

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight
Audits and Inspections Unit



Complaint Intake Testing Inspection May 2023

Inspection # BI2023-0072

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 the 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 have 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 May 2023; one was a U.S. Mail test and the other one was an in-person test. AIU inspected both complaint intake tests. These tests are discussed in further detail under the applicable report sub-section below.

In-Person Testing

There was one In-Person Complaint Intake Test conducted during the month of May 2023.

1. TEST #: 127-IP

DISTRICT/DIVISION: Lake Patrol

TEST SCENARIO: The tester posed as a Hispanic female (per PMR paperwork) who was pulled over by a deputy. The deputy never told her why she was stopped and was very unprofessional when speaking to her and her friends, was looking into the vehicle, and even asked if there were drugs in the vehicle.

ACTIONS TAKEN: The tester went to the Lake Patrol office and was let in by the on-duty supervisor. The supervisor took the tester back to his office to take the complaint which he attempted to record on his office-issued cell phone but it only recorded 10 seconds. In the tester's video, the tester can heard telling the supervisor that he has a call coming through on his phone. It appears the incoming phone call turned off the video recording of the interview. Based on the tester's video, BIO feels that this was a technology error and the supervisor was unaware that the phone was no longer recording. At the conclusion of the interview, the lieutenant explained the process and informed the tester that the matter would be investigated.

Later that day, PSB called the tester with an IA number and the contact information for the assigned investigator.

RESULTS: No deficiencies were noted

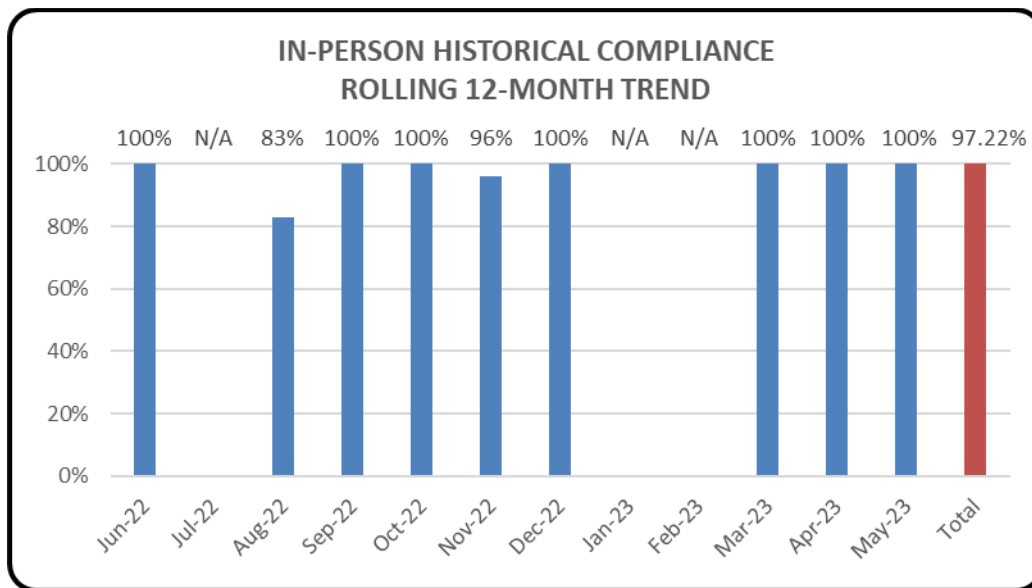
TESTER COMMENTS: Tester commented that they would have been more comfortable if they knew the phone being used was a designated work phone. *"I was surprised that the recording of the complaint was done on a cell phone. It was unclear whether the phone was a designated work phone or a personal cell phone. I would have been more comfortable if it was explained that it was a work phone. I would not have felt comfortable if the recording took place on someone's personal device where the video could possibly be used (posted, shared, forwarded) as the owner sees fit."*

BIO FOLLOW-UP: Lake patrol staff followed MCSO policy and BIO found no misconduct with the use of Office issued cell phone to record the interview. BIO sent an email to the Lake Patrol Captain regarding the technical issue with the cell phone and recommended that in the future if a cell phone was to be used instead of the office-issued BWC that the phone be placed into airplane mode so that the recording cannot be interrupted by an incoming phone call.

