

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



April 2021 Misconduct Investigations Inspection Report

Inspection # BI2021-0065

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 20 administrative misconduct investigations were started on or after November 1, 2017 and were closed during the month of April 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, 5 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), and 3 investigations were completed by *Detention Supervisors* assigned to the PSB.

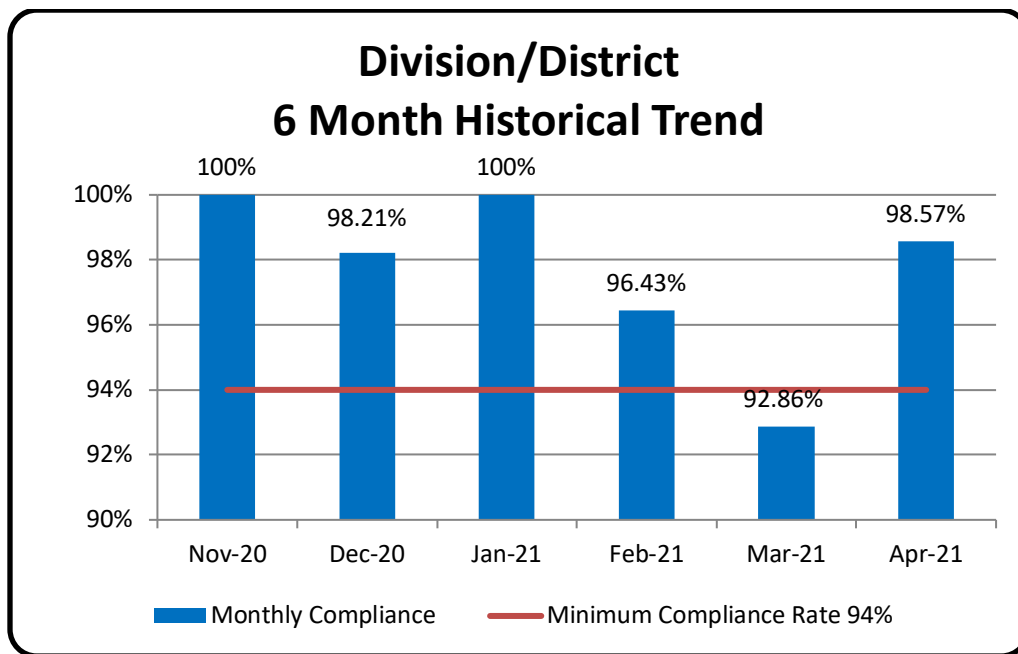
Inspection results for the 5 Misconduct Investigations conducted by Sworn Supervisors at the Division/District

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	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	4	1*	80%
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 at the Division/District	70	69	1	98.57 %

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

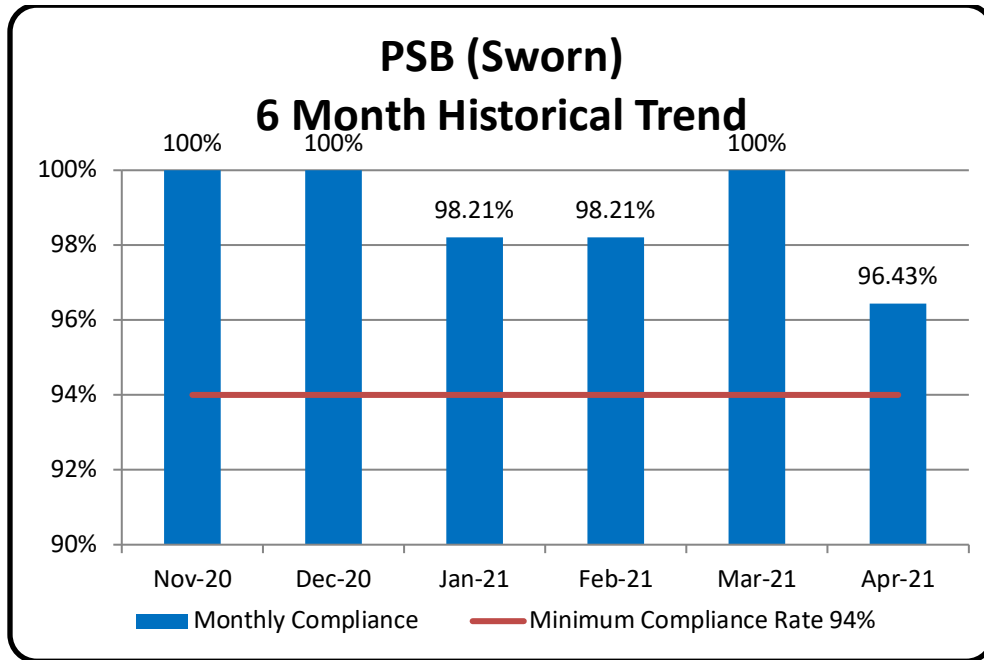
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



