

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Complaint Intake Testing Annual Report

For Fiscal Year Ended June 30, 2021

#BI2021-0100

Testing Program

The Complaint Intake Testing program consists of tests completed by vendors MCSO utilizes to file fictitious complaints in person, by telephone, by mail, by e-mail, or through MCSO's website to determine Office employee adherence to MCSO Policy and Procedures as they relate to civilian complaint intake. MCSO produces an annual report on the testing program for each county fiscal year (July 1 through June 30) to be published by September 15th.

MCSO has contracted with one outside vendor to provide complaint intake testing services. This vendor conducts a sufficient amount of ongoing complaint intake testing throughout each county fiscal year for MCSO to adequately assess the complaint intake process. Currently, the vendor has been authorized to conduct a minimum of 24 tests per fiscal year. Twelve of the tests are conducted by telephone, mail, e-mail, and through MCSO's website. The remaining 12 are conducted in person at an MCSO facility. The vendor selects the type of test, when, where, and how the tests will be conducted throughout the year. The vendor conducts its testing by utilizing the methodology submitted to MCSO. The Audits and Inspections Unit (AIU) of the Bureau of Internal Oversight (BIO) has the ability to direct targeted complaint intake tests as needed. BIO did not direct any targeted complaint intake tests during the period covered by this report.

AIU inspects all complaint intake tests completed by the vendor to determine if employees are in compliance with Office Policies GH-2, *Internal Investigations* and GI-1, *Radio and Enforcement Communications Procedures*, as follows:

- Providing civilians with appropriate and accurate information about the complaint process,
- Promptly notifying the Professional Standards Bureau upon the receipt of a complaint,
- Providing the Professional Standards Bureau with accurate and complete information, and
- Not attempting to discourage, interfere with, or delay a civilian from registering a complaint.

AIU began conducting the inspection of Complaint Intake Testing in January 2019 for tests performed during the month of December 2018. This report covers the third year of MCSO's inspections of Complaint Intake Testing. To ensure consistency, AIU utilizes the following *Complaint Intake Testing Matrix*:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.				
Determine if the complaint was taken in a courteous manner.				
If the complainant did not speak, read, or write in English, or was deaf or hard of hearing, determine if the complaint was accepted.				
Determine if the complaint was referred to the on-duty supervisor.				
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.				
Determine if original recordings and documents were attached to BlueTeam or sent via interoffice mail to PSB.				
Verify that complaint was entered into BlueTeam or IAPro.				
Determine if the employee attempted to discourage, interfere or delay complaint.				

If alleged conduct is of a criminal nature, determine that the chain of command was notified, who then notified PSB.				
Verify that the complaint was audio and/or video recorded.				
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, and • Report number and deputy name, if known. 				
Determine if verbal or written acknowledgement was provided that the complaint was received, documented, forwarded for investigation and that complainant would be contacted by a department representative.				
Determine if the complaint was immediately forwarded to PSB.				
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.				
Determine if the employee reported accurate information in the complaint.				
Overall compliance for [type of] testing				

In addition, the following matrix is utilized for tests initiated through the Communications Division:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the employee attempted to gather the complainant’s name and contact info, location of occurrence, report #, and name of deputy, if known.				
Determine if the employee contacted the division/district supervisor and emailed the info to him/her.				
Determine if the employee e-mailed EIU.				
Overall compliance for testing by Telephone via Communications Division				

Testing Methodology

Vendor personnel (tester) perform tests of MCSO’s external complaint intake process by posing as members of the public representing various races and ethnicities and filing fictitious complaints against MCSO employees through a variety of methods: in person, by telephone, via e-mail, website or in writing.

The tester audio and/or video records their interaction with MCSO employees and documents their experience on a Test Report Form. The testing process is considered complete when the Tester has received an IA number from the Professional Standards Bureau (PSB).

The following are typical test scenarios involving deputies that are based on real-life complaints, summaries of which MCSO provides to the complaint test vendors on a regular basis:

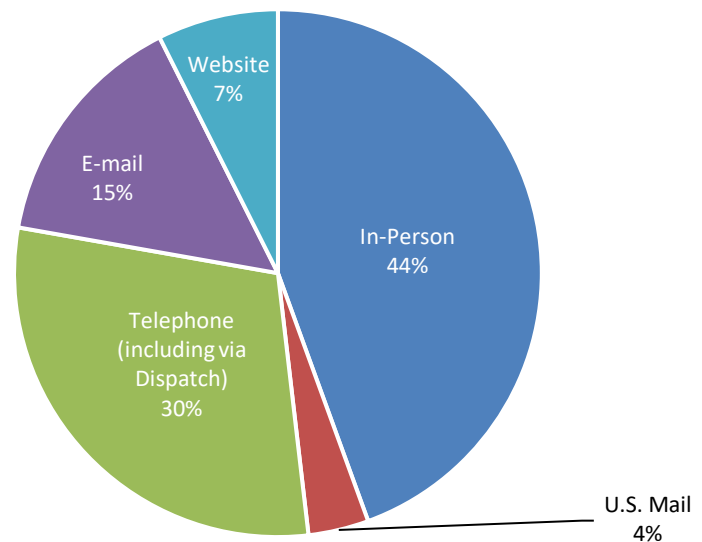
- Derogatory or unprofessional language,
- Rude or unprofessional behavior,
- Unsafe or illegal driving, and
- Parking in a handicap space/abuse of power.

Tests Conducted

Fiscal Year 2021 was the third year of the Complaint Intake Testing Inspection. Testers conducted a total of 27 tests for the 12-month period that ended June 30, 2021. The following charts illustrate the number and percentage of tests conducted broken down by type.

FY2021 Tests by Type

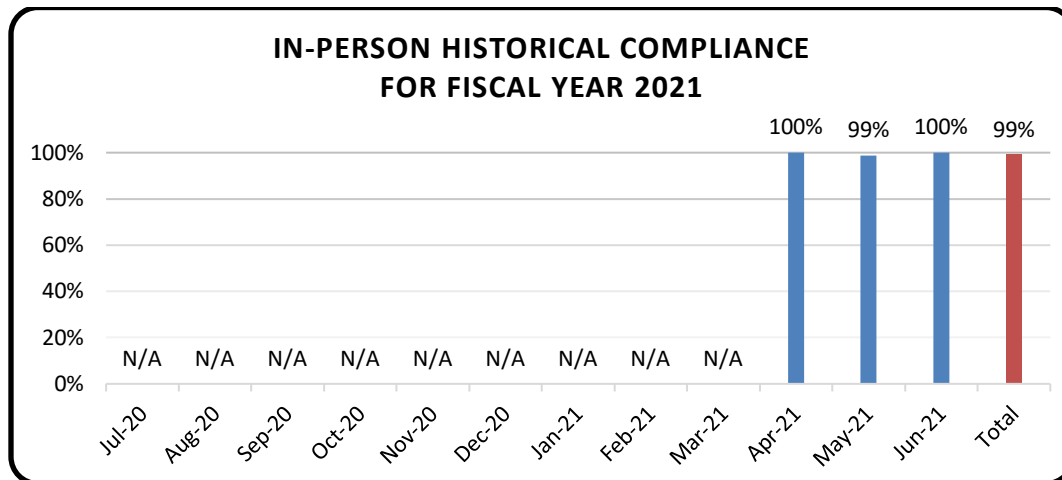
TEST TYPE	# CONDUCTED AND INSPECTED
In-Person	12
U.S. Mail	1
Telephone (including via Dispatch)	8
E-mail	4
Website	2
TOTAL – FY2021	27



In-Person Testing:

There were 12 In-Person Complaint Intake Tests conducted and inspected during Fiscal Year 2021. Eleven of the 12 tests were in 100% compliance with Policy GH-2, *Internal Investigations*; one test resulted in a deficiency for an overall annual compliance rate of 99%. It should be noted that nearly half of the in-person tests were also subject to Policy GI-1, *Radio and Enforcement Communications Procedures*, since testers called the MCSO non-emergency number as some patrol district lobbies were closed due to COVID-19 restrictions. The results of testing compliance with Policy GI-1 are presented in the chart **TELEPHONE VIA COMMUNICATIONS DIVISION Compliance FOR FISCAL YEAR 2021** under section **Testing by Telephone**.

As a result of Arizona Governor's Executive Order 2020-18, *Stay Home, Stay Healthy, Stay Connected*, dated March 31, 2020, In-Person Complaint Intake Testing was suspended from April 2020 to April 2021; therefore, no tests were conducted during the months from July 2020 through March 2021. All 12 of the minimum number of required in-person tests were completed during the remaining months of Fiscal Year 2021, as illustrated by the chart below:



The following is a summary of each of the 12 In-Person tests grouped by month:

April 2021 – 2 Tests

TEST #1:

A complaint alleged that a deputy was observed sleeping in a marked MCSO vehicle. The tester initially spoke to the Patrol District Administrative Assistant, who gathered the tester's name and contact information. The complaint was then referred to the on-duty supervisor. The tester met with the sergeant who obtained and documented the complaint information, then explained the complaint intake process. The complaint was entered into BlueTeam the same day. The following day, PSB called the tester to inform her of the IA number assigned to her complaint and the contact information for the investigator. No deficiencies were noted.