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	1	1	100%
Determine if the complaint was taken in a courteous manner.	0	1	1	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	1	1	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	1	1	100%
Verify that the complaint was entered into BlueTeam or IAPro.	0	1	1	100%
Determine if the employee attempted to discourage, interfere or delay the complaint.	0	1	1	100%
If the 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	1	1	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	1	1	100%
Determine if verbal or written acknowledgment was provided that the complaint was received, documented, forwarded for investigation, and that complainant would be contacted by a department representative.	0	1	1	100%
Determine if the complaint was immediately forwarded to PSB.	0	1	1	100%
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	0	1	1	100%
Determine if the employee reported accurate information in the complaint.	0	1	1	100%
Overall compliance for In-Person testing	0	12	12	100%

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



Testing by U.S. Mail

There was one Complaint Intake Test conducted by U.S. Mail during the month of May 2023.

TEST #: 115

DISTRICT/DIVISION: PSB

TEST SCENARIO: The tester sent a letter by U.S. mail addressed to PSB at 550 W. Jackson Street, Phoenix, AZ 85003 complaining that while at Lake Pleasant boating a deputy stopped their boat. The tester said the deputy was very aggressive and rude, asking for the IDs of everyone on the boat and stating that he would be watching them. The tester stated that they felt targeted by the deputy as they were all Latino.

ACTIONS TAKEN: PSB received the letter eight days after the tester mailed it. Later that day, the tester received a letter electronically (since no return address was provided by the tester) from PSB providing her with an IA number and the contact information for the assigned investigator.

RESULTS: No deficiencies were noted.

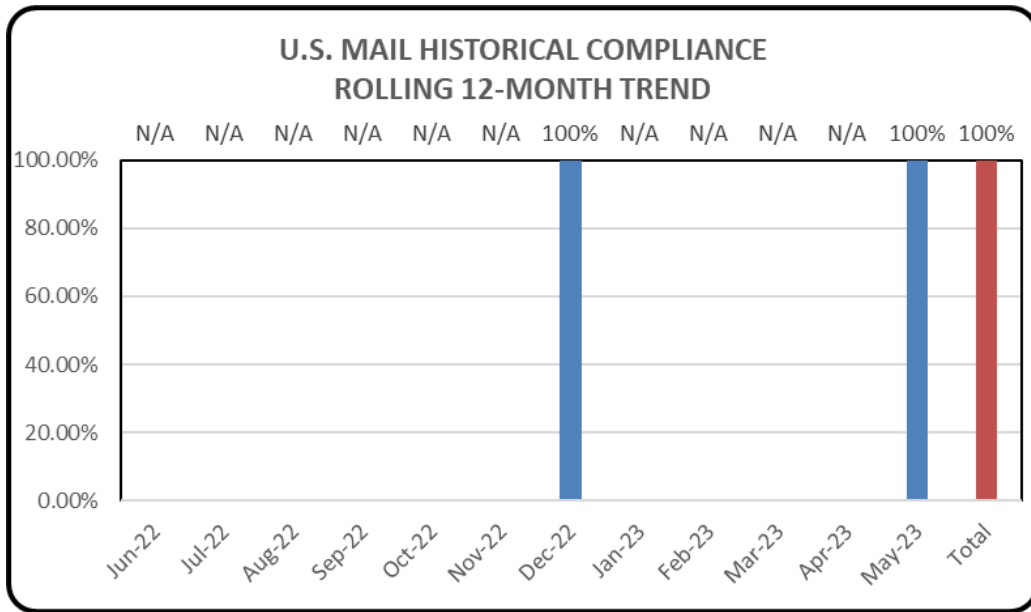
TESTER COMMENTS: N/A.

BIO FOLLOW-UP: None required.

