MCSO's disciplinary matrices	3	3	0	100%
Determine if an investigation was conducted by an employee who was named as a principal or witness in any investigation of the underlying incident	3	3	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	3	3	0	100%
Determine if interviews were audio and video recorded	3	3	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	3	3	0	100%
Determine if an employee was promoted or received a salary increase while named as a principal in an ongoing misconduct investigation absent the required written justification	3	3	0	100%
Determine if a final finding was reached on a misconduct allegation	3	3	0	100%
Determine if an employee's disciplinary history was documented	3	3	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	3	3	0	100%
Overall Compliance for Misconduct Investigations conducted by the Sworn Personnel at the PSB	42	42	0	100%

Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn personnel at the Professional Standards Bureau:

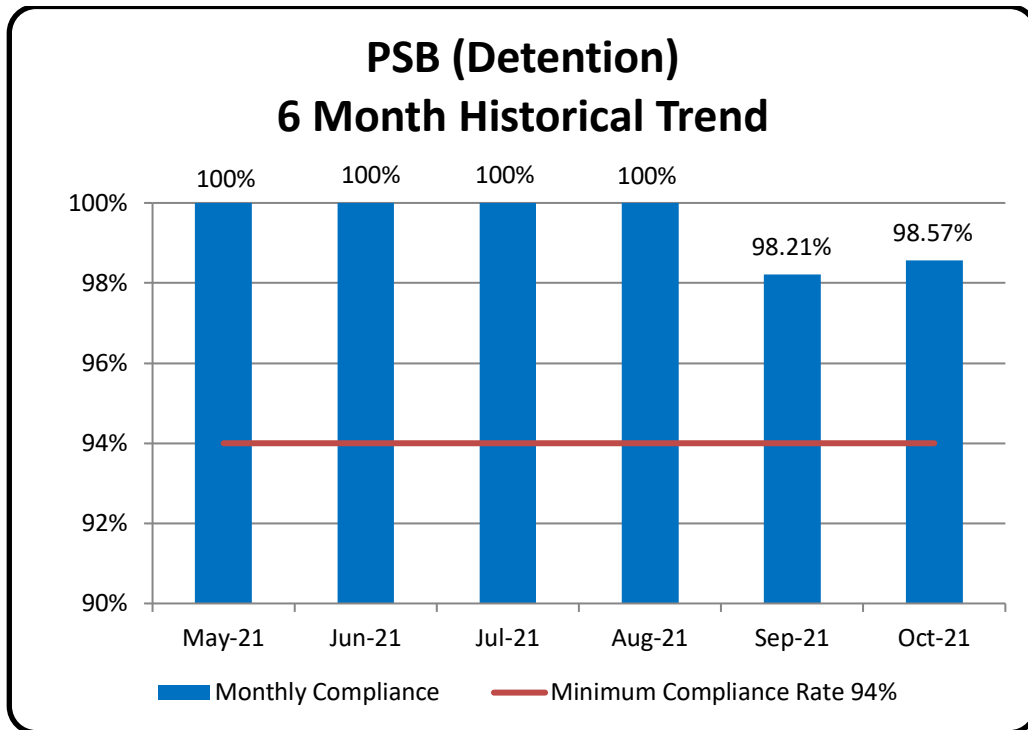


Inspection results for the 5 Misconduct Investigation conducted by Detention Supervisors at the PSB.

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	5	5	0	100%
Verify complaint was assigned a unique identifier	5	5	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	5	5	0	100%
Verify deadlines were met	5	5	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	5	5	0	100%
Determine if an investigation was conducted by an employee with a history of multiple sustained misconduct allegations, or one sustained allegation of a Category 6 offense from the MCSO's disciplinary matrices	5	5	0	100%
Determine if an investigation was conducted by an employee who was named as a principal or witness in any investigation of the underlying incident	5	5	0	100%

Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	5	5	0	100%
Determine if interviews were audio and video recorded	5	4	1	80%
Determine if the investigative report was reviewed by the appropriate personnel	5	5	0	100%
Determine if an employee was promoted or received a salary increase while named as a principal in an ongoing misconduct investigation absent the required written justification	5	5	0	100%
Determine if a final finding was reached on a misconduct allegation	5	5	0	100%
Determine if an employee's disciplinary history was documented	5	5	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	5	5	0	100%
Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB	70	69	1	98.57%

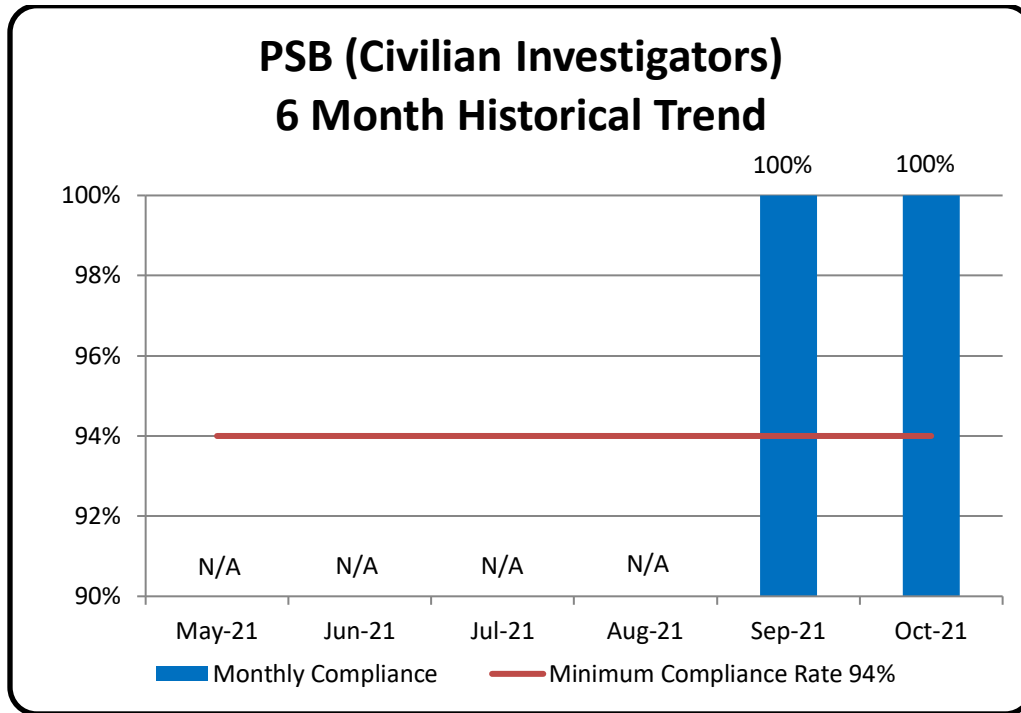
Below is the historical comparison of compliance for Misconduct Investigations conducted by detention personnel at the Professional Standards Bureau:



Inspection results for the 1 Misconduct Investigation conducted by Civilian Investigators at the PSB

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	1	1	0	100%
Verify complaint was assigned a unique identifier	1	1	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	1	1	0	100%
Verify deadlines were met	1	1	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	1	1	0	100%
Determine if an investigation was conducted by an employee with a history of multiple sustained misconduct allegations, or one sustained allegation of a Category 6 offense from the MCSO's disciplinary matrices	1	1	0	100%
Determine if an investigation was conducted by an employee who was named as a principal or witness in any investigation of the underlying incident	1	1	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	1	1	0	100%
Determine if interviews were audio and video recorded	1	1	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	1	1	0	100%
Determine if an employee was promoted or received a salary increase while named as a principal in an ongoing misconduct investigation absent the required written justification	1	1	0	100%
Determine if a final finding was reached on a misconduct allegation	1	1	0	100%
Determine if an employee's disciplinary history was documented	1	1	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	1	1	0	100%
Overall Compliance for Misconduct Investigations conducted by the Sworn Personnel at the PSB	14	14	0	100%

Below is the historical comparison of compliance for Misconduct Investigations conducted by civilian investigators* at the Professional Standards Bureau:



***Inspector’s Note:** Because this is the second month that the category of “Civilian Investigators at the PSB” is included in this inspection report, there is limited comparative historical data available for inclusion in this chart.

