

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Complaint Intake Testing Inspection April 2022

Inspection # BI2022-0056

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 30th 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 April 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 April 2022.

1. TEST #: 84

DISTRICT/DIVISION: Lake Patrol

TEST SCENARIO: Tester posed as a female who was out at the lake with friends and observed a deputy allegedly driving his MCSO boat too fast in a reckless manner without operating emergency equipment. She stated that it frightened the other boaters who were in the area.

ACTIONS TAKEN: The tester went to the office of the Lake Patrol District to file a complaint. A sergeant came out and invited the tester into the lobby to take her complaint; there were no other people in the lobby. The interview was

audio and video recorded by the sergeant 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. He handed the tester a *Comment and Complaint Form* and explained the various methods of submitting a complaint.

The tester mistakenly gave the sergeant the incorrect contact number during the interview; therefore, PSB was unable to call the tester with the IA number. When the tester had not heard back from anyone regarding the complaint after five days, she called PSB and received an IA number and the contact information for the assigned investigator.

RESULTS: No deficiencies were noted. However, the tester failed to video record the interaction with the sergeant.

TESTER COMMENTS: N/A.

BIO FOLLOW UP: AIU followed up with the tester for more information regarding the problem with the video recording. The tester was a new hire and very nervous; she thought she had turned on the equipment but evidently had not. The vendor is providing additional training on operating the recording equipment.

2. TEST #: 94

DISTRICT/DIVISION: District 4

TEST SCENARIO: Tester posed as a Hispanic woman who observed a deputy in an MCSO vehicle allegedly hit a bicycle that was parked at the Post Office but did not stop to inspect for damage.

ACTIONS TAKEN: The tester went to the District 4 office to file a complaint and waited a short time in the lobby for an on-duty sergeant. The sergeant came out to the lobby and audio and video recorded the interview. At the conclusion of the interview, the sergeant wrote down his name and cell phone number for the tester and explained the process and informed the tester that the matter would be investigated.

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

RESULTS: No deficiencies were noted.

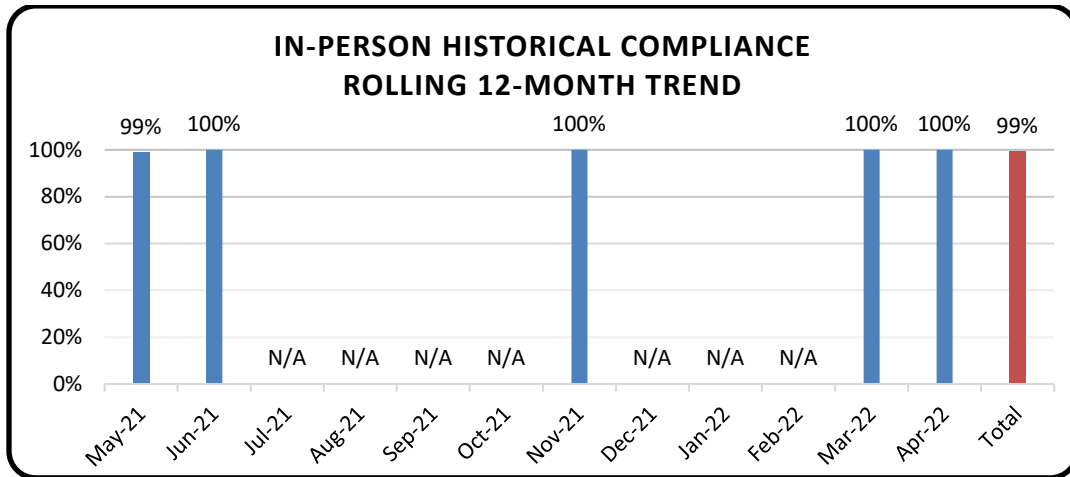
TESTER COMMENTS: *"A few minutes later [the sergeant] came out to take my complaint. It did feel like an interrogation with many questions, many that were repeated more than once. ... Overall, it was not a positive experience. I felt that the Sgt. was interrogating me, rather than letting me file a complaint."*