It was determined that MCSO employee compliance with the 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	1	1	100%
Determine if the complaint was taken in a courteous manner.	N/A	N/A	N/A	N/A
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.	N/A	N/A	N/A	N/A
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	1	1	100%
Verify that the complaint was entered into BlueTeam or IAPro.	0	1	1	100%
Determine if the employee attempted to discourage, interfere or delay the complaint.	N/A	N/A	N/A	N/A
If the 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.	N/A	N/A	N/A	N/A
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	1	1	100%
Determine if verbal or written acknowledgment was provided that the complaint was received, documented, forwarded for investigation, and that complainant would be contacted by a department representative.	0	1	1	100%
Determine if the complaint was immediately forwarded to PSB.	0	1	1	100%
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	0	1	1	100%
Determine if the employee reported accurate information in the complaint.	0	1	1	100%
Overall compliance for testing conducted by U.S. Mail	0	8	8	100%

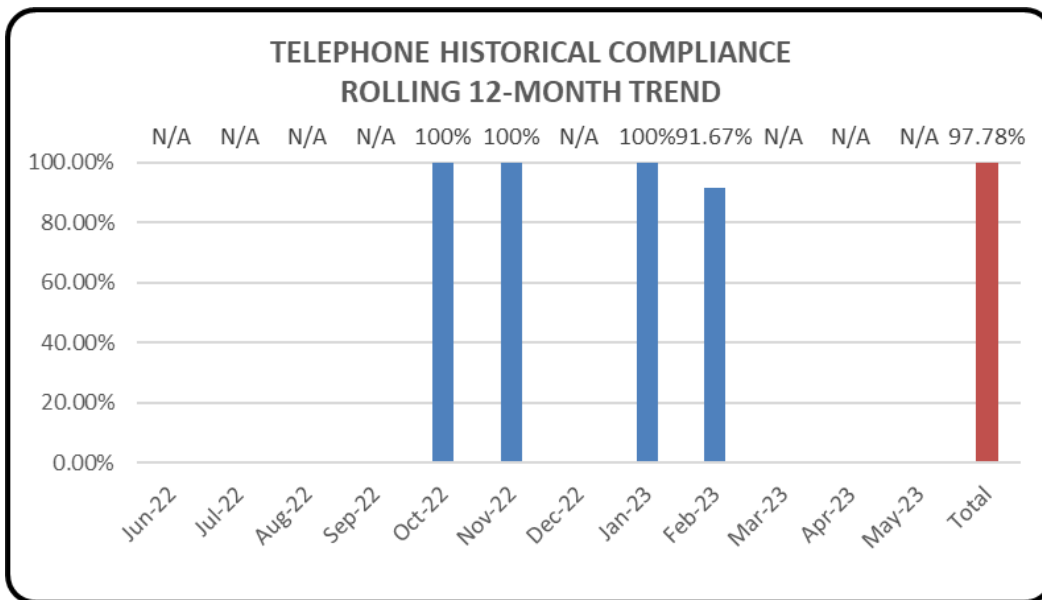
Below is a rolling 12-month historical comparison of compliance for tests conducted by U.S. Mail:



Testing by Telephone

There were no Complaint Intake Tests conducted by Telephone during the month of May 2023.