Inspection results for the 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	1	1	50%
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	27	1	96.43%

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

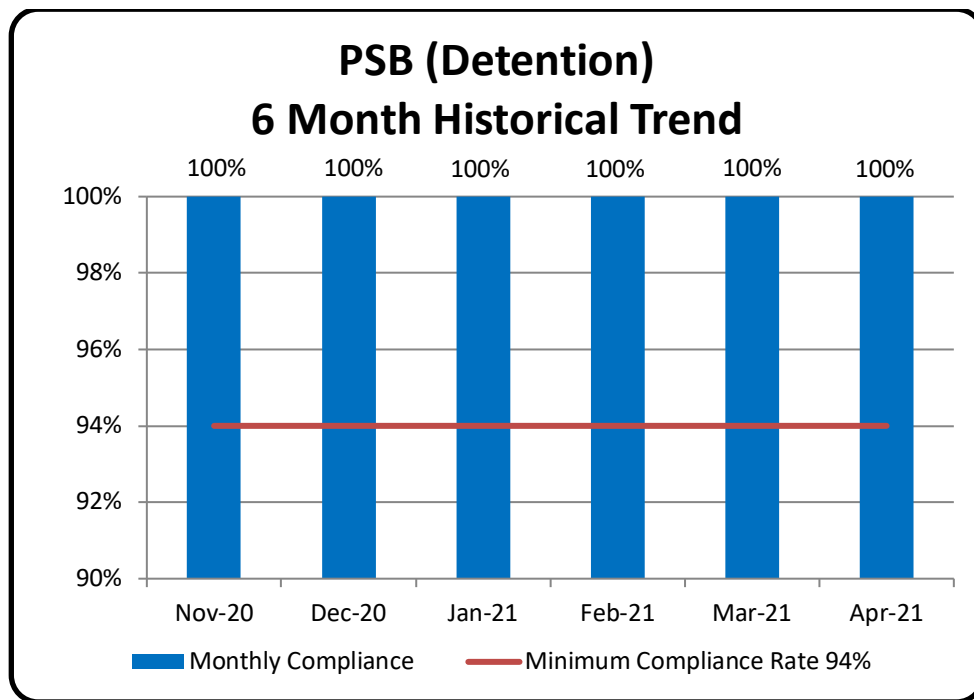


Inspection results for the 3 Misconduct Investigation conducted by Detention Supervisors at the PSB.

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	3	3	0	100%
Verify complaint was assigned a unique identifier	3	3	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	3	3	0	100%
Verify deadlines were met	3	3	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	3	3	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	3	3	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	3	3	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	3	3	0	100%

Determine if interviews were audio and video recorded	3	3	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	3	3	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	3	3	0	100%
Determine if a final finding was reached on a misconduct allegation	3	3	0	100%
Determine if an employee’s disciplinary history was documented	3	3	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	3	3	0	100%
Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB	42	42	0	100%

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



The following deficiencies were identified during the inspection; however, because of the circumstances noted, no BIO Action forms are requested.

