

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Complaint Intake Testing Inspection April 2021

Inspection # BI2021-0052

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 30th 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 four tests during the month of April 2021; two were in-person tests, one test was conducted by telephone, and one test was conducted online by using the Office's website. AIU inspected all four 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 Test conducted during the month of April 2021.

1. TEST #: 71

DISTRICT/DIVISION: District 6

TEST SCENARIO: From the restaurant window where the tester was eating lunch, she observed a deputy allegedly asleep in a marked MCSO vehicle.

ACTIONS TAKEN: The tester initially spoke to the patrol district Administrative Assistant, who gathered the tester's name and contact information. The complaint was then referred to the on-duty supervisor. The tester met with the sergeant who obtained and documented the complaint information, then explained the complaint intake process.

The complaint was entered into BlueTeam the same day. The following day, PSB called the tester to inform her of the IA number assigned to her complaint and the contact information for the investigator.

RESULTS: No deficiencies were noted.

TESTER COMMENTS: N/A

BIO FOLLOW UP: None required.

2. TEST #: 72

DISTRICT/DIVISION: District 7

TEST SCENARIO: A uniformed deputy was allegedly purchasing alcohol in a grocery store in front of the tester who claimed the deputy smelled and acted like he had been drinking.

ACTIONS TAKEN: The tester initially spoke to the patrol district Office Assistant. A supervisor was not immediately available. The Office Assistant offered the tester the option to fill out the *Comment and Complaint Form* the tester already had in her hand, or to call the non-emergency number posted in the lobby about which the tester had inquired. The tester filled out the form onsite and returned it to the Office Assistant. The tester elected not to wait for a supervisor to become available and left the district office. Approximately 30 minutes later, a District 7 sergeant called the tester and left a voicemail. The tester returned the sergeant's phone call, during which the sergeant obtained and documented the complaint information and explained the complaint intake process. The complaint was entered into BlueTeam the same day. Two days later, PSB called the tester to inform her of the IA number assigned to her complaint and the contact information for the investigator.

RESULTS: No deficiencies were noted.

TESTER COMMENTS: N/A

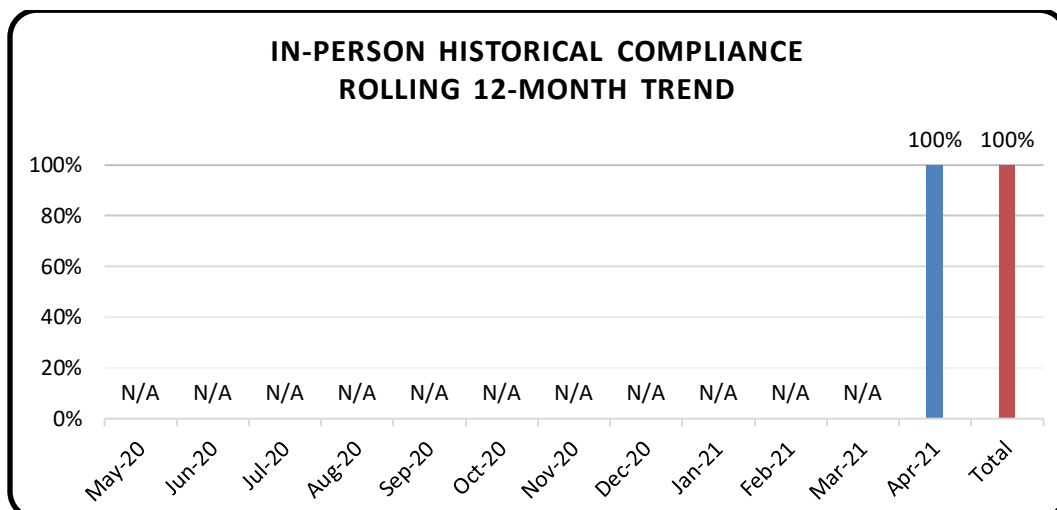
BIO FOLLOW UP: None required.

