

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Dec. 2022 Misconduct Investigations Inspection Report

Inspection # BI2023-0002

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 35 administrative misconduct investigations were started on or after November 1, 2017, and were closed during the month of December 2022. 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, 2 investigations were completed by *Sworn Supervisors* assigned to the Divisions/Districts, 2 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.

Inspection results for the 2 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	2	2	0	100%
Verify complaint was assigned a unique identifier	2	2	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	2	2	0	100%
Verify deadlines were met	2	2	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	2	2	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	2	2	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	2	2	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	2	2	0	100%
Determine if interviews were audio and video recorded	2	2	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	2	2	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	2	2	0	100%
Determine if a final finding was reached on a misconduct allegation	2	2	0	100%
Determine if an employee's disciplinary history was documented	2	2	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	2	2	0	100%
Overall Compliance for Misconduct Investigations conducted at the Division/District	28	28	0	100%

Inspection results for the 2 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	2	2	0	100%
Verify complaint was assigned a unique identifier	2	2	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	2	2	0	100%
Verify deadlines were met	2	2	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	2	2	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	2	2	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	2	2	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	2	2	0	100%
Determine if interviews were audio and video recorded	2	2	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	2	2	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	2	2	0	100%
Determine if a final finding was reached on a misconduct allegation	2	2	0	100%
Determine if an employee's disciplinary history was documented	2	2	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	2	2	0	100%
Overall Compliance for Misconduct Investigations conducted by the Sworn Personnel at the PSB	28	28	0	100%

Inspection results for the 5 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	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	5	0	100%
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	70	0	100%

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	0	1	0%
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	13	1	92.86%

Compliance for December 2022:

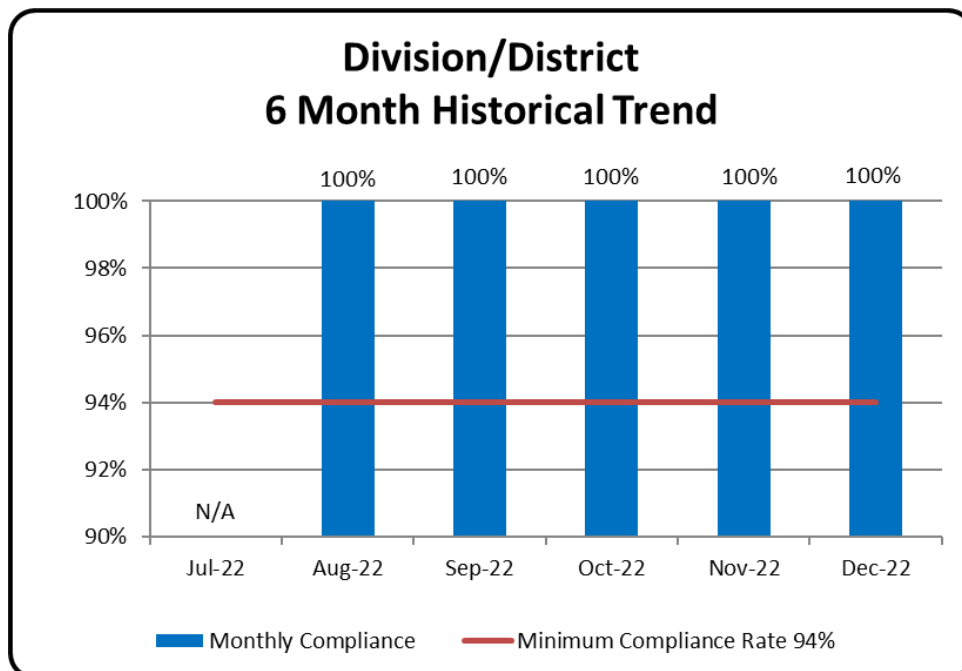
Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	100%
Sworn Personnel at the Professional Standards Bureau	100%
Detention Personnel at the Professional Standards Bureau	100%
Civilian Investigators at the Professional Standards Bureau	92.86%
Overall Compliance for December Misconduct Investigations	99.29%

