

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Nov. 2021 Misconduct Investigations Inspection Report

Inspection # BI2021-0165

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:

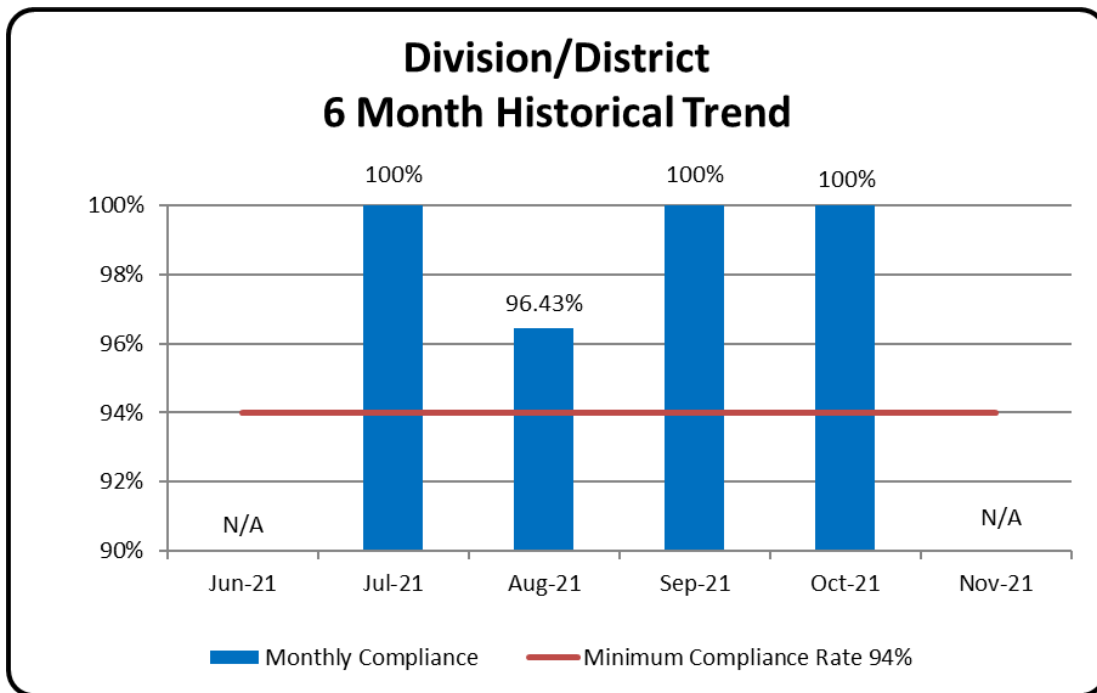
A review of the IAPro records revealed that a total of 29 administrative misconduct investigations were started on or after November 1, 2017 and were closed during the month of November 2021. A list of these investigations was provided to the Monitor team. A randomly selected proportionate sample, consisting of 10 investigations, was provided to AIU for inspection. Of the sample provided for inspection, 0 investigations were completed by *Sworn Supervisors* assigned to the Divisions/Districts, 3 investigations were completed by *Sworn Supervisors* assigned to the Professional Standards Bureau (PSB), 4 investigations were completed by *Detention Supervisors* assigned to the PSB, and 3 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