It was determined that MCSO employee compliance with applicable Office Policy (GH-2, *Internal Investigations*) was 100%, 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.	0	1	1	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	1	1	100%
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 IAPro.	0	2	2	100%
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.	0	2	2	100%
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 Report number and deputy name, if known 	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.	0	2	2	100%
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%
Overall compliance for testing conducted In Person	0	24	24	100%

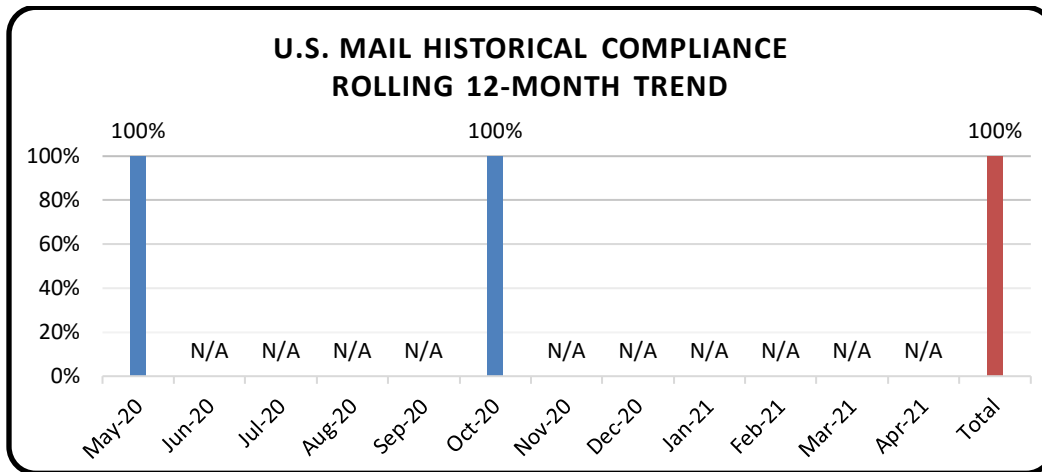
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



Testing by U.S. Mail

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

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

**Testing by Telephone**

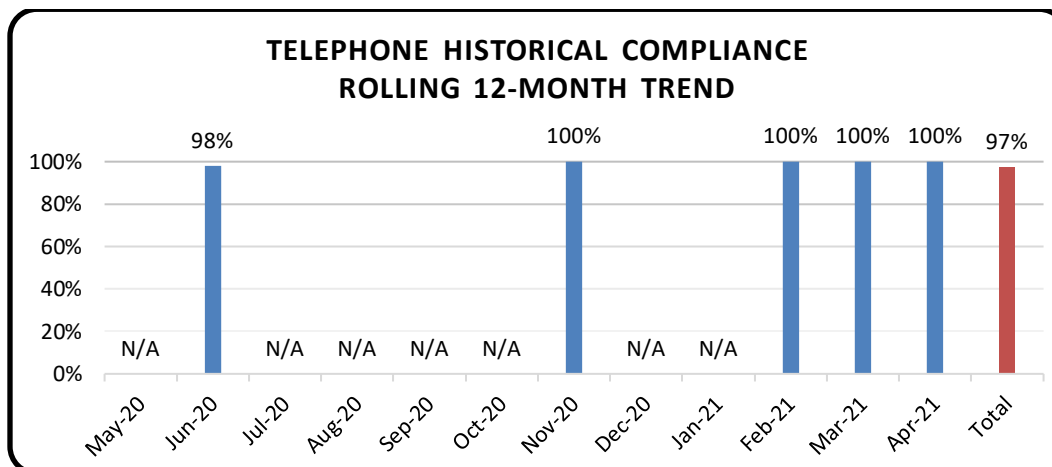
There was one Complaint Intake Test conducted by Telephone during the month of April 2021 (also, see following section “Testing by Telephone via Communications Division” Test #67).

