

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



## April 2020 Misconduct Investigations Inspection Report

Inspection # BI2020-0065

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:**

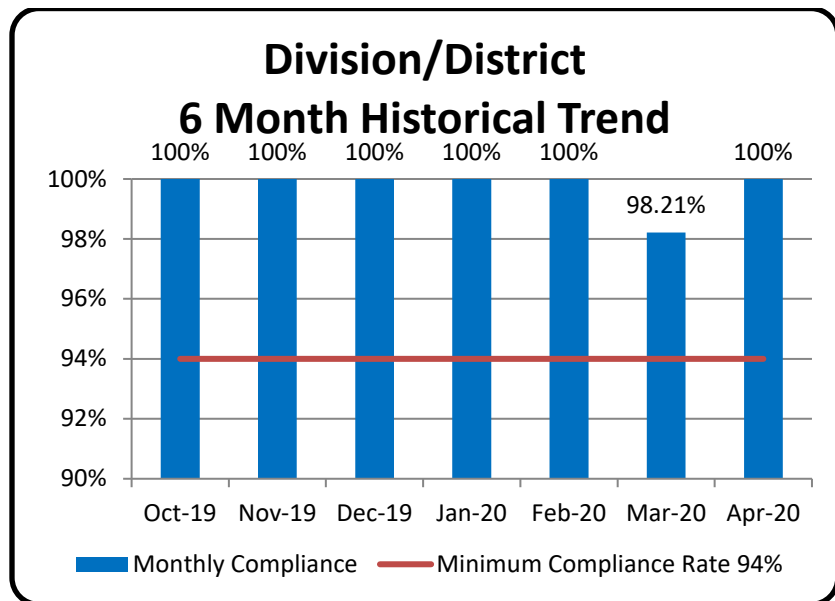
A review of the IAPro records revealed that a total of 24 administrative misconduct investigations started on or after November 1, 2017 were closed during the month of April 2020. A list of these investigations was provided to the Monitor team. A randomly selected proportionate sample, consisting of 10 investigations, was provided to AIU for inspection. Of the sample provided, 3 investigations were completed by *Sworn Supervisors* assigned to the Divisions/Districts, 5 investigation was completed by *Sworn Supervisors* assigned to the Professional Standards Bureau (PSB), and 2 investigations were completed by *Detention Supervisors* assigned to the PSB.

**Inspection results for the 3 Misconduct Investigations conducted by Sworn Supervisors at the Division/District**

Compliance Objectives	Not In Compliance	In Compliance	Compliance Rate
Determine if complaint notification procedures were followed	0	3	100%
Verify complaint was assigned a unique identifier	0	3	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	3	100%
Verify deadlines were met	0	3	100%
Verify investigator who conducted the investigation received required misconduct investigation training	0	3	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	0	3	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	0	3	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	0	3	100%
Determine if interviews were audio and video recorded	0	3	100%
Determine if the investigative report was reviewed by the appropriate personnel	0	3	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	0	3	100%
Determine if a final finding was reached on a misconduct allegation	0	3	100%
Determine if an employee's disciplinary history was documented	0	3	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	0	3	100%
<b>Overall Compliance for Misconduct Investigations conducted at the Division/District</b>	<b>0</b>	<b>42</b>	<b>100%</b>

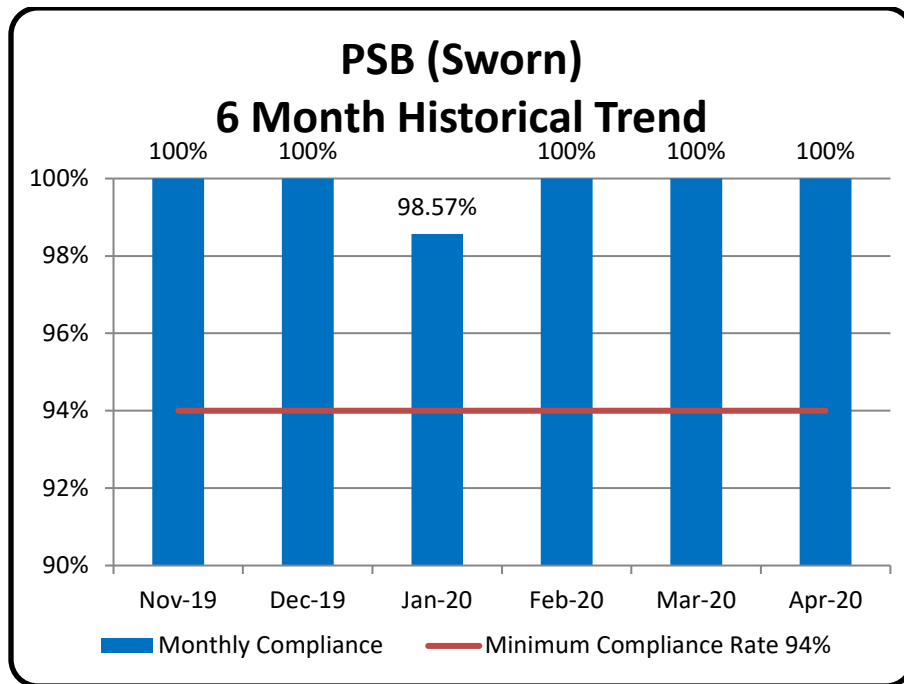
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