BIO FOLLOW UP: BIO disagrees. The sergeant was trying to obtain as many details as possible so that he could file an accurate Incident Report. The tester seemed flustered when asked probing questions. For example, as the interview was ending, the sergeant asked what the tester's expectations were for coming in and reporting the incident. The tester seemed to be at a momentarily loss for words. When she recovered and gave a rather lengthy answer, the sergeant empathetically responded, "Absolutely. [I] totally understand. [I] totally agree." This showed that he was trying to put the tester at ease. Following this exchange, the sergeant asked why the tester waited a week before coming in. Again, the tester seemed flustered and thrown by the question. The sergeant tried to put the tester at ease, downplaying the significance by saying that he was asking out of curiosity. At this point, the sergeant ended the interview by explaining the next step in the process and exchanged contact information so that he could follow up with the tester and let her know the result of the investigation.

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 | 2 | 2 | 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. | 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 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 In-Person testing | 0 | 24 | 24 | 100% |

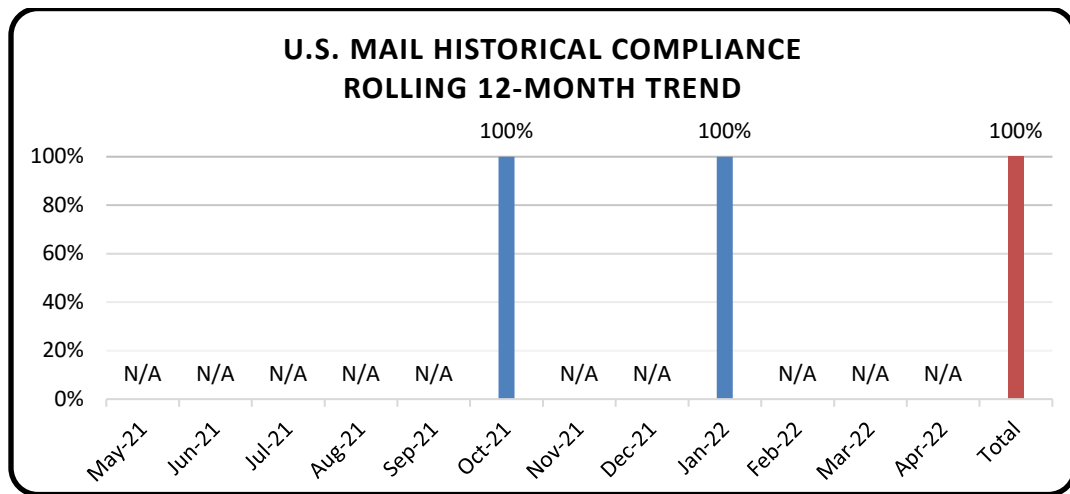
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



Testing by U.S. Mail

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

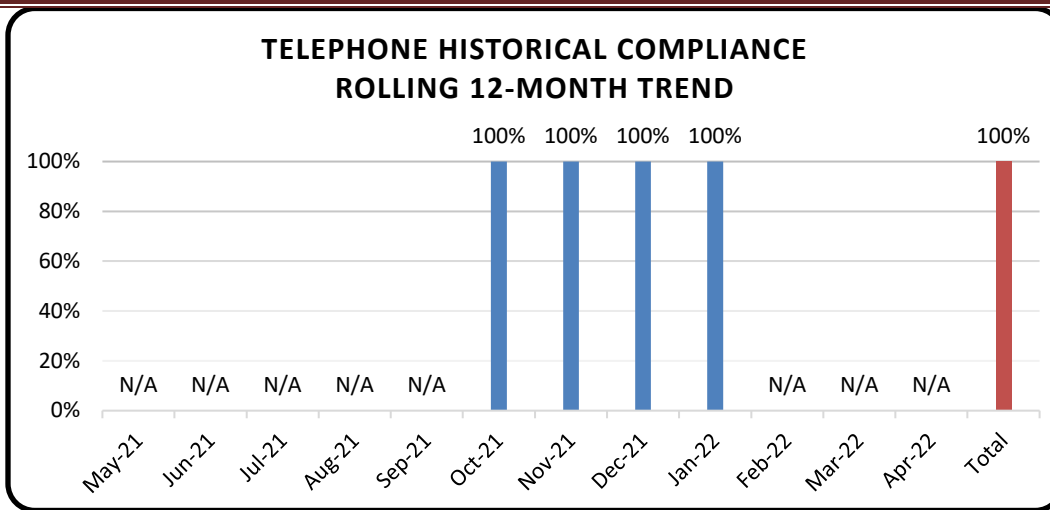
Below is a rolling 12-month historical comparison of compliance for tests conducted by U.S. Mail:



Testing by Telephone

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

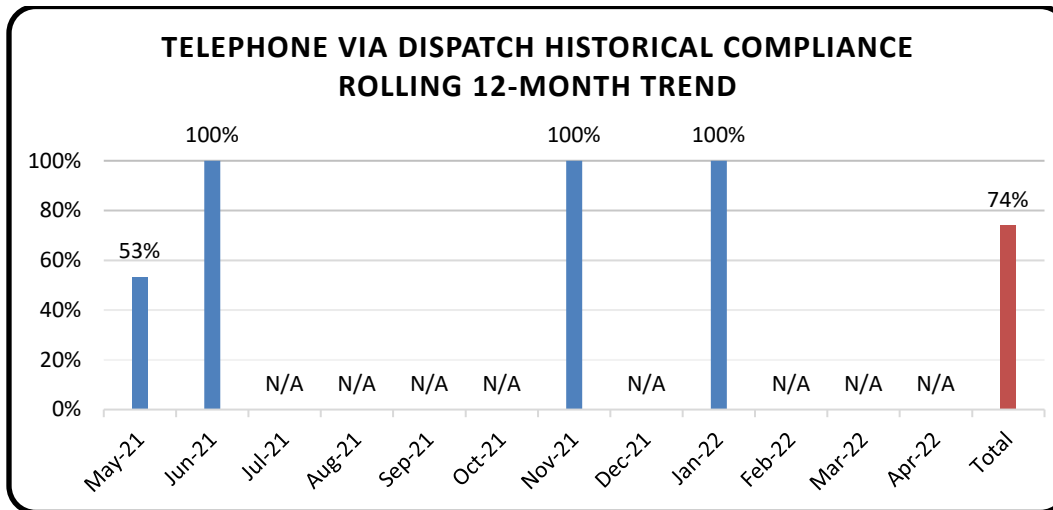
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone:



Testing by Telephone via Communications Division

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

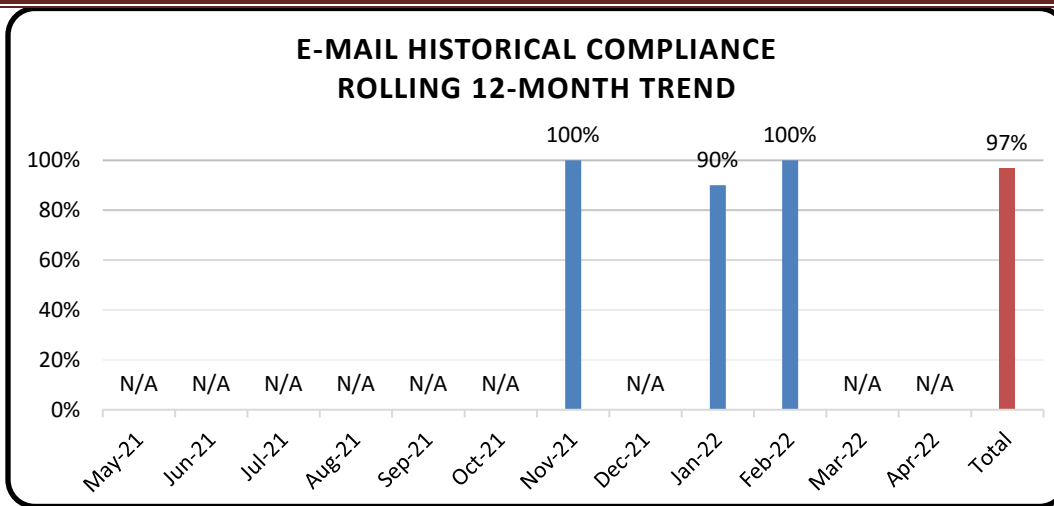
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



