

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Complaint Intake Testing Inspection August 2022

Inspection # BI2022-0120

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 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 random and targeted tests to allow MCSO to assess the complaint intake process. The vendor determines the number of tests it will conduct 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.

There were two Complaint Intake Tests conducted during the month of August 2022; both were in-person tests. AIU inspected both complaint intake tests. These tests are discussed in further detail under the applicable report sub-sections below.

**In-Person Testing**

There were two In-Person Complaint Intake Tests conducted during the month of August 2022.

**1. TEST #: 116-IP**

**DISTRICT/DIVISION:** District 1

**TEST SCENARIO:** Tester posed as a Latino man who observed a deputy in an MCSO vehicle allegedly parked in a handicapped space while eating his lunch inside a restaurant.

**ACTIONS TAKEN:** The tester went to the office of District 1 to file a complaint. The Office Assistant gave the tester the MCSO *Comment and Complaint Form* to complete. The Office Assistant disappeared into the back for several minutes while the tester filled out the form. During that time, an unidentified male employee came to the front and

offered to “go get somebody” for the tester. When the Office Assistant returned, she stated that she will “inter-office” the tester’s *Comment and Complaint Form* to PSB. At that point, the tester asked if he could speak to a supervisor. The Office Assistant, who volunteered that this was the first time she had anyone walk in and file a complaint, informed the tester that since there was no information specifically identifying the deputy, there would be no way for her to know which supervisor. She again stated that the *Form* will go to PSB and they will investigate it and may call him. The test ended at this point.

Three days later, PSB entered the complaint into the IPro system and called the tester with an IA number and the contact information for the assigned investigator.

**RESULTS:** There were four deficiencies noted, as follows:

- 1) The complaint was not referred to an on-duty supervisor. (Policy GH-2, 2.B.1.a.(1))
- 2) The complaint was not entered into BlueTeam by District 1 staff. (Policy GH-2, 2.B.1.b.)
- 3) An interview with the complainant was not video and audio recorded. (Policy GH-2, 2.B.a.b.(1)(a))
- 4) The complaint was not immediately forwarded to PSB through BlueTeam. (Policy GH-2, 2.B.1.b.)

**TESTER COMMENTS:** *“I felt sort of pushed out of the sheriff’s office; they were not as helpful as during other tests.”*

**BIO FOLLOW UP:** BIO followed up with District 1 through the BIO Action Form process to address the Policy GH-2 requirements that were not met.

## 2. TEST #: 118-IP

**DISTRICT/DIVISION:** District 3

**TEST SCENARIO:** Tester posed as a woman who was filing a complaint on behalf of a friend who was Hispanic. The tester was with her friend, who was concerned about an aggressive dog that was loose in the apartment complex parking lot where he lived. A deputy happened to be on the property and the friend approached the deputy concerning the dog. The deputy allegedly made racist comments and seemed generally uncaring about the situation.

**ACTIONS TAKEN:** The tester went to the office of District 3 to file a complaint but found the lobby closed due to remodeling. She called the number posted on the door, which was the number to the district office, to have someone come out and speak with her. The administrative staff who answered the call obtained the tester’s contact information so that a supervisor could call her back. Fifteen minutes later, a District 3 sergeant called the tester and came outside to take the details of the complaint. The sergeant audio and video recorded the interview 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.

Six days later, the tester received a phone call from PSB providing her with an IA number and the contact information for the assigned investigator.

**RESULTS:** No deficiencies were noted.

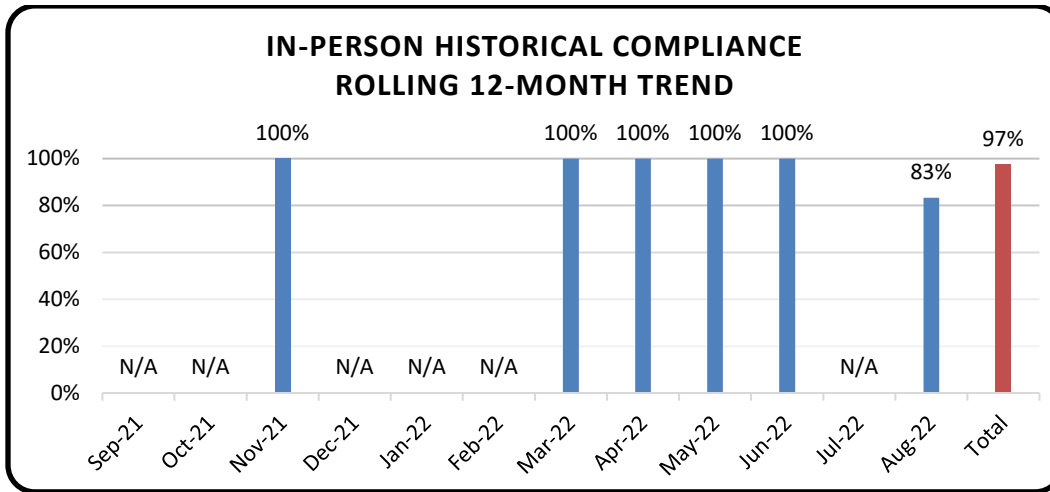
**TESTER COMMENTS:** N/A.

