

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



January 2022 Misconduct Investigations Inspection Report

Inspection # BI2022-0023

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 January 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, 0 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), 8 investigations were completed by *Detention Supervisors* assigned to the PSB, and 0 investigations were completed by *Civilian Investigators* assigned to the PSB.

Inspection results for the 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	0	N/A	N/A	N/A
Verify complaint was assigned a unique identifier	0	N/A	N/A	N/A
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	N/A	N/A	N/A
Verify deadlines were met	0	N/A	N/A	N/A
Verify investigator who conducted the investigation received required misconduct investigation training	0	N/A	N/A	N/A
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	N/A	N/A	N/A

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

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 8 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	8	8	0	100%
Verify complaint was assigned a unique identifier	8	8	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	8	8	0	100%
Verify deadlines were met	8	8	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	8	8	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	8	8	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	8	8	0	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	8	8	0	100%
Determine if interviews were audio and video recorded	8	7	0	87.50%
Determine if the investigative report was reviewed by the appropriate personnel	8	8	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	8	8	0	100%
Determine if a final finding was reached on a misconduct allegation	8	8	0	100%
Determine if an employee’s disciplinary history was documented	8	8	0	100%

Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	8	8	0	100%
Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB	112	111	1	99.11%

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

Compliance for January 2022:

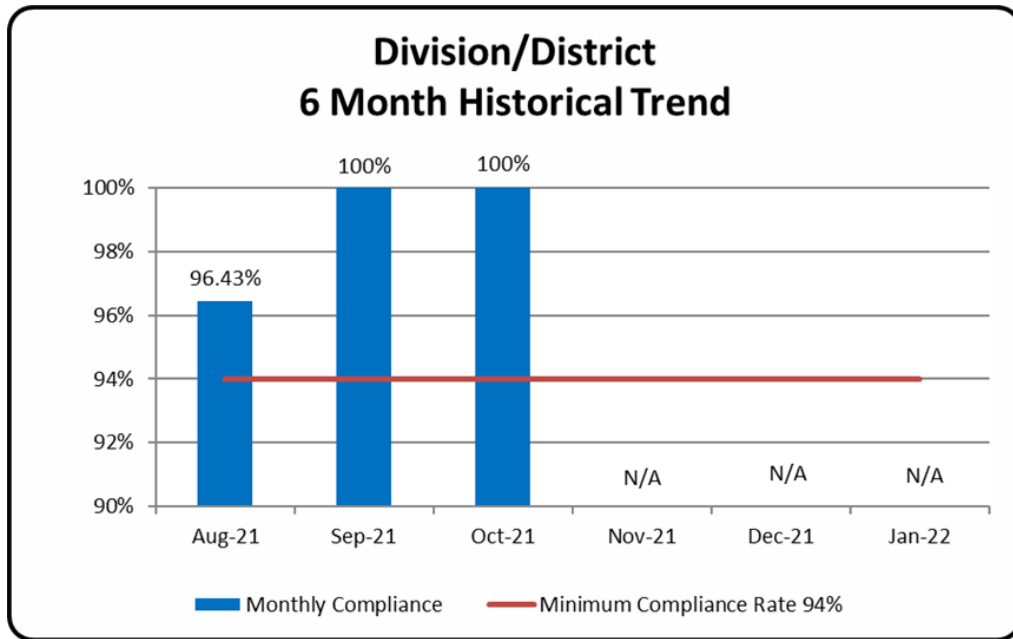
Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	N/A
Sworn Personnel at the Professional Standards Bureau	100%
Detention Personnel at the Professional Standards Bureau	99.11%
Civilian Investigators at the Professional Standards Bureau	N/A
Overall Compliance for January Misconduct Investigations	99.29%