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

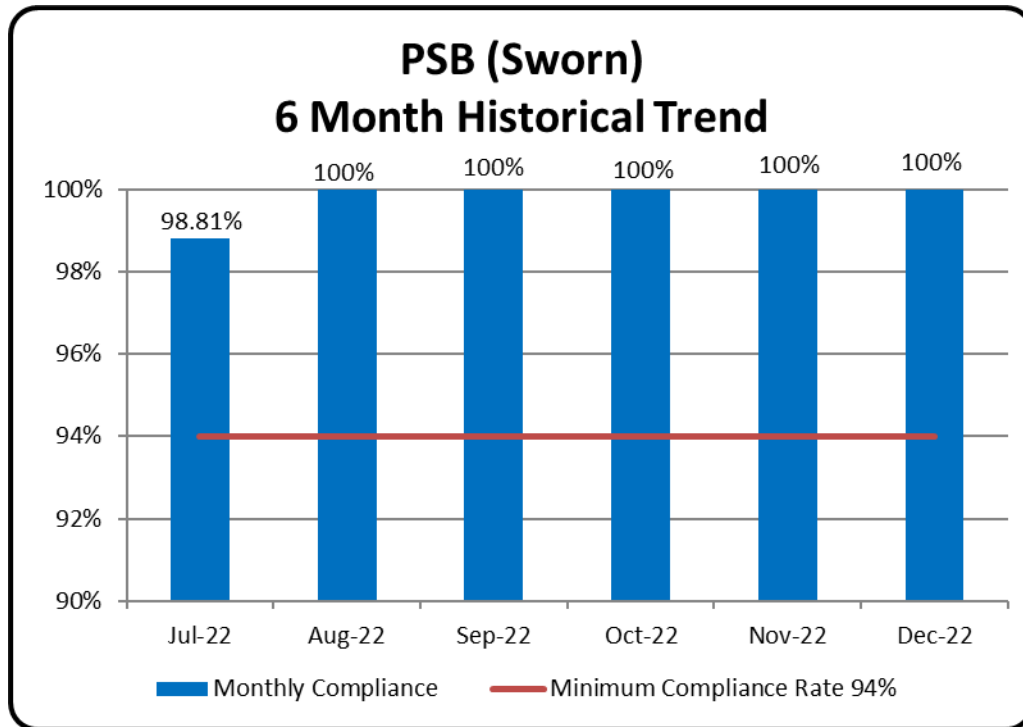
IA Number	Employee	Current Assignment	Current Division Commander
IA2022-0066	Civilian Investigator	PSB	Captain
Deficiency			
<u>Verify Deadlines Were Met:</u>			
<p>The investigation exceeded the 180-day deadline. An <i>Investigative Extension</i> memorandum was timely authored and approved. However, no record was found in the IAPro Case File to indicated that this memorandum was provided to the Principal.</p> <p>Reference: MCSO Policy GH-2, (dated 05-28-21 in effect on 06-14-22) Subsection 8.D.</p>			

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

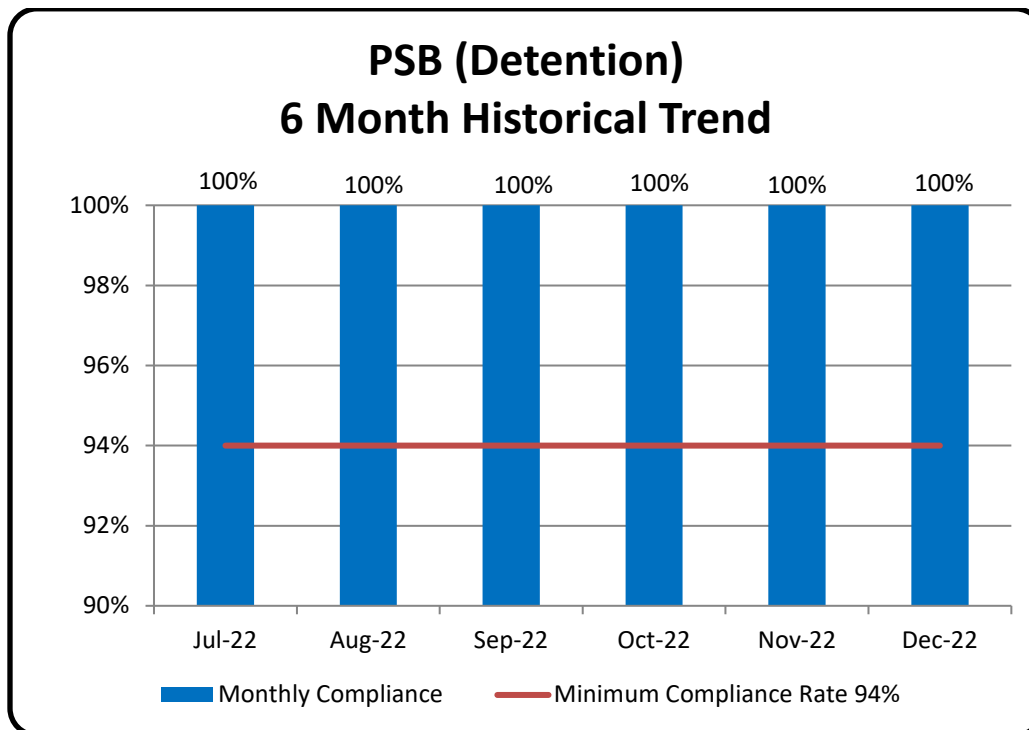
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