**BIO FOLLOW UP:** None required.

It was determined that MCSO employee compliance with applicable Office Policy GH-2, *Internal Investigations* was 83%, as illustrated by the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.	0	2	2	100%
Determine if the complaint was taken in a courteous manner.	0	2	2	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.	1	1	2	50%
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.	N/A	N/A	N/A	N/A
Determine if original recordings and documents were attached to BlueTeam or sent via interoffice mail to PSB.	0	2	2	100%
Verify that complaint was entered into BlueTeam or IPro.	1	1	2	50%
Determine if the employee attempted to discourage, interfere or delay complaint.	0	2	2	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	1	2	50%
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	2	2	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	2	2	100%
Determine if the complaint was immediately forwarded to PSB.	1	1	2	50%
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	0	2	2	100%
Determine if the employee reported accurate information in the complaint.	0	2	2	100%
<b>Overall compliance for In-Person testing</b>	<b>4</b>	<b>20</b>	<b>24</b>	<b>83%</b>

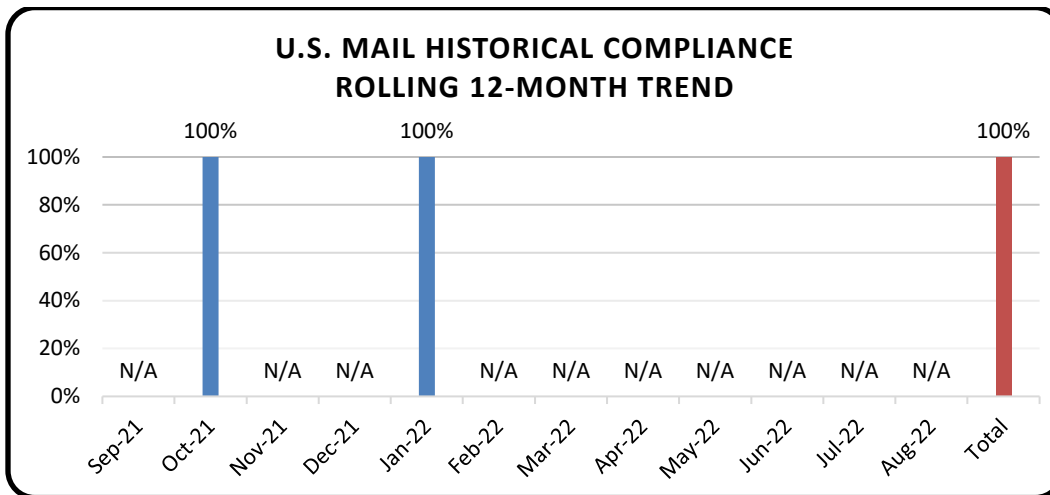
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



**Testing by U.S. Mail**

There were no Complaint Intake Tests conducted by U.S. Mail during the month of August 2022.

