

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**March 2021 Misconduct Investigations Inspection Report**

Inspection # BI2021-0051

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 27 administrative misconduct investigations were started on or after November 1, 2017 and were closed during the month of March 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, 2 investigations were completed by *Sworn Supervisors* assigned to the Divisions/Districts, 7 investigation were completed by *Sworn Supervisors* assigned to the Professional Standards Bureau (PSB), and 1 investigation was completed by *Detention Supervisors* assigned to the PSB.

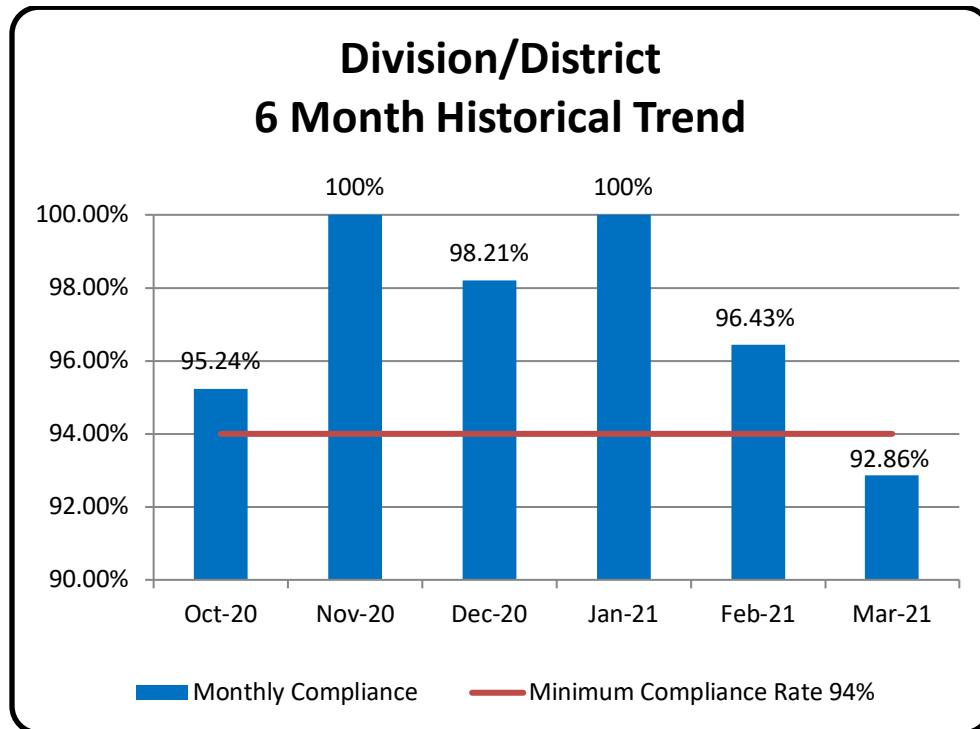
**Inspection results for the 2 Misconduct Investigations conducted by Sworn Supervisors at the Division/District**

Compliance Objectives	Not In Compliance	In Compliance	Compliance Rate
Determine if complaint notification procedures were followed	0	2	100%
Verify complaint was assigned a unique identifier	0	2	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	2	100%
Verify deadlines were met	2*	0	0%
Verify investigator who conducted the investigation received required misconduct investigation training	0	2	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	0	2	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	0	2	100%

Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	0	2	100%
Determine if interviews were audio and video recorded	0	2	100%
Determine if the investigative report was reviewed by the appropriate personnel	0	2	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	0	2	100%
Determine if a final finding was reached on a misconduct allegation	0	2	100%
Determine if an employee's disciplinary history was documented	0	2	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	0	2	100%
<b>Overall Compliance for Misconduct Investigations conducted at the Division/District</b>	<b>2</b>	<b>26</b>	<b>92.86%</b>

**\*Inspector Note:** Although the identified deficiencies are within misconduct investigations conducted by supervisors assigned to a district/division, the identified deficiencies were the responsibility of staff assigned to the Professional Standards Bureau and not the division personnel.