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

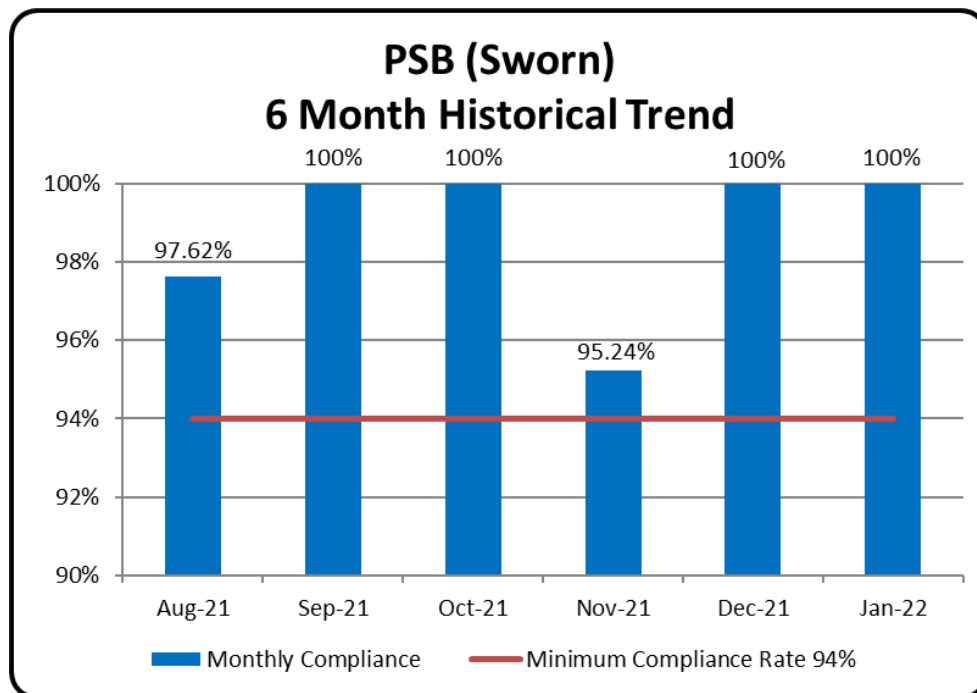
IA Number	Employee	Current Assignment	Current Division Commander
IA2019-0481	Captain	Lower Buckeye Jail	Chief
Deficiency			
<p>Determine if interviews were audio and video recorded:</p> <p>Records in the IAPro Case file indicate that the originally assigned investigator conducted an interview with one of the complainants that was not video recorded. The case file includes a statement from that investigator confirming that the interview was only audio recorded but no explanation was provided for not video recording the interview.</p> <p>Reference: MCSO Policy GH-2, Subsection 4.A.6</p>			

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

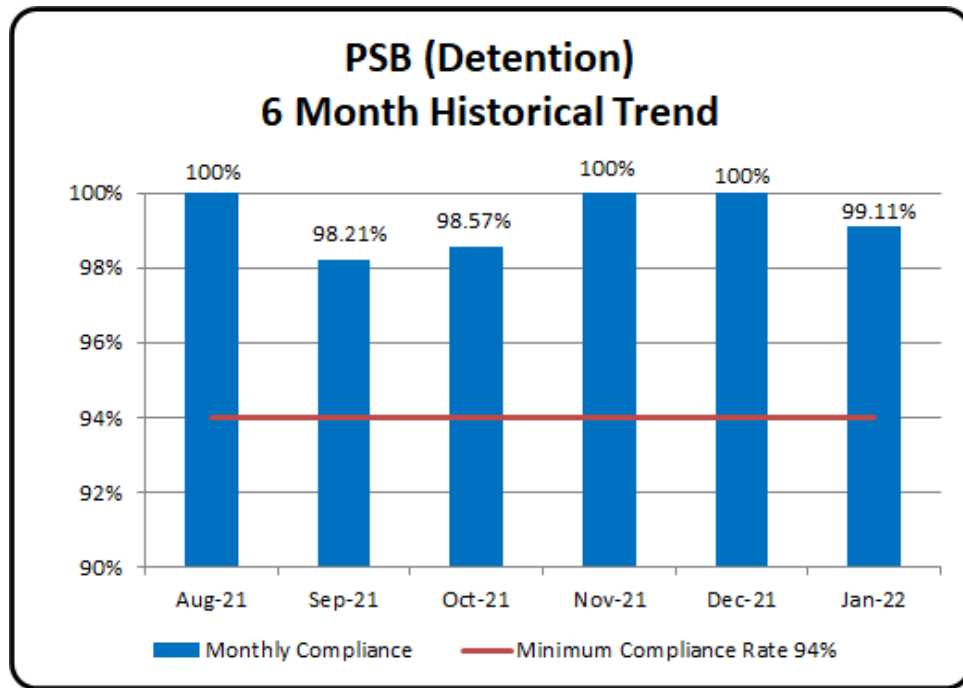
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