It was determined that MCSO employee compliance with applicable Office Policy (GH-2, *Internal Investigations*) was 100%, as illustrated by the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.	0	1	1	100%
Determine if the complaint was taken in a courteous manner.	0	1	1	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.	N/A	N/A	N/A	N/A
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	1	1	100%
Verify that complaint was entered into BlueTeam or IAPro.	0	1	1	100%
Determine if the employee attempted to discourage, interfere or delay complaint.	0	1	1	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.	0	1	1	100%
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 Report number and deputy name, if known 	0	1	1	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	1	1	100%
Determine if the complaint was immediately forwarded to PSB.	0	1	1	100%
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	0	1	1	100%
Determine if the employee reported accurate information in the complaint.	0	1	1	100%
Overall compliance for testing by Telephone	0	11	11	100%

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



Testing by Telephone via Communications Division

There was one Complaint Intake Test conducted by Telephone via the Communications Division for the month of April 2021.

TEST #: 67

DISTRICT/DIVISION: PSB

TEST SCENARIO: The tester observed a deputy allegedly driving in excess of 90 mph with no lights on, weaving in and out of traffic, while on U.S. Route 60.

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 who took the call documented the location of the complaint occurrence but did not obtain the complainant's name and contact information as required by Policy GI-1. Policy GI-1, *Radio and Enforcement Communications Procedures*, also requires that Communications Division personnel verbally contact the on-duty supervisor of District 1 immediately with the complaint information. Following the call, an e-mail to the on-duty supervisor of District 1 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 dispatcher transferred the tester's call to PSB, who then took the complaint according to Policy.

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: Three deficiencies were noted.

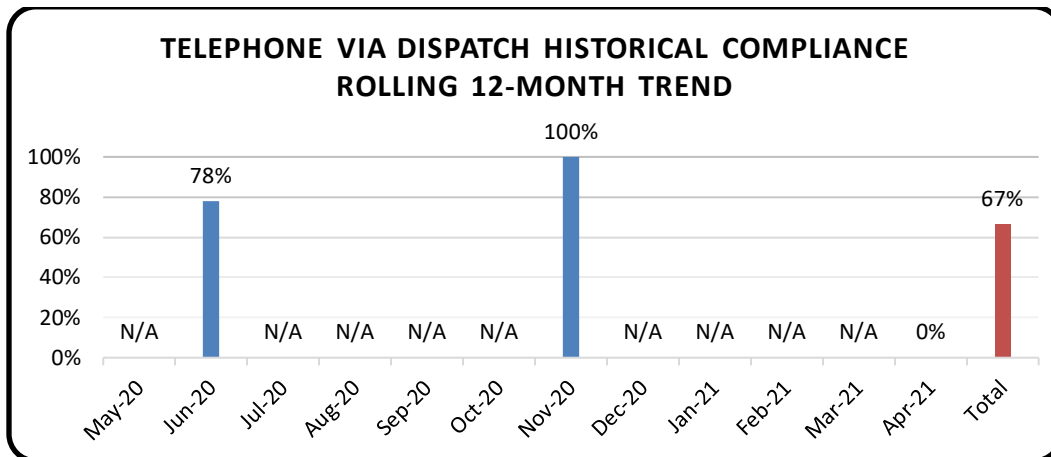
TESTER COMMENTS: *[The dispatcher] seemed frustrated with me that I didn't have any information for him to go on and transferred me to the Professional Standards number.*

BIO FOLLOW UP: AIU followed up with Communications Division Command to remind their staff of the requirement of Policy GH-2, *Internal Investigations*, that "[n]o employee shall attempt to discourage, interfere with, or delay an individual from registering a complaint."

It was determined that MCSO employee compliance with the applicable Office Policy (GI-1, *Radio and Enforcement Communications Procedures*) was 0%, 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	0	1	0%
Determine if the employee immediately verbally contacted the on-duty division/district supervisor and e-mailed info to him/her.	1	0	1	0%
Determine if the employee e-mailed EIU.	1	0	1	0%
Overall compliance for testing by Telephone via Communications Division	3	0	3	0%