IA Number	Employee	Division	Division Commander
IA2018-0633	Management Analyst	PSB	Captain
Deficiency			
<p><u>Verify deadlines were met:</u></p> <p>The investigation exceeded the 180-day timeline.</p> <p>Records in the IAPro case file indicate that an extension was granted to exceed the initial 180-day deadline; however, the actual extension memorandum could not be located nor is there a record that the principal was provided a copy of the approved request to exceed the 180-day deadline.</p> <p>Reference: MCSO Policy GH-2, Subsection 8.D.</p> <p>Because the individual responsible for this action/record is no longer employed by MCSO, no BIO Action Form is requested.</p>			
IA Number	Employee	Current Assignment	Current Division Commander
IA2018-0633	Lieutenant	District I	Captain
Deficiency			
<p><u>Verify deadlines were met:</u></p> <p>The investigation exceeded the 180-day timeline.</p> <p>Records in the IAPro case file indicate that on 10/17/19, PSB personnel submitted a memorandum request to exceed the investigation's due date of 10/13/19. Because the request was submitted after the due date had passed, the request was untimely.</p> <p>Reference: MCSO Policy GH-2, Subsection 8.D.1. (Version of GH-2 effective 06-28-19).</p> <p>Records also indicate that the PSB identified and addressed this deficiency prior to this inspection being conducted; therefore, no BIO Action Form is requested.</p>			

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

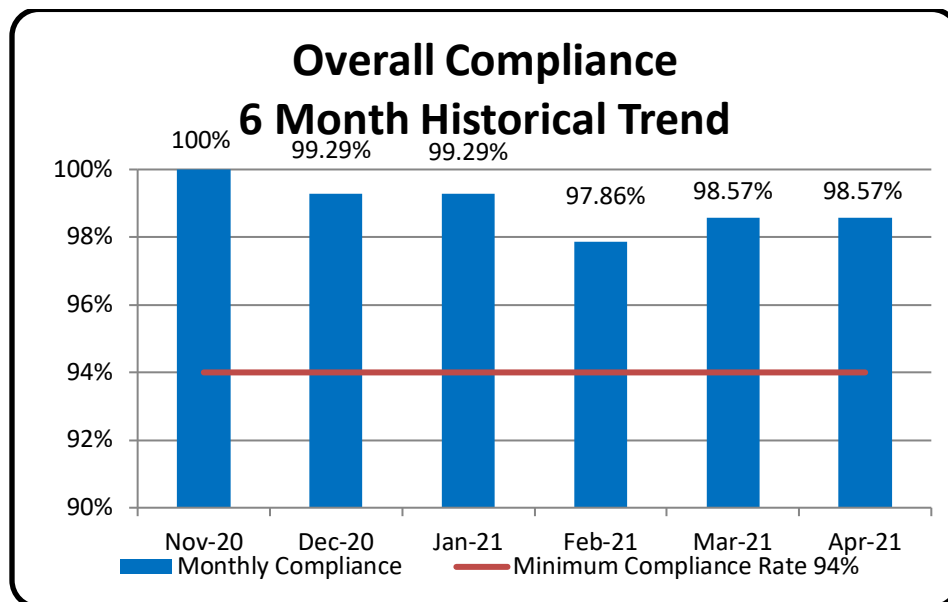
IA Number	Employee	Division	Division Commander
IA2018-0362	Sergeant	PSB	Captain
Deficiency			
<p><u>Verify deadlines were met:</u></p> <p>The investigation exceeded the 180-day timeline.</p> <p>Records in the IAPro case file indicate that on 11/07/18 PSB personnel timely requested and received an approval to exceed the 180-day deadline; however, no record was found to indicated that the principal was provided a copy of the approved extension memorandum.</p> <p>Reference: MCSO Policy GH-2, Subsection 8.D.1. (Version of GH-2 effective 05/18/17).</p>			

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

Compliance for April 2021:

Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	98.57%
Sworn Personnel at the Professional Standards Bureau	96.43%
Detention Personnel at the Professional Standards Bureau	100%
Overall Compliance for April Misconduct Investigations	98.57%

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



Inspection BI2021-0065 resulted in **98.57%** compliance with **one BIO Action Form** requested from the affected Division.

Date Inspection Started: June 1, 2021
Date Completed: June 14, 2021
Timeframe Inspected: April 1 to April 30, 2021
Assigned Inspector: Sr. Auditor M. Rodriguez A9047

I have reviewed this inspection report.

<u><i>Lt. Jonathan Halverson S1674</i></u>	<u>7/12/2021</u>
Lt J. Halverson S1674	Date
Commander, Audits and Inspections Unit	
Bureau of Internal Oversight	