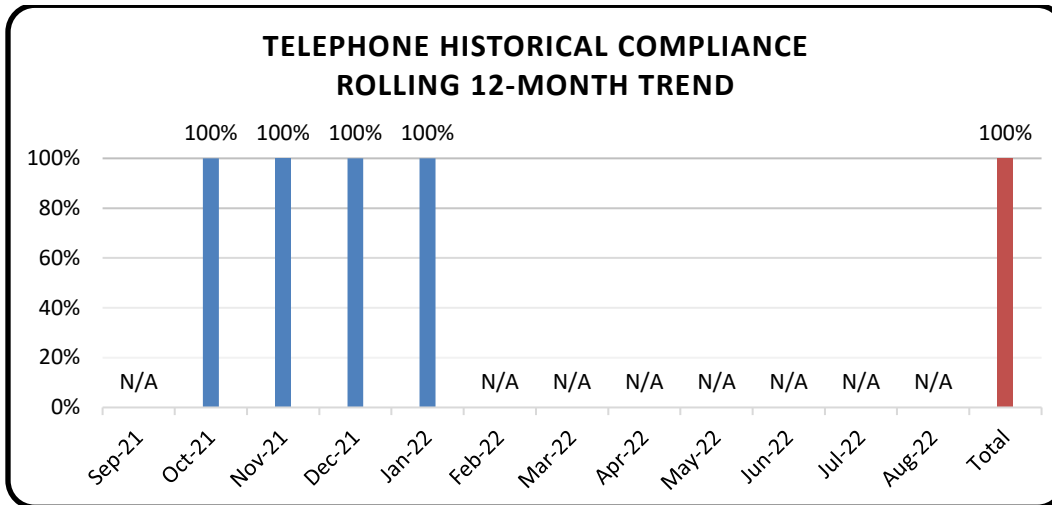
Below is a rolling 12-month historical comparison of compliance for tests conducted by U.S. Mail:



**Testing by Telephone**

There were no Complaint Intake Tests conducted by Telephone during the month of August 2022.

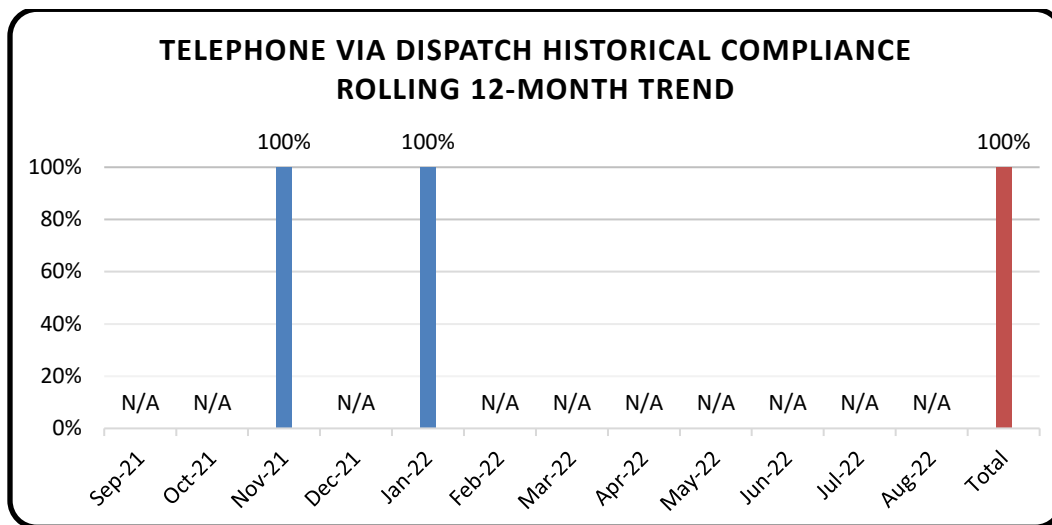
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone:



**Testing by Telephone via Communications Division**

There were no Complaint Intake Tests conducted by Telephone via the Communications Division for the month of August 2022.

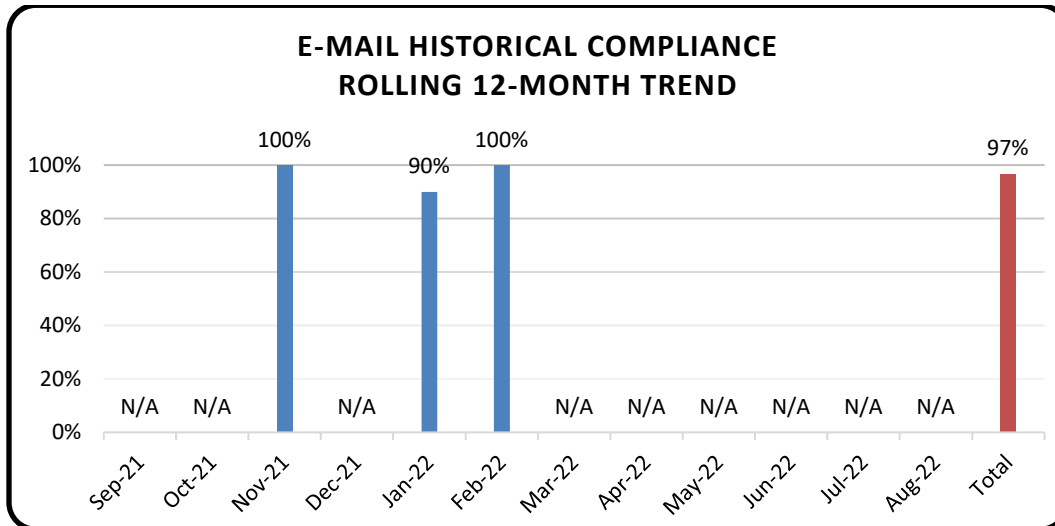
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



**Testing by E-Mail**

There were no Complaint Intake Tests conducted by E-mail during the month of August 2022.