**Inspection results for the 5 Misconduct Investigation conducted by Sworn Supervisors at the PSB**

<b>Compliance Objectives</b>	<b>Not In Compliance</b>	<b>In Compliance</b>	<b>Compliance Rate</b>
Determine if complaint notification procedures were followed	0	5	100%
Verify complaint was assigned a unique identifier	0	5	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	5	100%
Verify deadlines were met	0	5	100%
Verify investigator who conducted the investigation received required misconduct investigation training	0	5	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	0	5	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	0	5	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	0	5	100%
Determine if interviews were audio and video recorded	0	5	100%
Determine if the investigative report was reviewed by the appropriate personnel	0	5	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	0	5	100%
Determine if a final finding was reached on a misconduct allegation	0	5	100%
Determine if an employee’s disciplinary history was documented	0	5	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	0	5	100%
<b>Overall Compliance for Misconduct Investigations conducted by the Sworn Personnel at the PSB</b>	<b>0</b>	<b>70</b>	<b>100%</b>

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

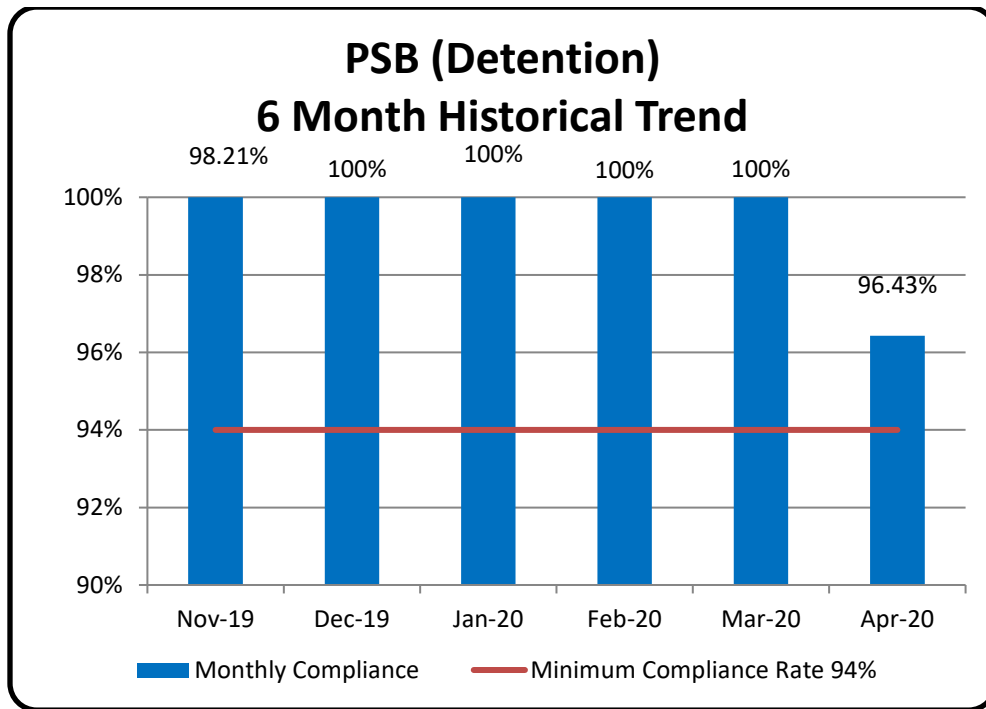


**Inspection results for the 2 Misconduct Investigation conducted by Detention Supervisors at the PSB.**

Compliance Objectives	Not In Compliance	In Compliance	Compliance Rate
Determine if complaint notification procedures were followed	0	2	100%
Verify complaint was assigned a unique identifier	0	2	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	0	2	100%
Verify deadlines were met	1	1	50%
Verify investigator who conducted the investigation received required misconduct investigation training	0	2	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	0	2	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	0	2	100%
Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	0	2	100%