TEST #2:

A complaint alleged that a uniformed deputy was observed purchasing alcohol and smelled and acted like he had been drinking. The tester initially spoke to the Patrol District Office Assistant. A supervisor was not immediately available. The Office Assistant offered the tester the option to fill out the *Comment and Complaint Form* the tester already had in her hand, or to call the non-emergency number posted in the lobby about which the tester had inquired. The tester filled out the form onsite and returned it to the Office Assistant. The tester elected not to wait for a supervisor to become available and left the district office. Approximately 30 minutes later, a sergeant called the tester and took the complaint. The complaint was entered into BlueTeam the same day. Two days later, PSB called the tester to inform her of the IA number assigned to her complaint and the contact information for the investigator. No deficiencies were noted.

May 2021 – 8 Tests

TEST #1:

This complaint was about a deputy's alleged unprofessional behavior. A deputy was observed arguing with someone in the parking lot of a fast-food restaurant. At the conclusion of the conversation, the deputy allegedly "flipped off" the other individual. The tester initially went to a patrol district to file the complaint. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The dispatcher gathered information about the complaint as well as the tester's name and contact information informing her that a sergeant would be contacting her soon. At this time, the complaint was referred to the on-duty supervisor in accordance with Policy. After the tester waited in her car for approximately 20 minutes, the on-duty sergeant called the tester. Since the sergeant

was not close-by and the tester did not wish to wait, the sergeant took the complaint at that time. No deficiencies were noted.

Although there were no policy violations noted during the inspection of this test, the tester included comments on the Test Report Form which appear below along with BIO's response.

➤ **TESTER COMMENTS:** *"... [Dispatcher's] tone sounded a bit patronizing when she said she needed to get information from me ... I found her tone of voice to be inappropriate, as if she was speaking down to a child. Otherwise she was professional."*

BIO RESPONSE: After listening to the recordings, BIO disagrees with the tester's comment. The dispatcher was pleasant and professional while, at the same time, reassuring the tester that she wanted to make sure she "got someone out there to talk to her." No further action was taken by BIO.

TEST #2:

This complaint was about a deputy's unprofessional behavior. A deputy was observed walking around his marked MCSO vehicle that was in the parking lot of a restaurant. The deputy was allegedly on his cell phone, swearing loudly and arguing with someone and becoming very angry. The tester initially went to a patrol district to file the complaint. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The dispatcher gathered information about the complaint as well as the tester's name and contact information, informing her that a sergeant would be contacting her soon. At this time, the complaint was referred to the on-duty supervisor in the district.

After waiting in her car for approximately 20 minutes, the tester called the non-emergency number again to ask that a supervisor come out and speak with her. The second dispatcher took the tester's contact information so the on-duty supervisor could call the tester and get the complaint details since the on-duty supervisor was not available.

Early the same afternoon, a sergeant called the tester and left a message. The tester returned the sergeant's call but reached PSB instead. The PSB officer obtained details of the complaint and entered the information into BlueTeam the same day. No deficiencies were noted. The tester commented, *"Everyone I talked to was helpful and tried to get me to the right place or person to talk to."*

TEST #3:

The tester initially went to a patrol district to conduct the test, which was terminated before a scenario was given. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The call was not picked up right away and the greeting repeated instructing the caller to remain on the line; however, the tester ended the call as well as the test. No deficiencies were noted.

Although there were no policy violations noted during the inspection of this test, the tester included comments on the Test Report Form which appear below along with BIO's follow-up actions.

➤ **TESTER COMMENTS:** *"I called the number that was listed on the door. It rang for a while, then a long message, then rang again and the message again. There was not a way of leaving a voicemail."*

BIO FOLLOW-UP: Approximately 50 minutes following the tester's attempted call to Dispatch, AIU called the same number. The call was immediately answered by a dispatcher. Communications Division personnel answer non-emergency calls as soon as they are available to do so. If multiple 911 calls come in at the same time, non-emergency callers may be on hold for several minutes. The length of the tester's call, including the greeting, was only two minutes. AIU discussed with the tester that it may be necessary at times to wait on hold for several minutes, or that the tester may need to call back a short while later.