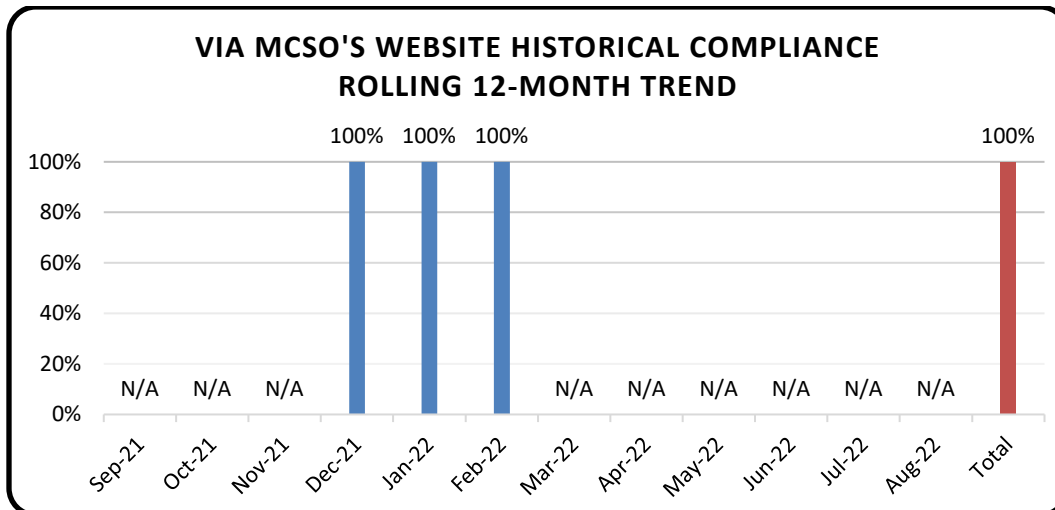
Below is a rolling 12-month historical comparison of compliance for tests conducted by E-mail:



**Testing Online via MCSO’s Website**

There were no Complaint Intake Tests conducted online during the month of August 2022 using the Office’s website.

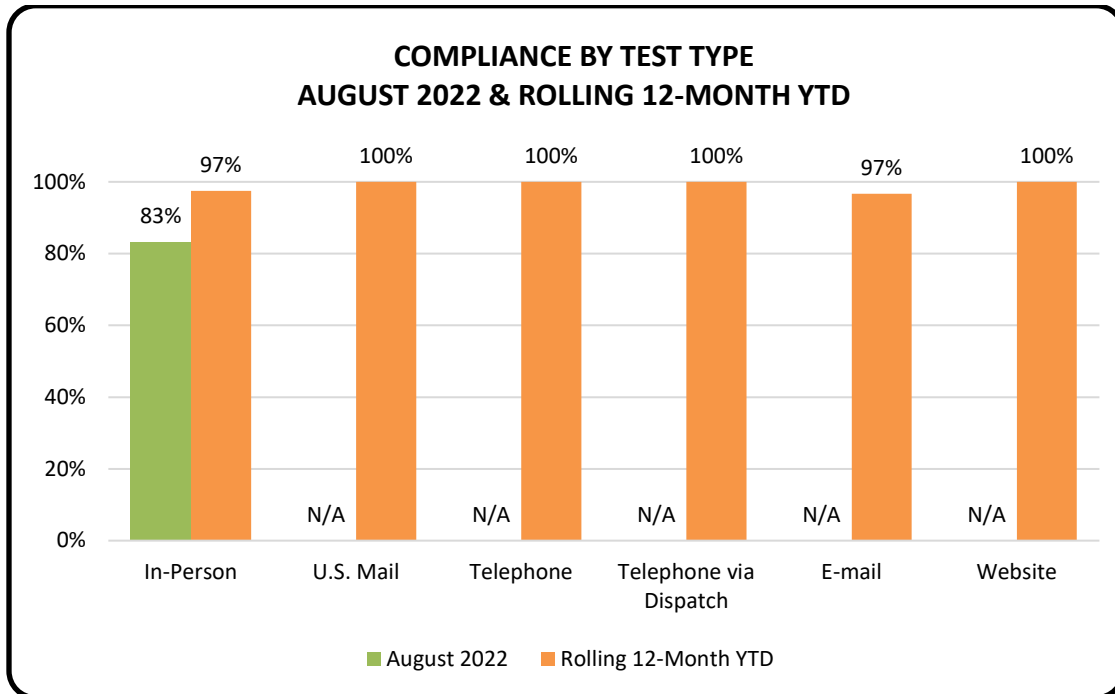
Below is a rolling 12-month historical comparison of compliance for filing a complaint Online:



