

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



March 2022 Misconduct Investigations Inspection Report

Inspection # BI2022-0055

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 41 administrative misconduct investigations were started on or after November 1, 2017, and were closed during the month of March 2022. A list of these investigations was provided to the Monitor team. A randomly selected proportionate sample, consisting of 12 investigations, was provided to AIU for inspection. Of the sample provided for inspection, 4 investigations were completed by *Sworn Supervisors* assigned to the Divisions/Districts, 1 investigation was completed by *Sworn Supervisors* assigned to the Professional Standards Bureau (PSB), 6 investigations were completed by *Detention Supervisors* assigned to the PSB, and 1 investigation was completed by *Civilian Investigators* assigned to the PSB.

Inspection results for the 4 Misconduct Investigations 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	4	4	0	100%
Verify complaint was assigned a unique identifier	4	4	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	4	4	0	100%
Verify deadlines were met	4	4	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	4	4	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	4	4	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	4	4	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	4	4	0	100%
Determine if interviews were audio and video recorded	4	4	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	4	4	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	4	4	0	100%
Determine if a final finding was reached on a misconduct allegation	4	4	0	100%
Determine if an employee's disciplinary history was documented	4	4	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	4	4	0	100%
Overall Compliance for Misconduct Investigations conducted at the Division/District	56	56	0	100%

Inspection results for the 1 Misconduct Investigation 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	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%

Inspection results for the 6 Misconduct Investigations 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	6	6	0	100%
Verify complaint was assigned a unique identifier	6	6	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	6	6	0	100%
Verify deadlines were met	6	5	1	83.33%
Verify investigator who conducted the investigation received required misconduct investigation training	6	6	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	6	6	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	6	6	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	6	6	0	100%
Determine if interviews were audio and video recorded	6	6	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	6	6	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	6	6	0	100%
Determine if a final finding was reached on a misconduct allegation	6	6	0	100%
Determine if an employee’s disciplinary history was documented	6	6	0	100%

Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	6	6	0	100%
Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB	84	83	1	98.81%

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%

Compliance for March 2022:

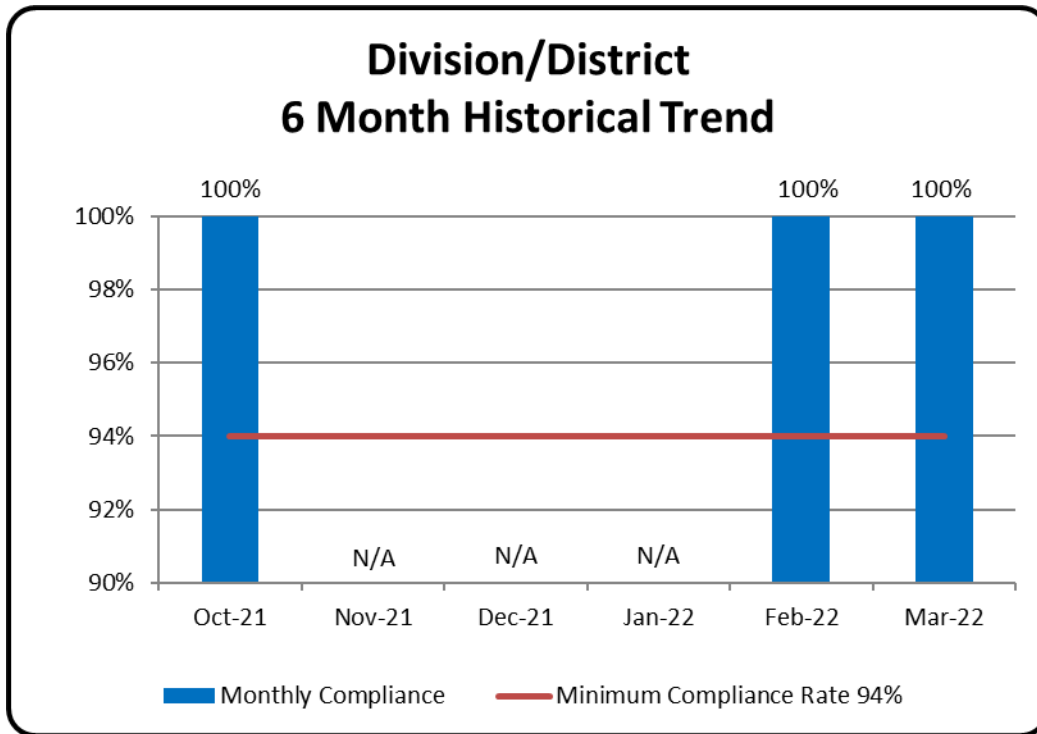
Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	100%
Sworn Personnel at the Professional Standards Bureau	100%
Detention Personnel at the Professional Standards Bureau	98.81%
Civilian Investigators at the Professional Standards Bureau	100%
Overall Compliance for March Misconduct Investigations	99.40%