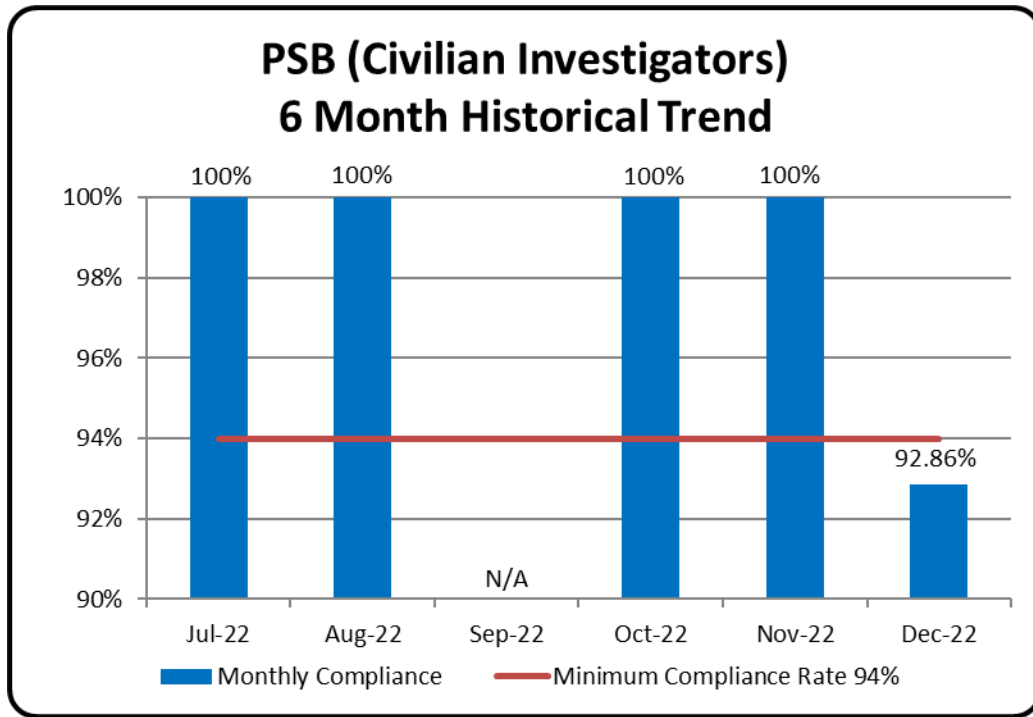
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn personnel at the Professional Standards Bureau:



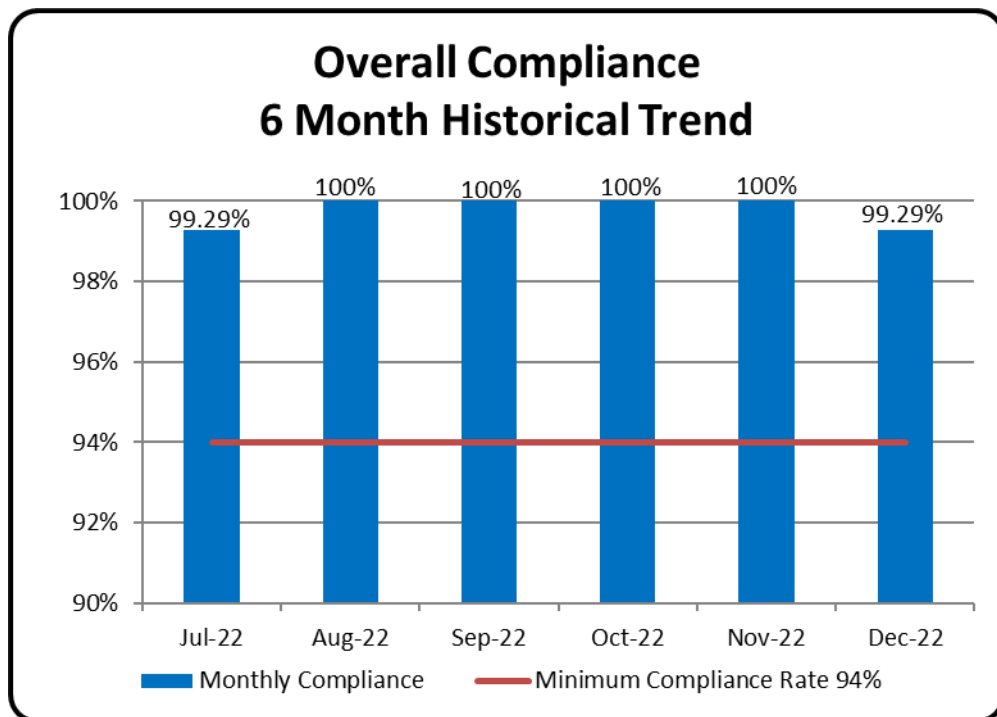
Below is the historical comparison of compliance for Misconduct Investigations conducted by detention personnel at the Professional Standards Bureau:



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 BI2023-0002 resulted in 99.29% compliance with **One** BIO Action Form requested from the affected division.

Notes:

Supporting documentation (working papers) are included in the inspection file number BI2023-0002 and contained within IA Pro.

Date Inspection Started: February 1, 2023
Date Completed: February 7, 2023
Timeframe Inspected: December 1 to December 31, 2022
Assigned Inspector: Sr. Auditor M. Rodriguez A9047

I have reviewed this inspection report.

Lt. Brian Arthur 3/15/2023
Lt T. B. Arthur S1806 Date
Commander; Audits and Inspections Unit
Bureau of Internal Oversight