**Overall Compliance for August 2022:**

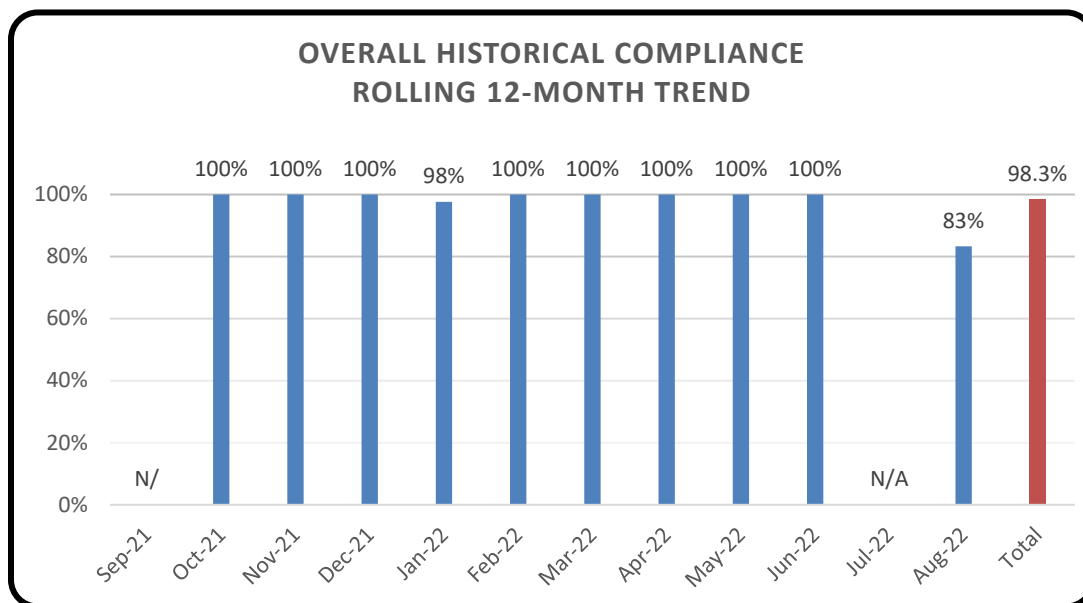
Compliance Rate by Method of Testing August 2022	Compliance Rate
Tests conducted In Person	83%
Tests conducted by U.S. Mail	N/A
Tests conducted by Telephone	N/A
Tests conducted via Dispatch	N/A
Tests conducted via E-mail	N/A
Tests conducted by filing a complaint Online	N/A
<b>Overall Compliance for all Complaint Intake Tests Inspected – August 2022</b>	<b>83%</b>

Below is a chart illustrating compliance rate by type of test conducted for the month of August 2022 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:

### District 1 (0 BIO Action Forms)

District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
District 1	Employee	8/29/2022	IA2022-0414	Sergeant	Captain
Deficiency					
1) The complaint was not referred to an on-duty supervisor. (Policy GH-2, 2.B.1.a.(1))					
2) The complaint was not entered into BlueTeam by District 1 staff. (Policy GH-2, 2.B.1.b.)					
3) An interview with the complainant was not video and audio recorded. (Policy GH-2, 2.B.a.b.(1)(a))					
4) The complaint was not immediately forwarded to PSB through BlueTeam. (Policy GH-2, 2.B.1.b.)					

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

#### Action Required:

Although the compliance rate is **83%** for the month of August, the deficiency has already been discussed with the employee and documented in BlueTeam; therefore, **no BIO Action Form** is requested.

Date Inspection Started: September 16, 2022  
 Date Completed: September 22, 2022  
 Timeframe Inspected: August 1<sup>st</sup> to August 31<sup>st</sup>, 2022  
 Assigned Inspector: Connie Phillips B3345

I have reviewed this inspection report.

*Lt. Brian Arthur*

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

10/4/2022

Date