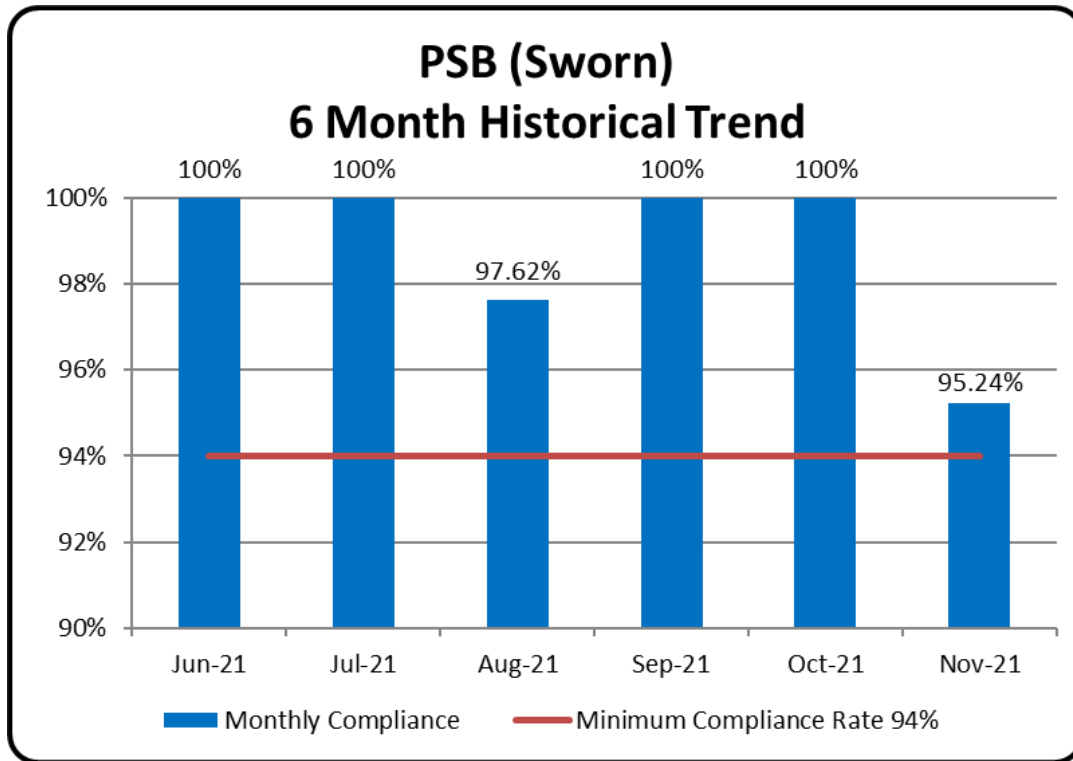
Below is the historical comparison of compliance for Misconduct Investigations conducted by sworn supervisors at the Districts/Divisions:



Inspection results for the 3 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	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	2	1	66.66%
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	2	1	66.66%
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 the Sworn Personnel at the PSB	42	40	2	95.24%

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

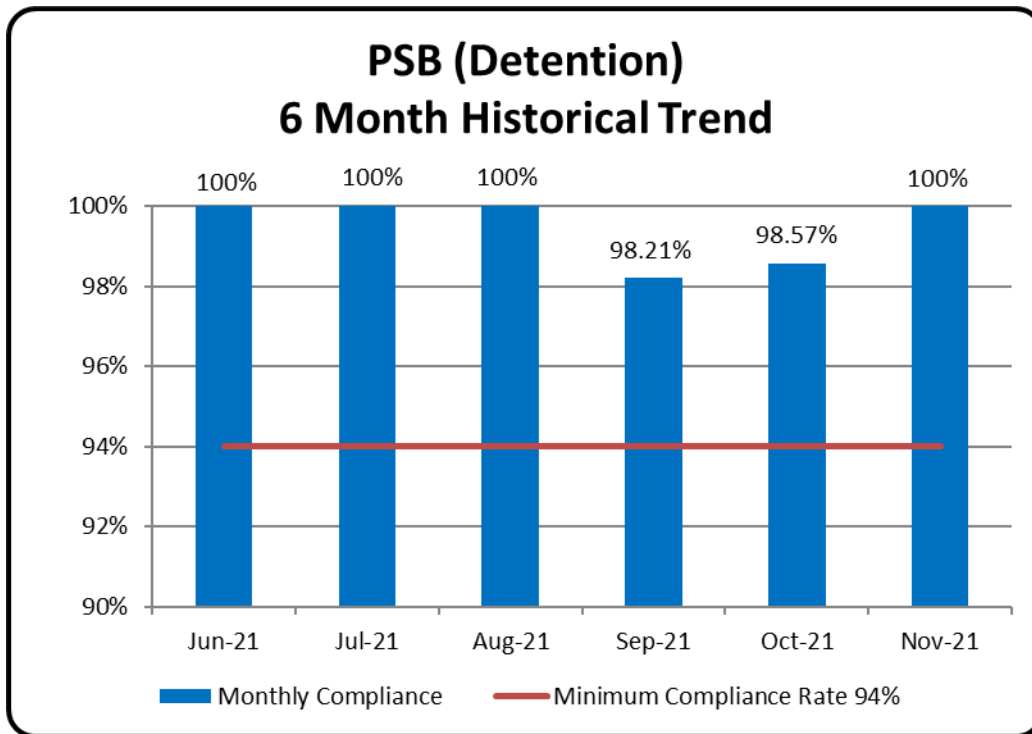


Inspection results for the 4 Misconduct Investigations conducted by Detention Supervisors at the PSB.