The following deficiencies were identified during the inspection and a BIO Action Form is requested from the affected division.

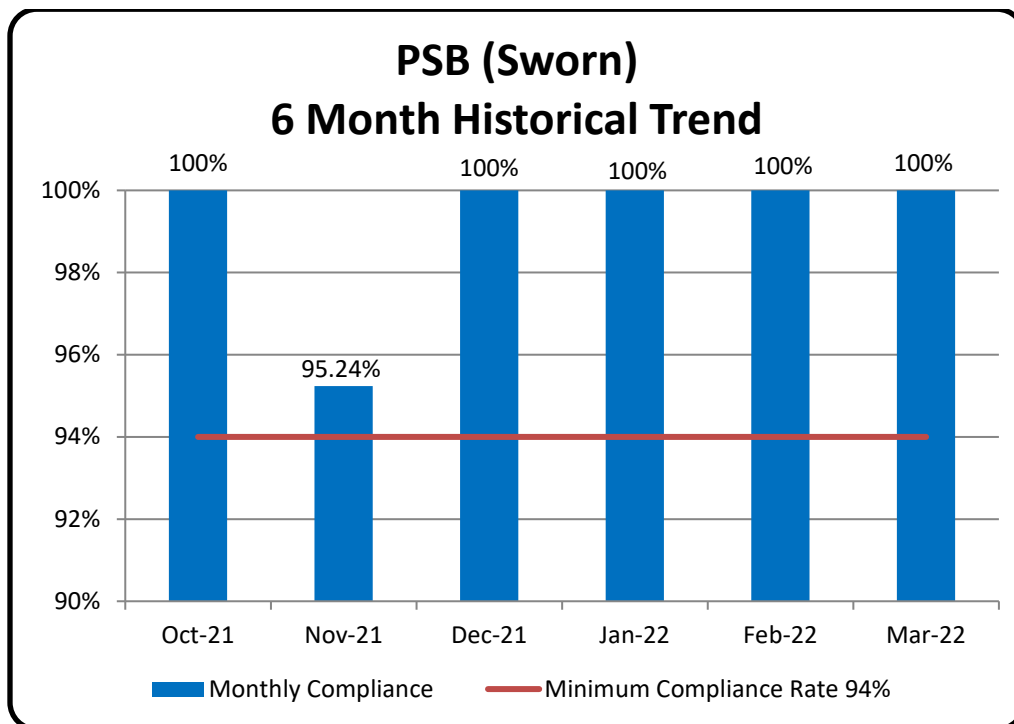
IA Number	Employee	Current Assignment	Current Division Commander
IA2018-0296	Sergeant	PSB	Captain
Deficiency			
<u>Verify deadlines were met:</u>			
<p>The investigation exceeded the 180-day timeline.</p> <p>Documents in the IAPro Case file indicate that the <i>Request for Investigative Extension</i> memorandum dated 10/13/21, was provided to the principal after the investigation’s 180-day due date had passed.</p> <p>Reference: MCSO Policy GH-2, Subsection 8.D.</p>			
IA Number	Employee	Current Assignment	Current Division Commander
IA2018-0296	Sergeant*	N/A	N/A
Deficiency			
<u>Verify deadlines were met:</u>			
<p>The investigation exceeded the 180-day timeline.</p> <p>Records found in the IAPro Case file indicate that the <i>Request for Investigative Extension</i> memorandum dated 9/9/19 was only provided to 3 of the 4 Principals.</p> <p>Reference: MCSO Policy GH-2, Subsection 8.D.</p> <p>*As the responsible employee is no longer employed by MCSO, <u>NO BIO Action Form is requested.</u></p>			

Unless stated above, there are no prior BIO Action Forms similar in nature or supervisor notes addressing the identified deficiency.