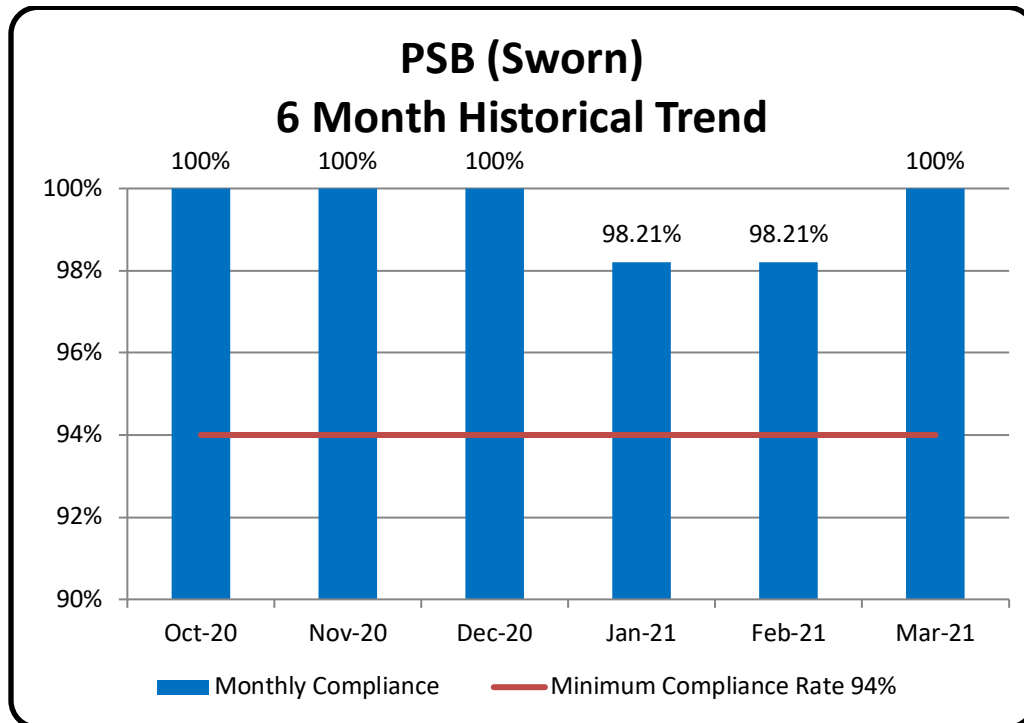
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



**Inspection results for the 7 Misconduct Investigations conducted by Sworn Supervisors at the PSB**

<b>Compliance Objectives</b>	<b>Not In Compliance</b>	<b>In Compliance</b>	<b>Compliance Rate</b>
Determine if complaint notification procedures were followed	0	7	100%
Verify complaint was assigned a unique identifier	0	7	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	7	100%
Verify deadlines were met	0	7	100%
Verify investigator who conducted the investigation received required misconduct investigation training	0	7	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	0	7	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	0	7	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	0	7	100%
Determine if interviews were audio and video recorded	0	7	100%
Determine if the investigative report was reviewed by the appropriate personnel	0	7	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	0	7	100%
Determine if a final finding was reached on a misconduct allegation	0	7	100%
Determine if an employee’s disciplinary history was documented	0	7	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	0	7	100%
<b>Overall Compliance for Misconduct Investigations conducted by the Sworn Personnel at the PSB</b>	<b>0</b>	<b>98</b>	<b>100%</b>

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

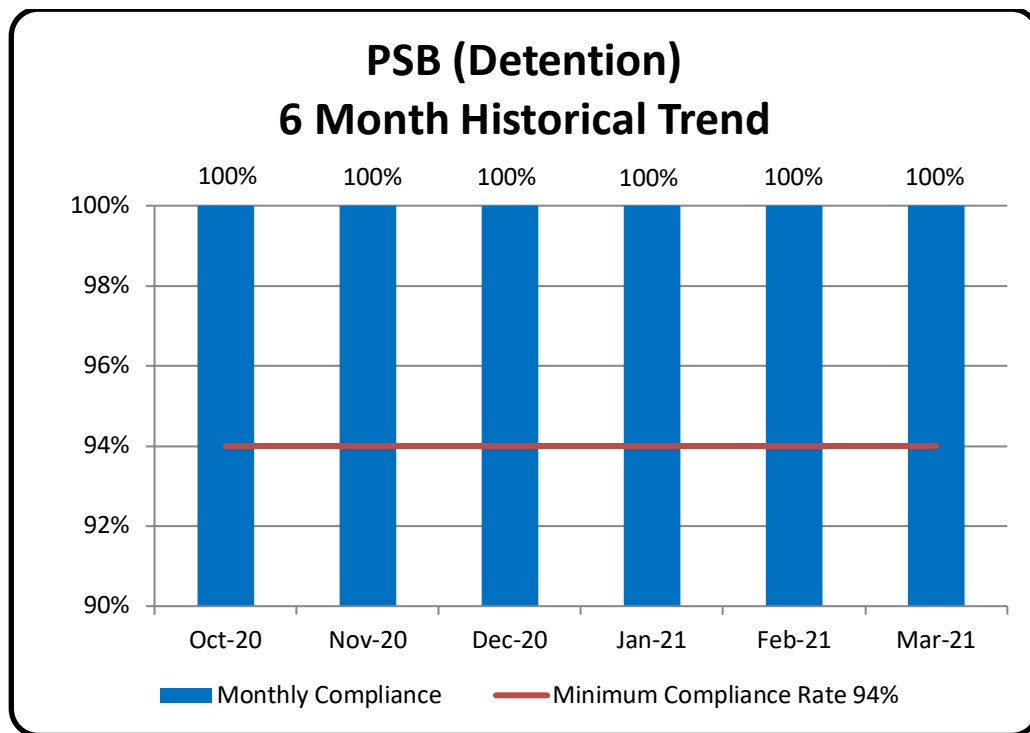


**Inspection results for the 1 Misconduct Investigation conducted by Detention Supervisors at the PSB.**

Compliance Objectives	Not In Compliance	In Compliance	Compliance Rate
Determine if complaint notification procedures were followed	0	1	100%
Verify complaint was assigned a unique identifier	0	1	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	1	100%
Verify deadlines were met	0	1	100%
Verify investigator who conducted the investigation received required misconduct investigation training	0	1	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	0	1	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	0	1	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	0	1	100%