Compliance Objectives	Total Inspected	In Compliance	Not in Compliance	Compliance Rate
Determine if complaint notification procedures were followed	4	4	0	100%
Verify complaint was assigned a unique identifier	4	4	0	100%
Verify investigation assignment protocols were followed, such as serious or criminal misconduct being investigated outside of the Professional Standards Bureau	4	4	0	100%
Verify deadlines were met	4	4	0	100%
Verify investigator who conducted the investigation received required misconduct investigation training	4	4	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	4	4	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	4	4	0	100%

Determine if an investigation was conducted of a superior Officer within the internal affairs investigators' chain of command.	4	4	0	100%
Determine if interviews were audio and video recorded	4	4	0	100%
Determine if the investigative report was reviewed by the appropriate personnel	4	4	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	4	4	0	100%
Determine if a final finding was reached on a misconduct allegation	4	4	0	100%
Determine if an employee's disciplinary history was documented	4	4	0	100%
Determine if an explanation was provided for any discipline imposed inconsistently with the disciplinary matrix	4	4	0	100%
Overall Compliance for Misconduct Investigations conducted by Detention Personnel at the PSB	56	56	0	100%

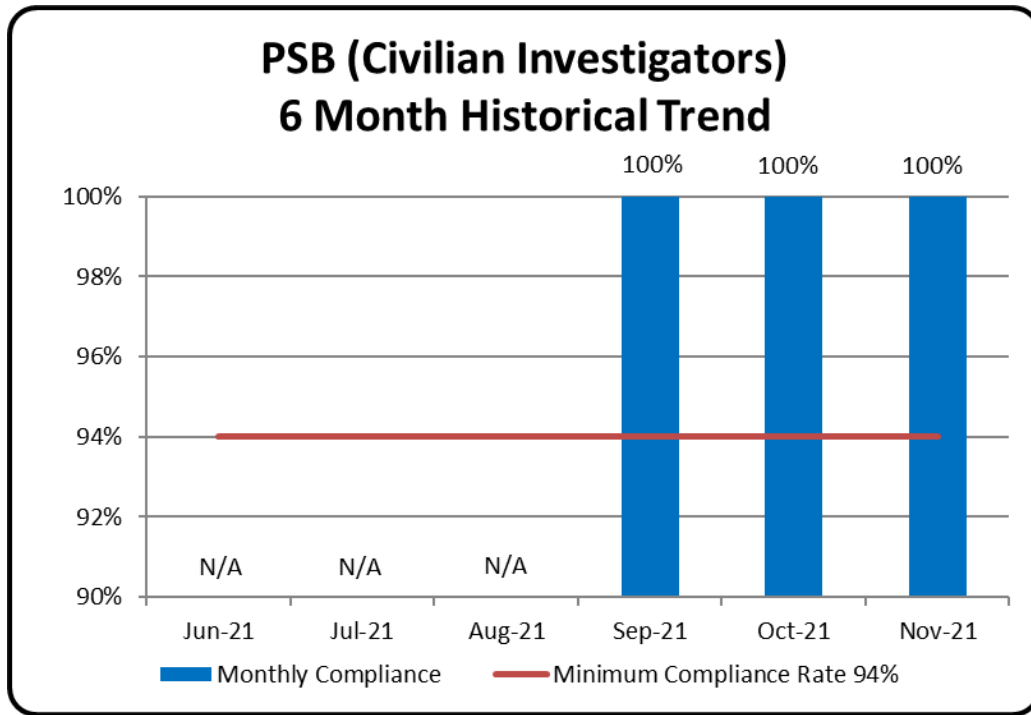
Below is the historical comparison of compliance for Misconduct Investigations conducted by detention personnel at the Professional Standards Bureau:



Inspection results for the 3 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	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 the Sworn Personnel at the PSB	42	42	0	100%

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



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

IA Number	Employee	Current Assignment	Current Division Commander
IA2018-0690	Lieutenant	Lakes Division	Captain
Deficiency			
Verify deadlines were met:			
The investigation exceeded the 180-day timeline.			
The <i>Request for Investigative Extension</i> memorandum dated November 20, 2020, was untimely. It was requested after the previous approved extension due date of 11/19/2020 had passed.			
Reference: MCSO Policy GH-2, Subsection 8.D.1.			
There are two prior BIO Action Forms similar in nature addressing previously identified deficiencies (BAF2021-0110 and BAF2020-0225).			