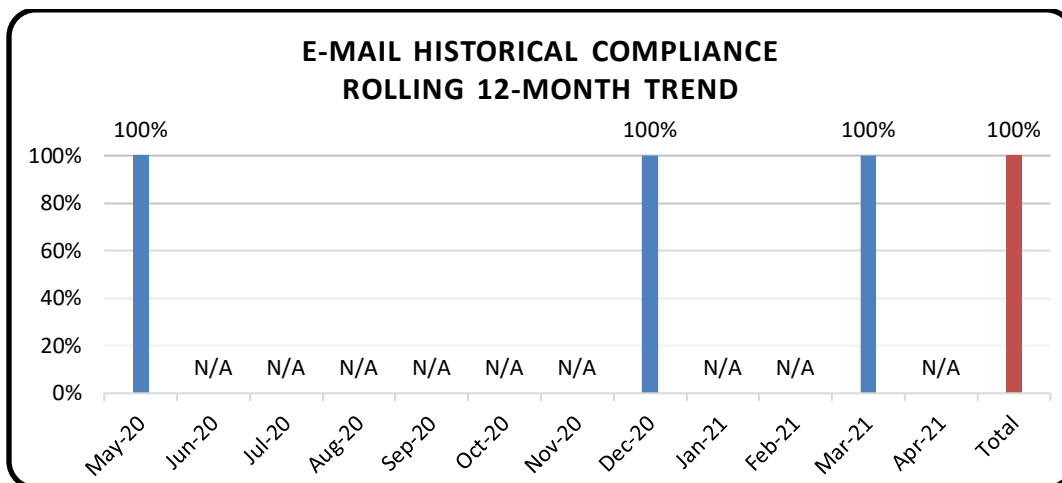
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



Testing by E-Mail

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

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



Testing Online via MCSO’s Website

There was one Complaint Intake Tests conducted online during the month of April 2021 using the Office’s website.

TEST #: 70

DISTRICT/DIVISION: District 4

TEST SCENARIO: The tester observed a deputy allegedly receiving a meal “on the house” at a restaurant.

ACTIONS TAKEN: The tester initially went to District 4 to file the complaint. The lobby was closed so the tester called the numbers posted on the doors. When she called the MCSO non-emergency number, the recorded greeting kept repeating when no one picked up. The tester called the general information number but did not think any of the nine options were appropriate and filed the complaint through the MCSO website at www.mcso.org/i-want-to/share-comments-or-complaints. The tester immediately received an electronic submission confirmation of her complaint. Two days later, the tester received an e-mail response from the assigned investigator asking for additional information about the complaint. The tester responded to the sergeant's questions. At this point, the test was considered completed.

Based on the information obtained from the complainant, the sergeant entered a Service Complaint in the BlueTeam system. The complaint was entered as a Service Complaint due to the absence of employee misconduct. Policy CP-2, *Code of Conduct*, allows employees to accept "food or refreshments of insignificant value" when offered by the establishment.

RESULTS: No deficiencies were noted.

TESTER COMMENTS: *I responded to [the sergeant's] questions however I never rec'd an IA# nor did I receive any response.*