Determine if interviews were audio and video recorded	0	1	100%
Determine if the investigative report was reviewed by the appropriate personnel	0	1	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	0	1	100%
Determine if a final finding was reached on a misconduct allegation	0	1	100%
Determine if an employee’s disciplinary history was documented	0	1	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	0	1	100%
<b>Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB</b>	<b>0</b>	<b>14</b>	<b>100%</b>

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



The following deficiency was identified during the inspection; however, the PSB had already identified this issue and had taken action to address the deficiency prior to this inspection. No BIO Action form is requested.

IA Number	Employee	Division	Division Commander
IA2017-0820	Undetermined	PSB	Captain
Deficiency			
<b><u>Verify deadlines were met:</u></b>			
The investigation exceeded the 180-day deadline.			
In compliance with Office policy, a deadline extension was timely granted for this investigation and a new due date was set. The new deadline was missed. Records indicate that the PSB identified this issue and on 2/20/2020 authored a memorandum noting the problem and the PSB command staff approved a new deadline extension.			
Reference: MCSO Policy GH-2, Subsection 8.D.			

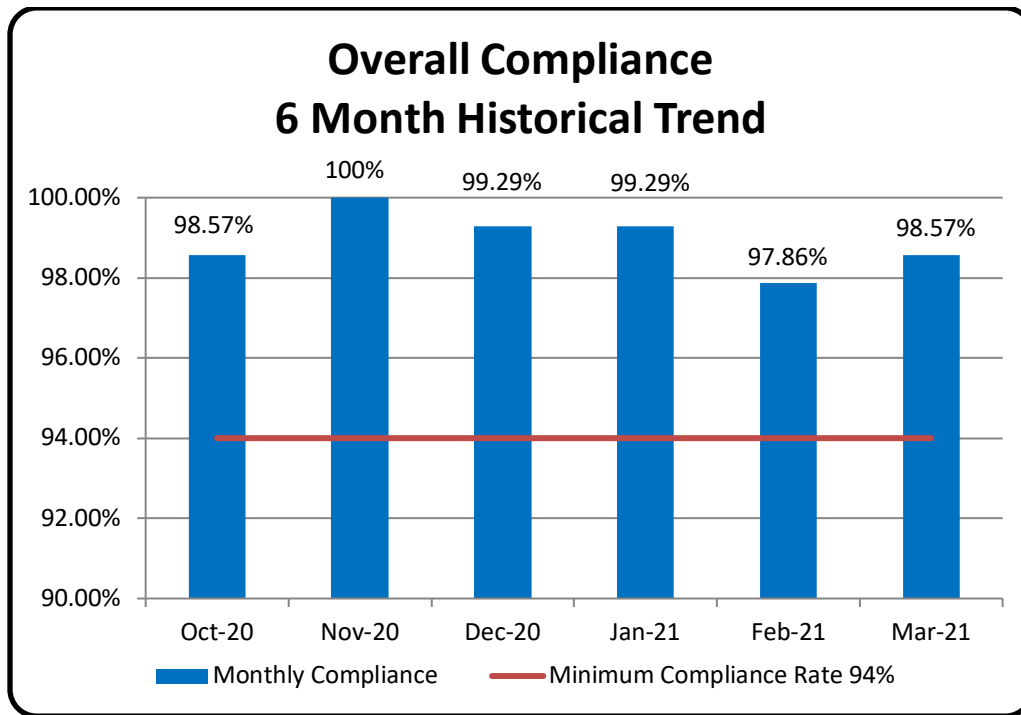
The following deficiency was identified during the inspection and a BIO Action form is requested.

IA Number	Employee	Division	Division Commander
IA2019-0587	Mgmt. Analyst	PSB	Captain
Deficiency			
<b><u>Verify deadlines were met:</u></b>			
The investigation exceeded the 180-day timeline.			
The IAPro case file includes timely approved extension request memorandums. Records indicate that a principal was not provided a copy of an approved extension memorandum.			
Reference: MCSO Policy GH-2, Subsection 8.D.			
There is record of one prior BIO Action Form similar in nature (BAF2019-0190).			

**Compliance for March 2021:**

Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	92.86%
Sworn Personnel at the Professional Standards Bureau	100%
Detention Personnel at the Professional Standards Bureau	100%
<b>Overall Compliance for March Misconduct Investigations</b>	<b>98.57%</b>

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



Inspection BI2021-0051 resulted in **98.57%** compliance with **One BIO Action Form** is requested from the affected Division.

Date Inspection Started: May 1, 2021  
 Date Completed: May 24, 2021  
 Timeframe Inspected: March 1 to March 31, 2021  
 Assigned Inspector: 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

5/24/2021  
 Date