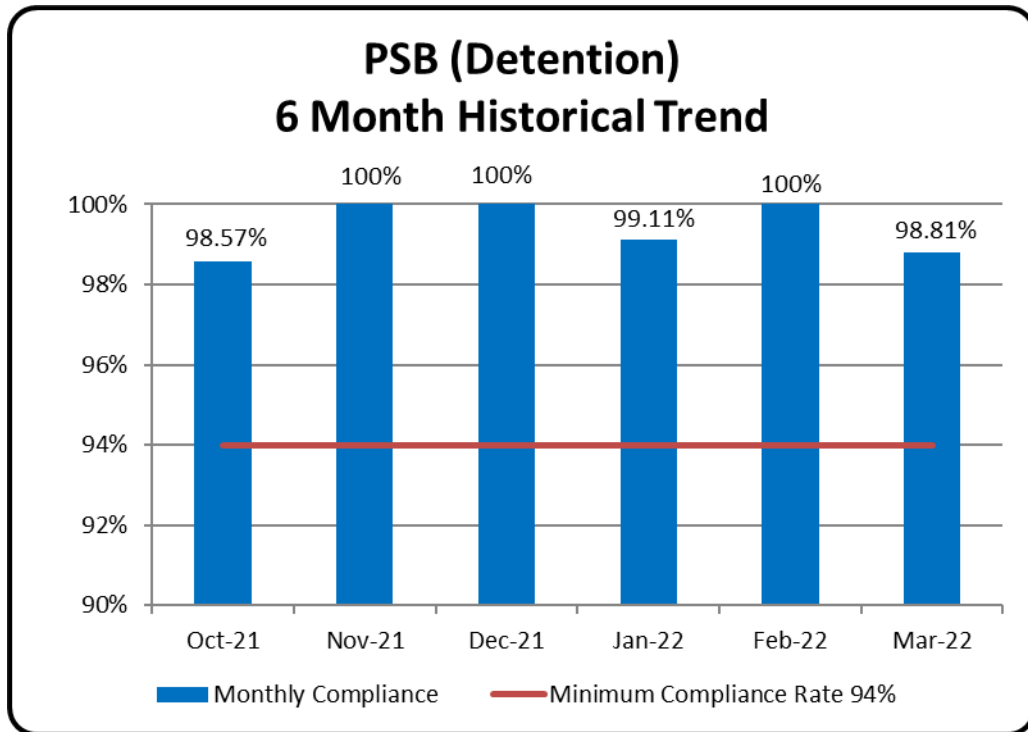
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