Testing by E-Mail

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

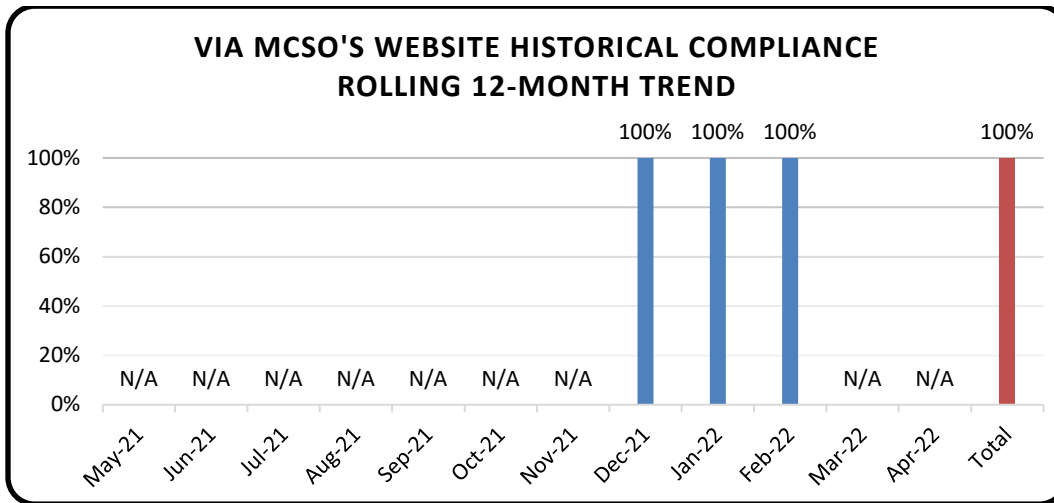
Below is a rolling 12-month historical comparison of compliance for tests conducted by E-mail:



Testing Online via MCSO’s Website

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

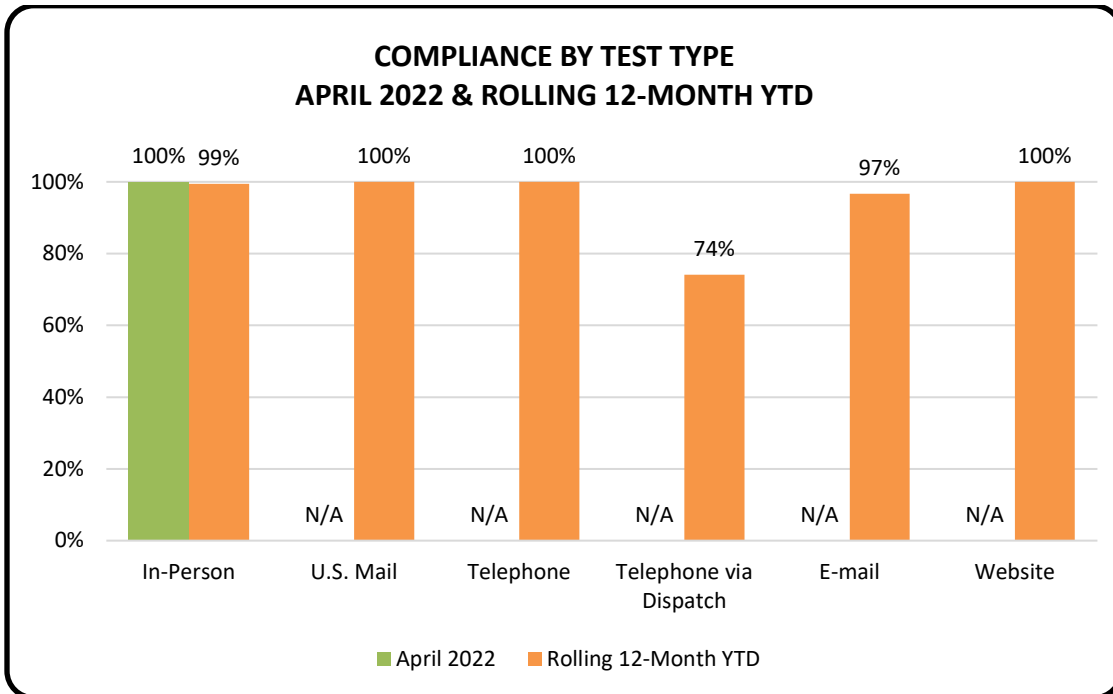
Below is a rolling 12-month historical comparison of compliance for filing a complaint Online:



Overall Compliance for April 2022:

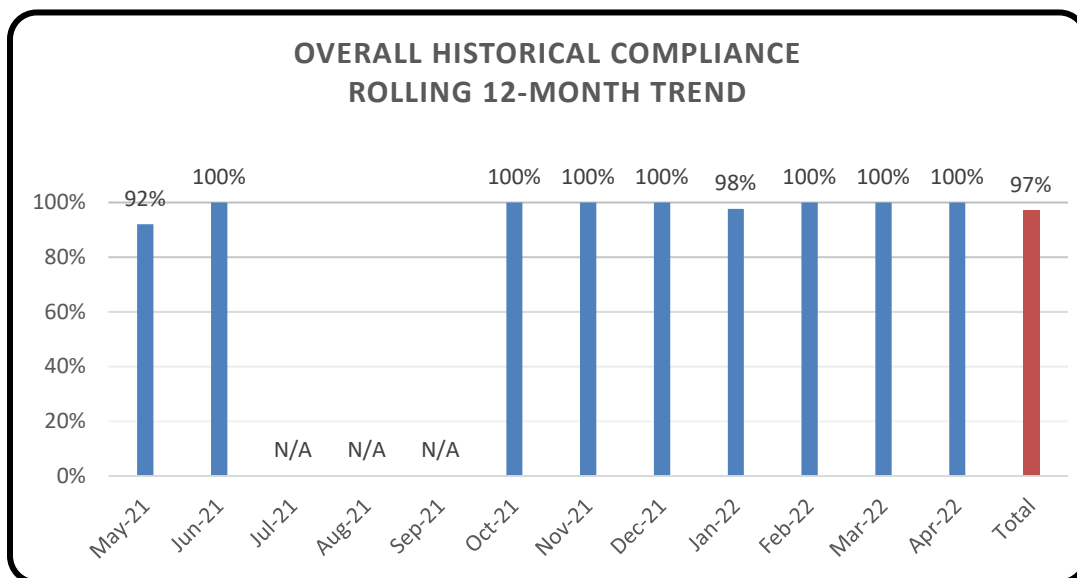
| Compliance Rate by Method of Testing April 2022 | Compliance Rate |
|---|-----------------|
| Tests conducted In Person | 100% |
| Tests conducted by U.S. Mail | N/A |
| Tests conducted by Telephone | N/A |
| Tests conducted via Dispatch | N/A |
| Tests conducted via E-mail | N/A |
| Tests conducted by filing a complaint Online | N/A |
| Overall Compliance for all Complaint Intake Tests Inspected – April 2022 | 100% |

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



There were no deficiencies noted during the inspection period.

Action Required:

The compliance rate is **100%** for Inspection #BI2022-0056; **no BIO Action Forms** are requested.

Date Inspection Started: April 19, 2022
Date Completed: May 12, 2022
Timeframe Inspected: April 1st to April 30th, 2022
Assigned Inspector: Connie Phillips B3345

I have reviewed this inspection report.

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

5/13/2022
Date