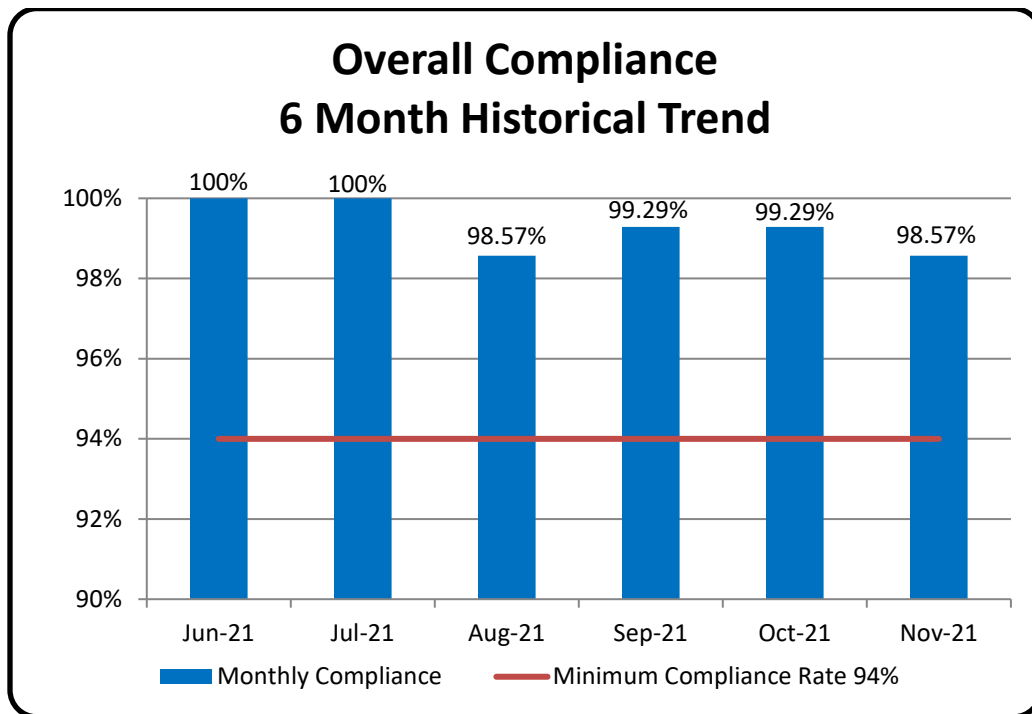
The following deficiency was identified during the inspection; however, as the responsible employee is no longer employed by MCSO, **NO BIO Action Forms are requested.**

IA Number	Employee	Current Assignment	Current Division Commander
IA2018-0690	Lieutenant	N/A	N/A
Deficiency			
Determine if interviews were audio and video recorded:			
Video recording of Interview with multiple Principals were not included in the IAPro case file.			
Reference: MCSO Policy GH-2, Subsection 4.A.6			

Compliance for November 2021:

Compliance Rate by Identified Personnel	Compliance Rate
Sworn Personnel at the Division/District Level	N/A
Sworn Personnel at the Professional Standards Bureau	95.24%
Detention Personnel at the Professional Standards Bureau	100%
Civilian Investigators at the Professional Standards Bureau	100%
Overall Compliance for November Misconduct Investigations	98.57%

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



Inspection BI2021-0165 resulted in **98.57%** compliance with **One** BIO Action Form requested from the affected division.

Date Inspection Started: January 1, 2022
Date Completed: January 17, 2022
Timeframe Inspected: November 1 to November 30, 2021
Assigned Inspector: Sr. Auditor M. Rodriguez A9047

I have reviewed this inspection report.

<u><i>Lt. Brian Arthur</i></u>	<u>3/1/2022</u>
Lt T. Arthur S1806 Commander; Audits and Inspections Unit Bureau of Internal Oversight	Date