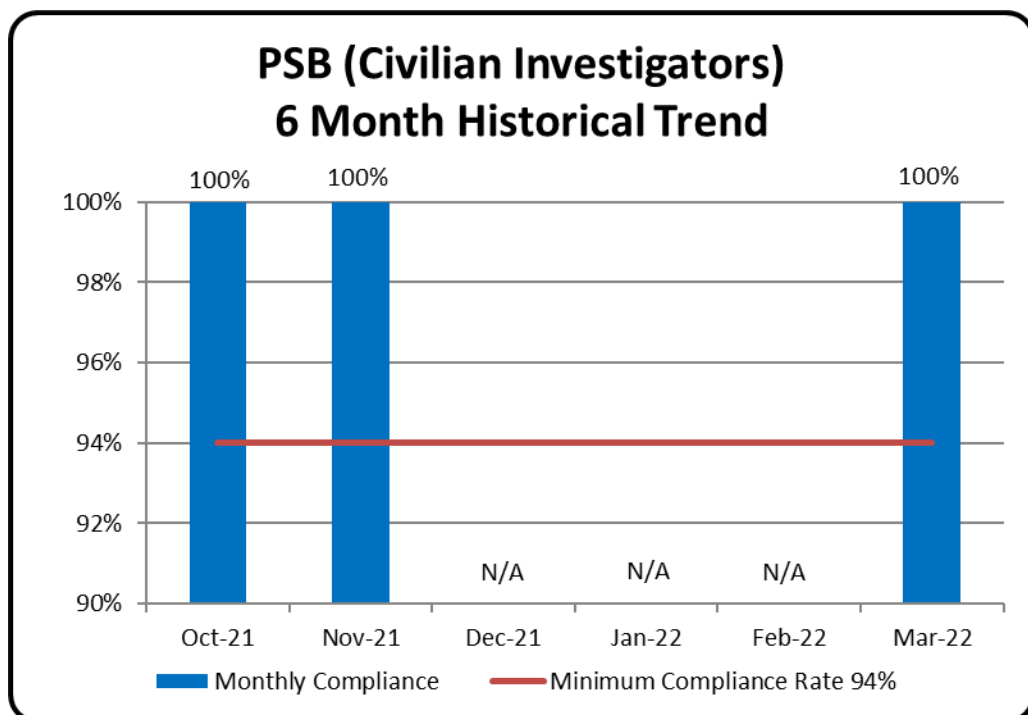
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn personnel at the Professional Standards Bureau:



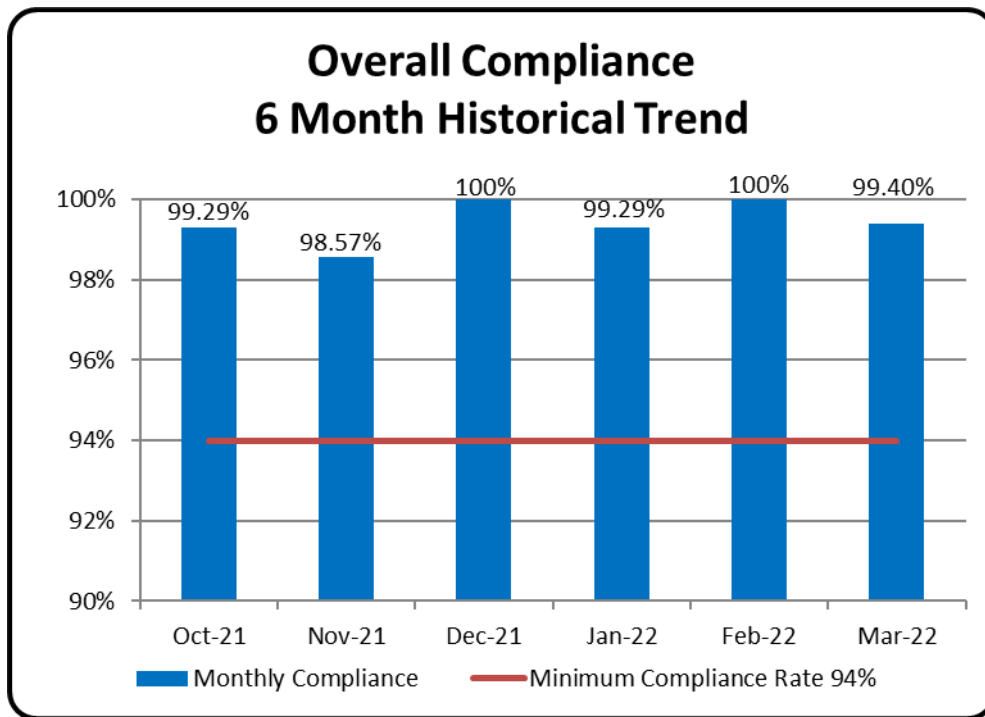
Below is the historical comparison of compliance for Misconduct Investigations conducted by detention personnel at the Professional Standards Bureau:



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



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



Inspection BI2022-0055 resulted in 99.40% compliance with One BIO Action Form requested from the affected division.

Date Inspection Started: May 1, 2022
 Date Completed: May 9, 2022
 Timeframe Inspected: March 1 to March 31, 2022
 Assigned Inspector: Sr. Auditor M. Rodriguez A9047

I have reviewed this inspection report.

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

5/24/2022
 Date