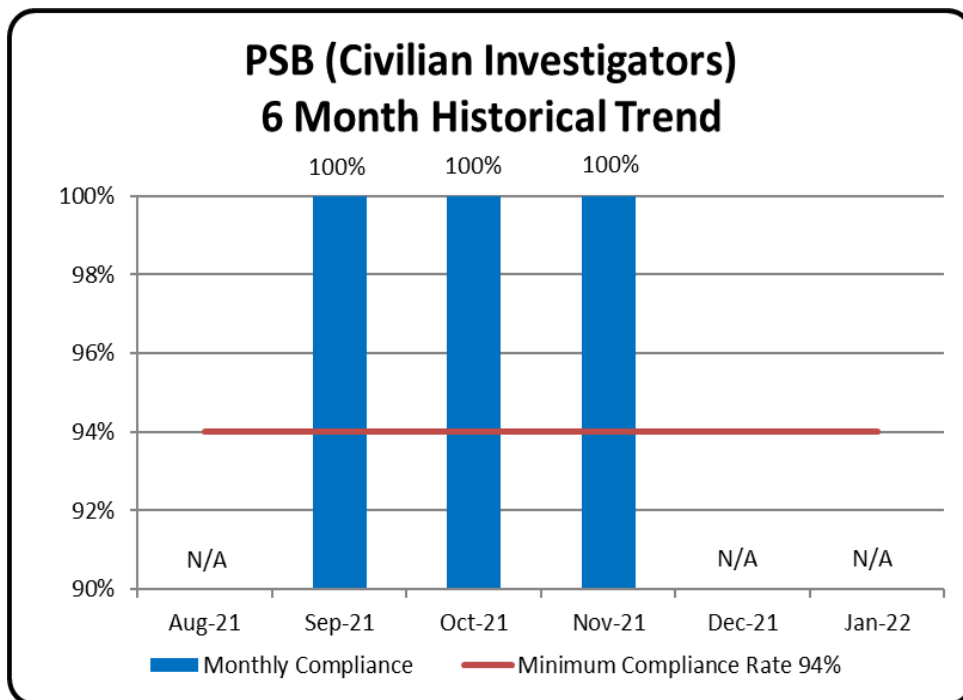
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn personnel at the Professional Standards Bureau:



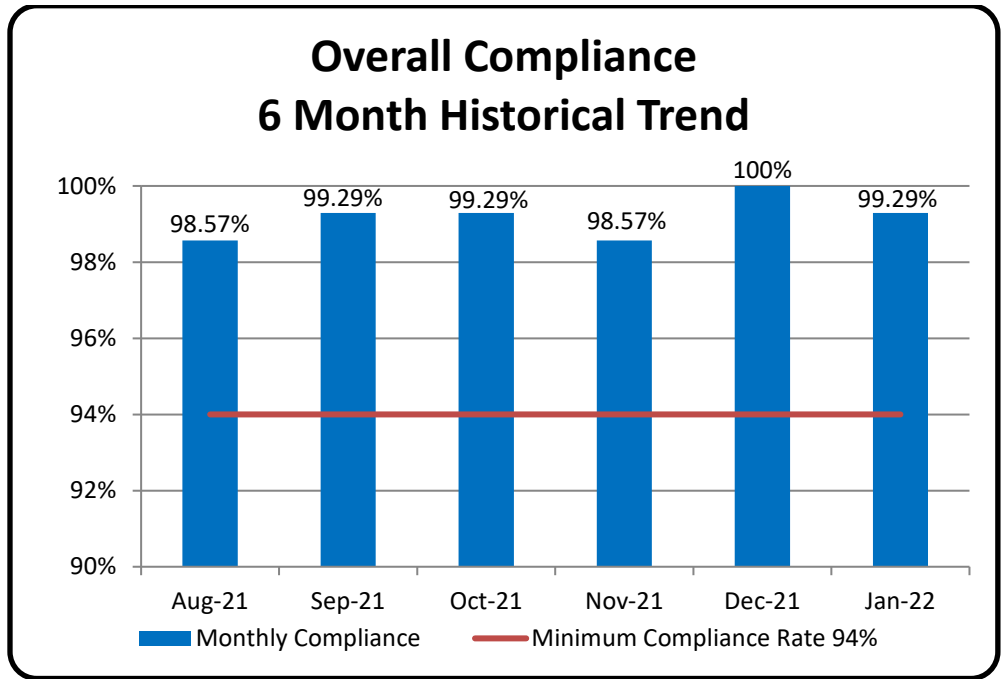
Below is the historical comparison of compliance for Misconduct Investigations conducted by detention personnel at the Professional Standards Bureau:



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 all Misconduct Investigations inspected by the MCSO:



Inspection BI2022-0023 resulted in **99.29%** compliance with **One** BIO Action Form requested from the affected division.

Date Inspection Started: March 1, 2022
 Date Completed: March 17, 2022
 Timeframe Inspected: January 1 to January 31, 2022
 Assigned Inspector: Sr. Auditor M. Rodriguez A9047

I have reviewed this inspection report.

Lt. Brian Arthur S1806 4/20/22
 Lt T. B. Arthur S1806 Date
 Commander; Audits and Inspections Unit
 Bureau of Internal Oversight