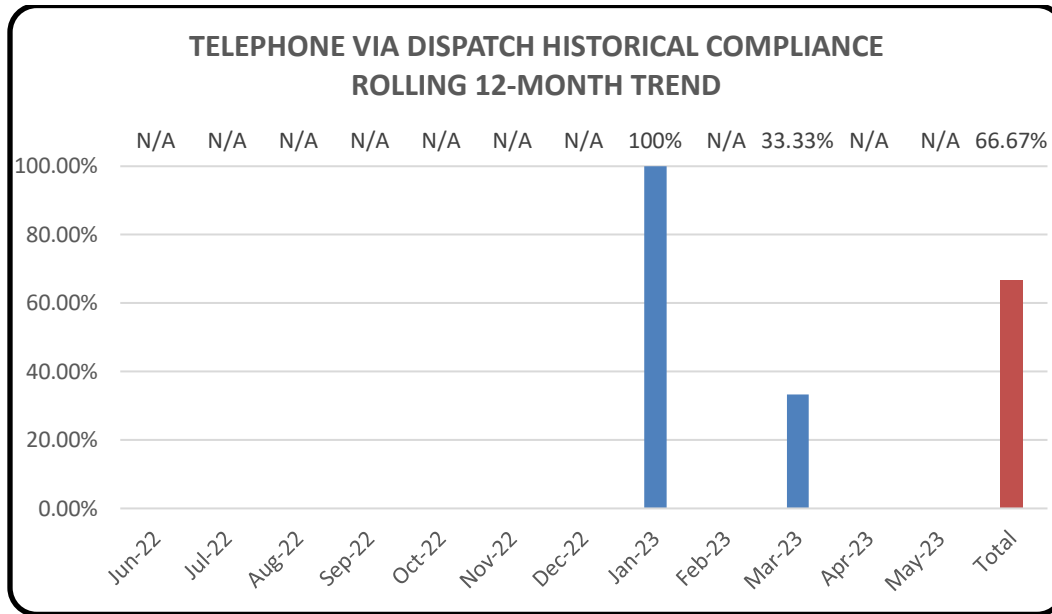
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone:



Testing by Telephone via Communications Division

There were no Complaint Intake Tests conducted by Telephone via the Communications Division during the month of May 2023.

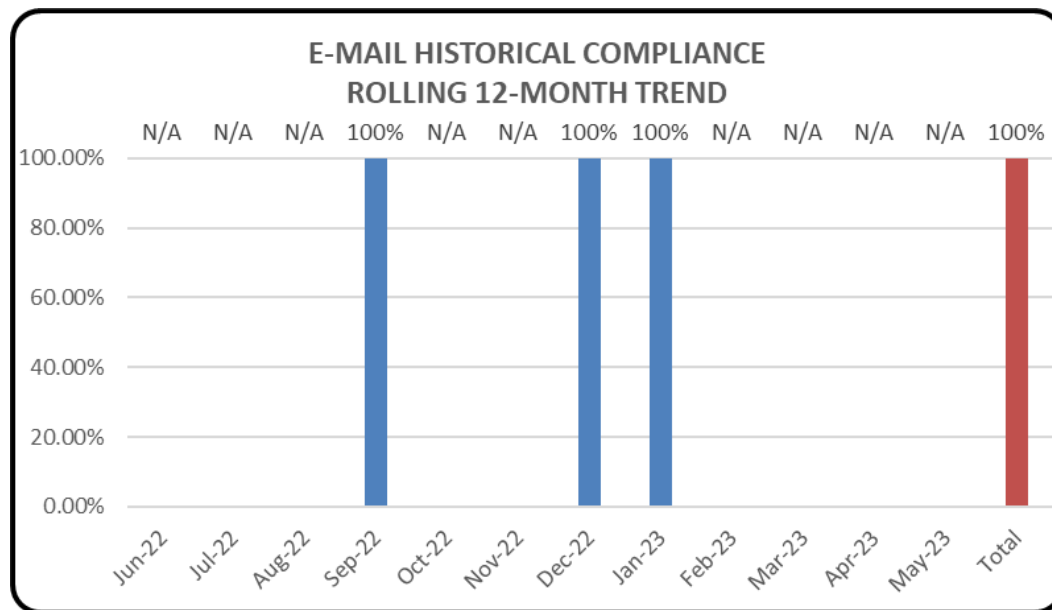
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



Testing by E-Mail

There were no Complaint Intake Tests conducted by E-Mail for the month of May 2023.