Determine if interviews were audio and video recorded	0	2	100%
Determine if the investigative report was reviewed by the appropriate personnel	0	2	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	0	2	100%
Determine if a final finding was reached on a misconduct allegation	0	2	100%
Determine if an employee’s disciplinary history was documented	0	2	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	0	2	100%
<b>Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB</b>	<b>1</b>	<b>27</b>	<b>96.43%</b>

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



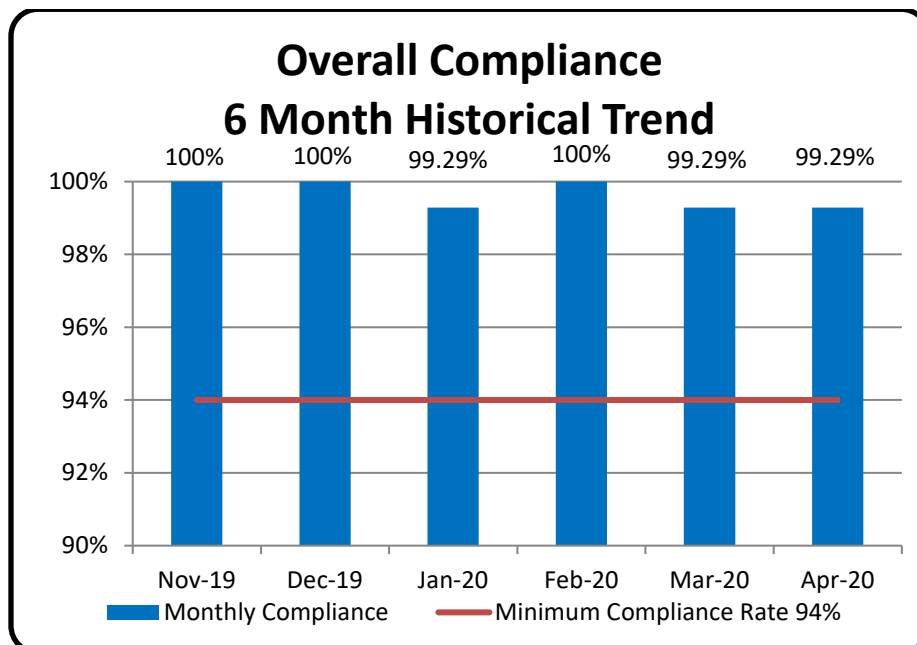
The following Deficiencies were identified during the inspection; however, as the responsible individual is no longer employed by MCSO, no BIO Action Forms are required to be completed.

IA Number	Employee	Division	Division Commander
IA2017-0837	Sergeant	PSB	Captain
Deficiency			
<b>Verify deadlines were met:</b>			
<p>The original investigator for this investigation retired and the investigation was assigned and completed by a second investigator. The investigation exceeded the 180-day timeline.</p> <p>The IAPro Case File includes various approved memorandum requests to exceed the 180-day timeline; however, the memorandum request, from the original investigator, to exceed the initial 180-day timeline is not included in the case file. Additionally, the case file does not include records that would indicate that the original investigator provided the Principal with the approved memorandums completed during the time he worked the case.</p> <p>Reference: MCSO Policy GH-2, Subsection 8.D.1</p>			

**Compliance for April 2020:**

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	96.43%
<b>Overall Compliance for April Misconduct Investigations</b>	<b>99.29%</b>

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



Inspection BI2020-0065 resulted in **99.29%** compliance; however, as previously noted in this report, no BIO Action Forms are requested.

Date Inspection Started: June 1, 2020  
Date Completed: July 1, 2020  
Timeframe Inspected: April 1 to April 30, 2020  
Assigned Inspector: Auditor M. Rodriguez A9047

I have reviewed this inspection report.

*Lt. Todd Brice*

7-6-2020

Lt T. Brice S1767  
Commander, Audits and Inspections Unit  
Bureau of Internal Oversight

Date