The following deficiency was identified during the inspection and a BIO Action Forms are requested from the affected division.

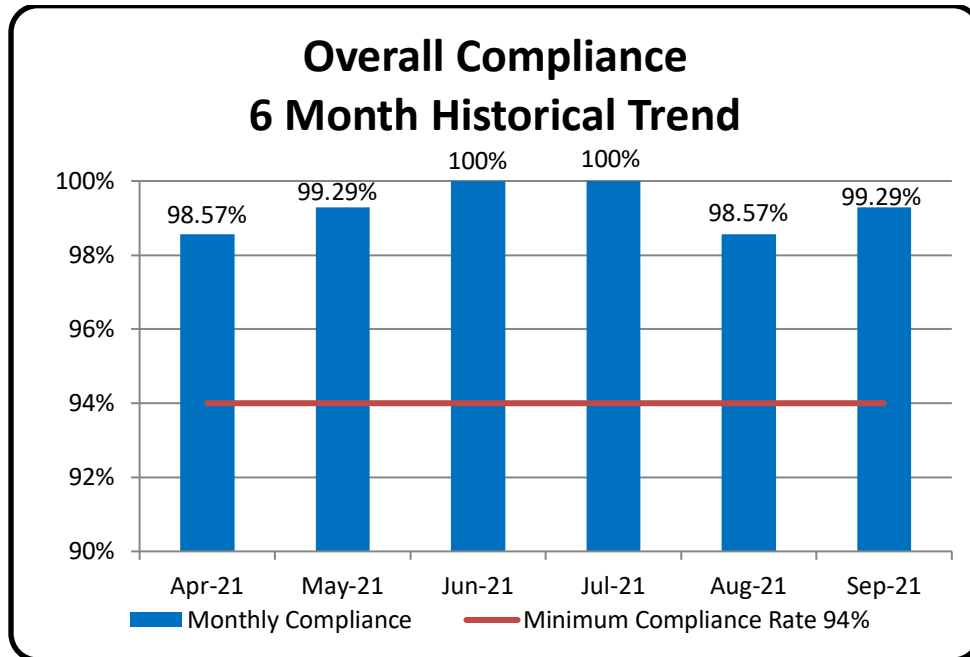
IA Number	Employee	Current Assignment	Current Division Commander
IA2017-0834	Sergeant	PSB	Captain
Deficiency			
<p><u>Verify all interviews are Audio and Video recorded:</u></p> <p>The IAPro Case File included multiple interviews which were properly documented; however, one interview with a local witness was only audio recorded as it was conducted telephonically. The investigator did not provide justification or documented in the investigative report, an explanation for not conducting the interview in person and audio and video recording the interview.</p> <p>Reference: MCSO Policy GH-2, Subsection 4.A.6.</p>			

There are no prior BIO Action Forms similar in nature or supervisor notes addressing the identified deficiency.

Compliance for October 2021:

Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	100%
Sworn Personnel at the Professional Standards Bureau	100%
Detention Personnel at the Professional Standards Bureau	98.57%
Civilian Investigators at the Professional Standards Bureau	100%
Overall Compliance for October Misconduct Investigations	99.29%

Below is the historical comparison of compliance for all Misconduct Investigations inspected by the MCSO:



Inspection BI2021-0150 resulted in **99.29%** compliance with **One** BIO Action Form requested from the affected division.

Date Inspection Started: December 1, 2021
 Date Completed: December 13, 2021
 Timeframe Inspected: October 1 to October 31, 2021
 Assigned Inspector: Sr. Auditor M. Rodriguez A9047

I have reviewed this inspection report.

Lt. Jonathan Halverson S1674
 Lt J. Halverson S1674
 Commander; Audits and Inspections Unit
 Bureau of Internal Oversight

12/27/2021
 Date