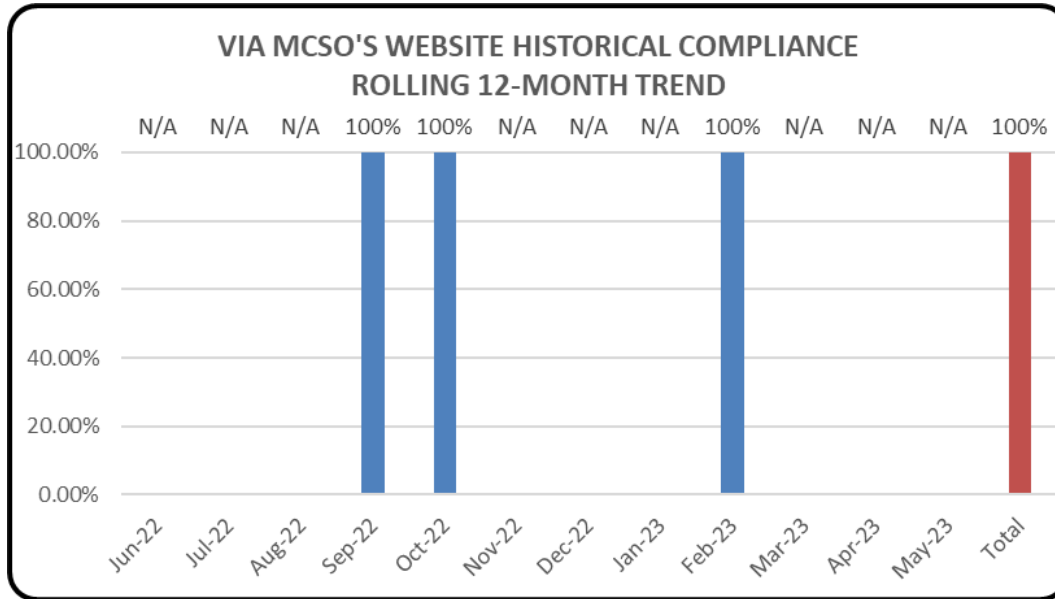
Below is a rolling 12-month historical comparison of compliance for tests conducted by E-mail:



Testing Online via MCSO’s Website

There were no Complaint Intake Tests conducted online during the month of May 2023 using the Office’s website.

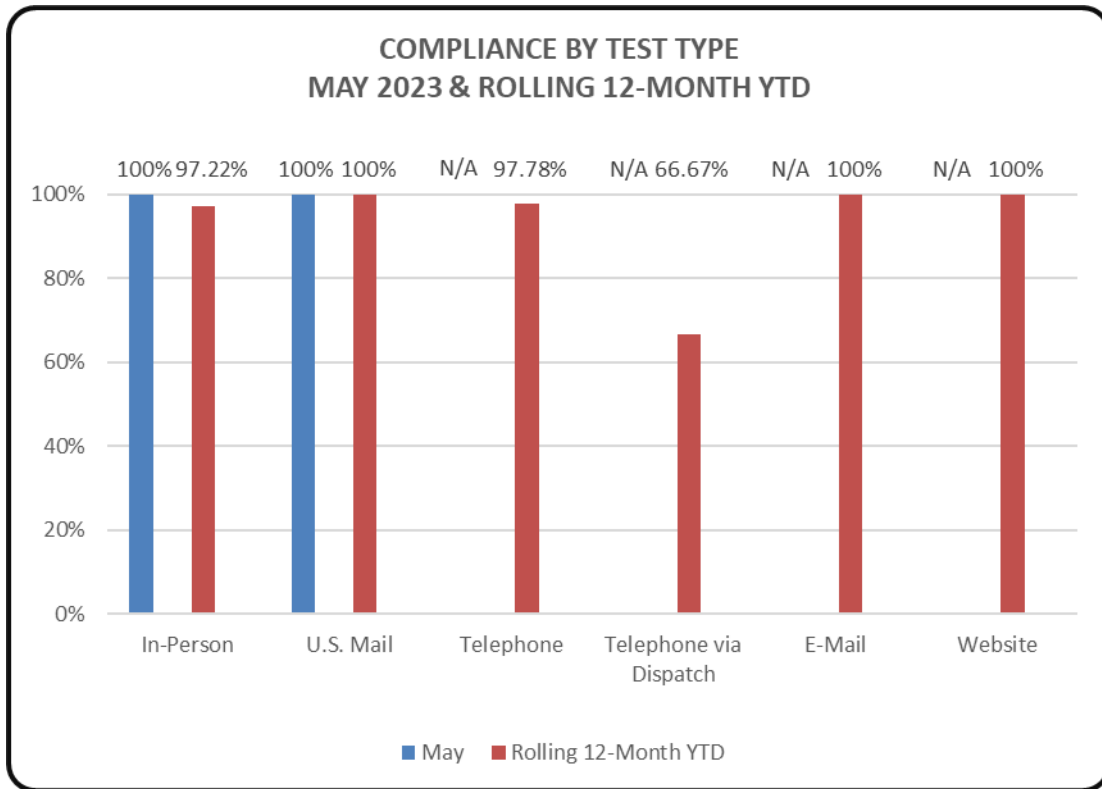
Below is a rolling 12-month historical comparison of compliance for filing a complaint Online:



Overall Compliance for May 2023:

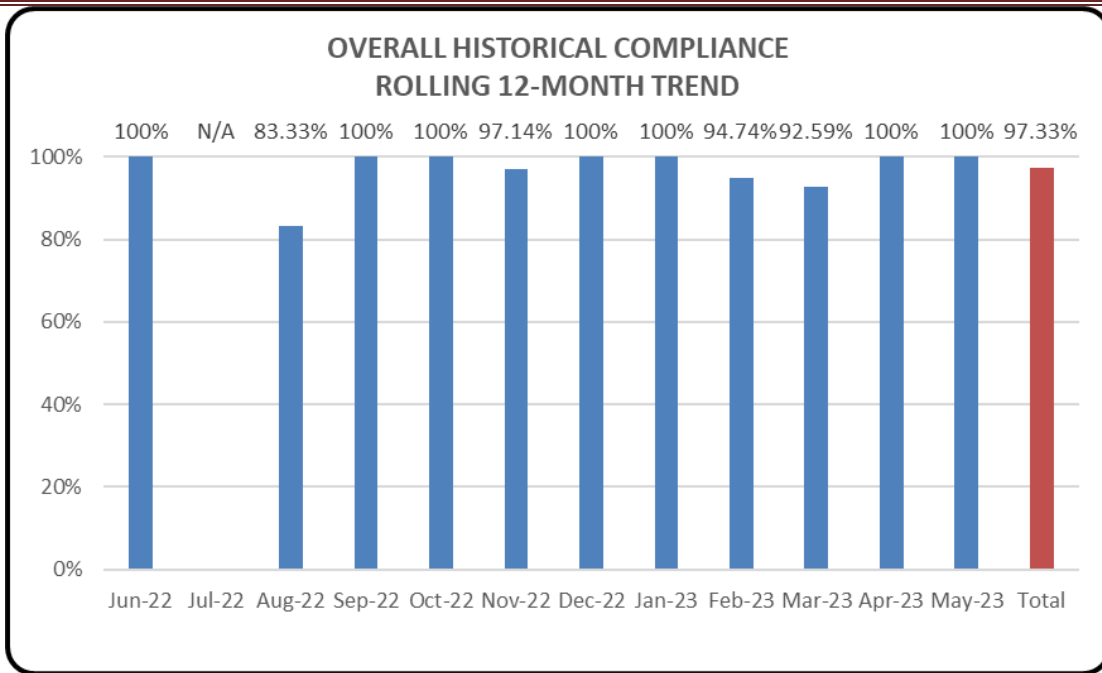
Compliance Rate by Method of Testing May 2023	Compliance Rate
Tests conducted In Person	100%
Tests conducted by U.S. Mail	100%
Tests conducted by Telephone	N/A
Tests conducted via Dispatch	N/A
Tests conducted via E-mail	N/A
Tests conducted by filing a complaint Online/Website	N/A
Overall Compliance for all Complaint Intake Tests Inspected – May. 2023	100%

Below is a chart illustrating the compliance rate by type of test conducted for the month of May 2023 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 BI2023-0072*; **no BIO Action Forms** are required.

Date Inspection Started: May 19, 2023
 Date Completed: June 10, 2023
 Timeframe Inspected: May 1st to May 31st, 2023
 Assigned Inspectors: Ronda Jamieson B3178

I have reviewed this inspection report.

Lt. Brian Arthur S1806

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

7/14/2023

 Date