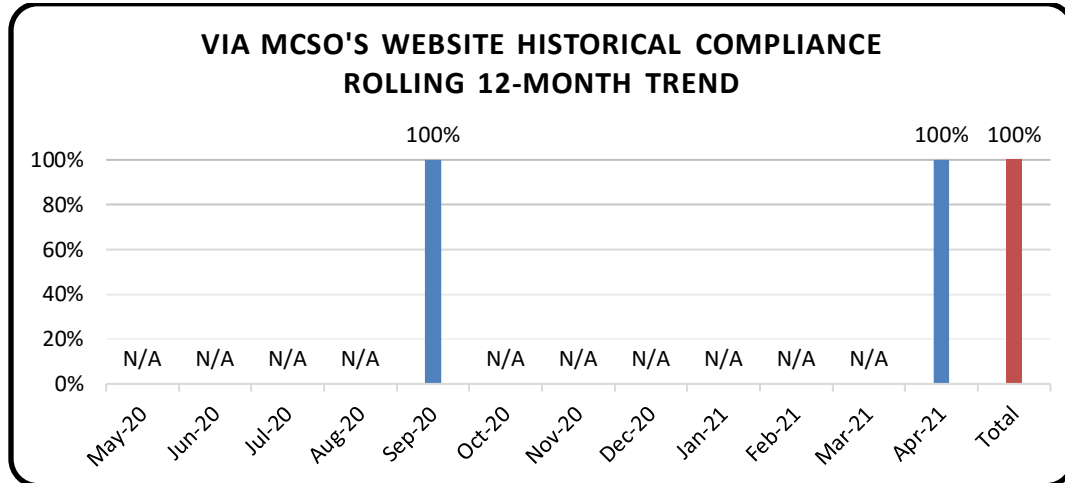
AIU FOLLOW-UP: A Service Complaint is defined in Policy GH-2, *Internal Investigations*, as "[a] complaint regarding an inadequate service level ... A service complaint is not an allegation of employee misconduct." As such, Office Policy does not require that a Service Complaint number be provided to the complainant. As a result, AIU discussed with the Complaint Intake Testing vendor ways in which to avoid future test scenarios that could be considered service complaints.

For the Online test, it was determined that MCSO employee compliance with the applicable Office Policy (GH-2, *Internal Investigations*) was 100%, as illustrated in the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.	0	1	1	100%
Determine if the complaint was taken in a courteous manner.	0	1	1	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.	N/A	N/A	N/A	N/A
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	1	1	100%
Verify that complaint was entered into BlueTeam or IAPro.	0	1	1	100%
Determine if the employee attempted to discourage, interfere or delay complaint.	0	1	1	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.	N/A	N/A	N/A	N/A
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 Report number and deputy name, if known 	0	1	1	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	1	1	100%
Determine if the complaint was immediately forwarded to PSB.	N/A	N/A	N/A	N/A
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	N/A	N/A	N/A	N/A
Determine if the employee reported accurate information in the complaint.	0	1	1	100%
Overall compliance for Online testing	0	9	9	100%

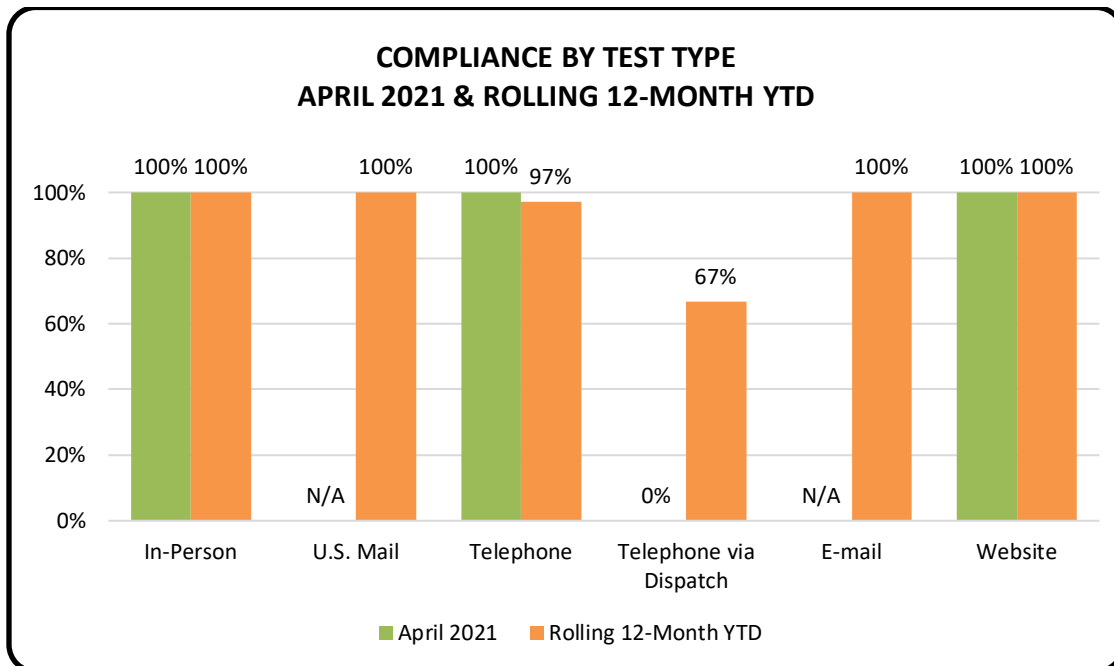
Below is a rolling 12-month historical comparison of compliance for filing a complaint Online:



Overall Compliance for April 2021:

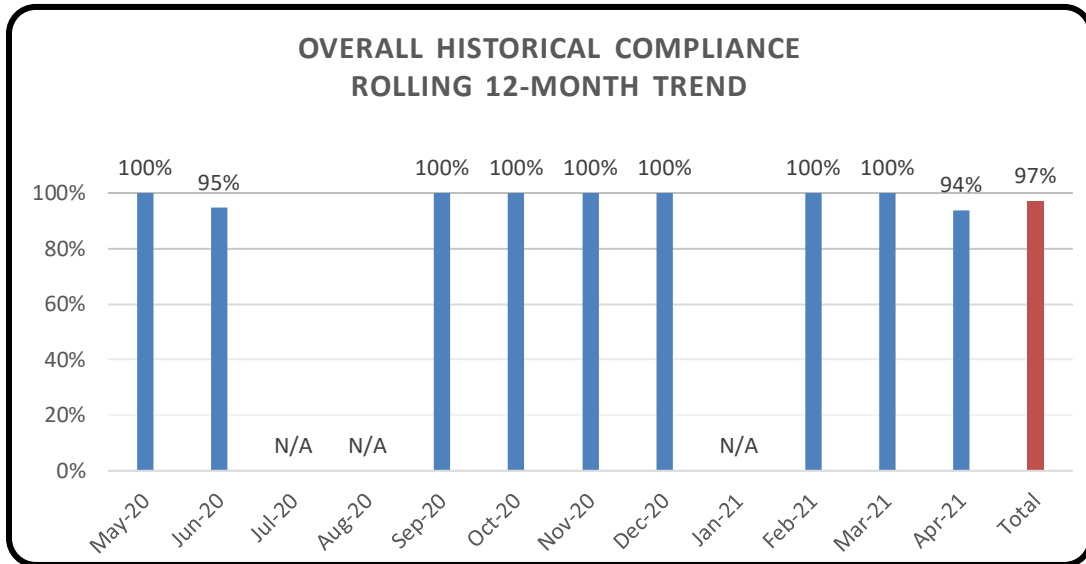
Compliance Rate by Method of Testing April 2021	Compliance Rate
Tests conducted In Person	100%
Tests conducted by U.S. Mail	N/A
Tests conducted by Telephone	100%
Tests conducted via Dispatch	0%
Tests conducted via E-mail	N/A
Tests conducted by filing a complaint Online	100%
Overall Compliance for all Complaint Intake Tests Inspected – April 2021	94%

Below is a chart illustrating compliance rate by type of test conducted for the month of April 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 three deficiencies were noted during the inspection period:

Communications Division

District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
Communications	Employee	4/28/2021	IA2021-0220	Supervisor	Commander
Deficiencies					
<ol style="list-style-type: none"> The complainant's name and contact information were not documented. (GI-1.12.C.) The on-duty supervisor of District I was not immediately verbally contacted with the complaint information. (GI-1.12.C.1.) The complaint information was not e-mailed to the on-duty supervisor of District I and copied to the Early Identification Unit at mcso.eis@mcso.maricopa.gov. (GI-1.12.C.1.a. and b.) <p>Note: The deficiencies were discussed with the employee and documented in BlueTeam.</p>					

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:

With the resulting **94%** compliance rate for Inspection #BI2021-0052, **no BIO Action Forms** are requested since the deficiencies have already been discussed with the employee and document in BlueTeam.

Date Inspection Started: April 27, 2021
Date Completed: May 19, 2021
Timeframe Inspected: April 1st to April 30th, 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

6/1/2021

Date