TEST #4:

A complaint alleged that a deputy was observed throwing a bag of fast food out the window of his patrol vehicle while in the parking lot of a retail store. The tester went to a patrol district to file the complaint. The lobby was closed so the tester called the number posted on the doors. The call was answered by the Office Assistant for the district, who unlocked the lobby doors so the tester could enter. The Office Assistant gave the tester a *Comment and Complaint Form* to fill out while she went to get a sergeant to take the complaint. The sergeant reviewed the information on the *Comment and Complaint Form* with the tester while asking questions to obtain clarification and additional details. The sergeant concluded the interview by telling the tester that an investigator would be assigned and may be contacting her as a follow-up procedure. No deficiencies were noted. The tester commented, *"Very professional and kind interactions with both [Office Assistant and Sergeant]."*

TEST #5:

A complaint alleged that a deputy was observed parked in a handicapped space outside a retail store. The deputy sat in his vehicle for about 20 to 30 minutes. The tester went to a patrol district to file the complaint. The lobby doors were locked so the tester called the number posted on the doors, which was the MCSO non-emergency number. Dispatch personnel who took the call obtained the tester's name and contact information but did not ask the location of the complaint occurrence or any other information about the complaint as required by Policy GI-1. The dispatcher immediately contacted the on-duty supervisor; however, following the call, an e-mail to the on-duty supervisor of the district should have been sent and copied to the Early Identification Unit with the complaint information. These procedures required by Policy GI-1 were not done and were noted as deficiencies.

The on-duty supervisor met with the tester in the district's lobby area and audio recorded the interview but did not also video record the interaction, as required by Policy GH-2, and was noted as a deficiency. The complaint was documented in detail and forwarded immediately to the PSB through BlueTeam.

BIO followed up with the Communications Division through the BIO Action Form process to address the three Policy GI-1 requirements that were not met. In addition, the BIO Action Form process was initiated with the patrol district to address the Policy GH-2 requirement that was not met.

The tester commented, *"[Sergeant] was very attentive and made me feel heard."*

TEST #6:

The complaint alleged a deputy was observed sitting in his patrol vehicle for an extended period of time (approximately 2 ½ hours). He appeared to be eating while looking at a mobile device and laughing; "he was definitely not working". The tester went to a patrol district to file the complaint. The lobby doors were locked so the tester called the number posted on the doors, which was the MCSO non-emergency number. Dispatch personnel who took the call obtained the tester's name and contact information, as well as the location of the complaint occurrence. Although Dispatch personnel immediately contacted the on-duty supervisor, a follow-up e-mail to the sergeant should have been sent and copied to the Early Identification Unit with the complaint information. These procedures required by Policy GI-1 were not done and were noted as deficiencies.

A sergeant called the tester approximately two hours later and obtained additional details of the complaint. The complaint information was entered into BlueTeam that same day.

There were two deficiencies noted during the inspection of this test. The tester included comments on the Test Report Form which appear below along with BIO's follow-up actions.

- **TESTER COMMENTS:** *"[Sergeant] was very pleasant and professional, and seemed concerned about the incident ... It was a positive experience because of the sergeant's demeanor and interaction with me."*

BIO FOLLOW-UP: BIO followed up with the Communications Division through the BIO Action Form process to address the two Policy GI-1 requirements that were not met.

TEST #7:

The complaint alleged a deputy was observed driving unsafely while speeding with no emergency lights or siren. The tester went to a patrol district to file the complaint and initially spoke to the Administrative Assistant. The Administrative Assistant referred the complaint to the on-duty supervisor. The sergeant recorded the interview on his body worn camera. At the conclusion of the interview, the sergeant explained MCSO's complaint intake process and what to expect next. Two days later, an investigator from PSB called the tester and interviewed her regarding her complaint. No deficiencies were noted. The tester commented that she waited in the lobby for an extended period of time while the on-duty sergeant was finishing another call. *"[Administrative Assistant] checked in on me a couple more times before [Sergeant] was available, which made me feel that I had not been forgotten ... After waiting some time, she offered to take my information in case I needed to leave, and she said that someone could return my call. I appreciated that, but I decided to wait. ... Overall, it was a good experience (except for the wait)."*

TEST #8:

The complaint was that a deputy stopped the tester while out on a bike ride with her husband and the deputy allegedly made insensitive racist remarks to them because they were Hispanic. The deputy's attitude was combative and his behavior unprofessional. The tester went to a patrol district to file the complaint and initially spoke to the Office Assistant. The Office Assistant referred the complaint to the on-duty supervisor. The sergeant recorded the interview on his body worn camera. At the conclusion of the interview, the sergeant explained MCSO's complaint intake process and what to expect next. No deficiencies were noted. The tester commented, *"[Sergeant] began by providing his first and last name, along with his badge ID, which I found warm, professional, and transparent. He was attentive and detailed, and he expressed concern about the incident. It was obvious he took the matter seriously. He was also very thorough ... Based on his attitude and professional demeanor, I felt confident that the agency would investigate the matter quickly and efficiently. Kudos to [Sergeant] for such a positive experience. He struck a balance between being empathetic while remaining neutral."*

June 2021 – 2 Tests**TEST #1:**

This complaint alleged a deputy was observed yelling at a Hispanic man for the way he parked his vehicle in the parking lot. The tester felt the deputy overreacted and was unprofessional in how he dealt with the man. The tester went to a patrol district to file the complaint and met with a sergeant as well as the commander who obtained and documented the complaint information, then explained the complaint intake process. The complaint was entered into BlueTeam the same day. Five days later, the PSB investigator assigned to the complaint called the tester to inform her of the IA number and to ask follow-up questions. No deficiencies were noted. The tester included the following comments on the Test Report Form:

While waiting, two deputies walked into the lobby and not only greeted me, but asked if I had already been helped. I very much appreciated the friendly acknowledgement and the focus on customer service.

After a brief moment of waiting, [Captain] walked into the lobby and shocked me (in a positive manner) when he introduced himself and even shook my hand ... I thought it was very professional and personable of him to do that, and it made me feel welcome and at ease, especially when he asked how my friend and I were doing, and even offered us a drink! I'm also grateful that he took the time to explain that complaints are generally recorded to ensure transparency. I felt that he was genuinely helpful and concerned.

Overall, it was a pleasant experience and I'm thankful for the positive interaction.

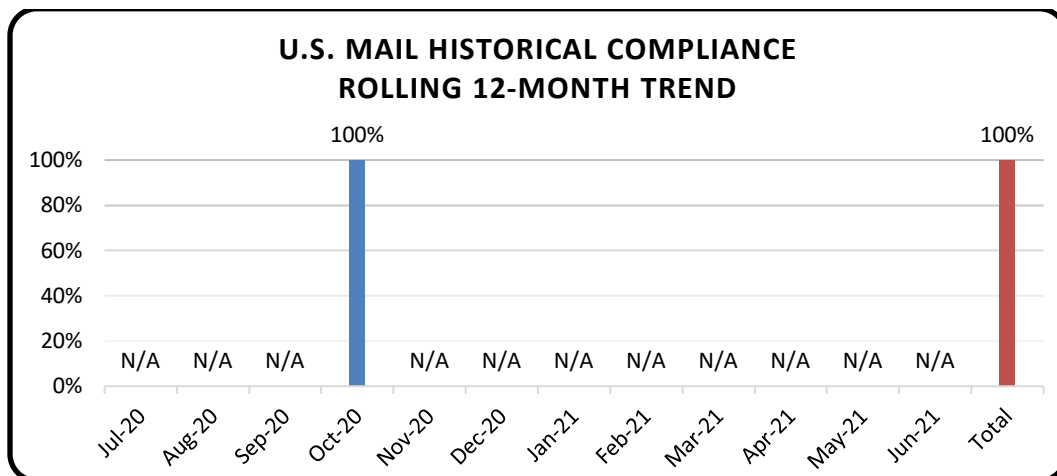
TEST #2:

This complaint alleged that a deputy was overheard making an insensitive remark to a woman wearing a headscarf such as a hijab worn by Muslim women. The tester went to a patrol district office to file a complaint. The lobby was closed so the tester called the number posted on the doors, which was the MCSO non-emergency number. The dispatcher gathered information about the complaint as well as the tester's name and contact information. The dispatcher then called the patrol district office and, after about 10 minutes, someone went out to update the tester as to when a sergeant would be available to take her complaint. Also, the complaint was referred to the on-duty supervisor in the patrol district by e-mailing him the complaint information and copying the Early Identification Unit.

After the tester waited for approximately 25 minutes, the on-duty sergeant arrived at the patrol district office and took the complaint, then explained the complaint intake process. The tester received a phone call from PSB two days later providing her with an IA number and the contact information for the assigned investigator. No deficiencies were noted.

Testing by U.S. Mail:

There was one U.S. Mail Complaint Intake Test conducted and inspected during Fiscal Year 2021. The compliance rate was 100%, as illustrated by the following chart:



The following is a summary of the only U.S. Mail test conducted:

October 2020

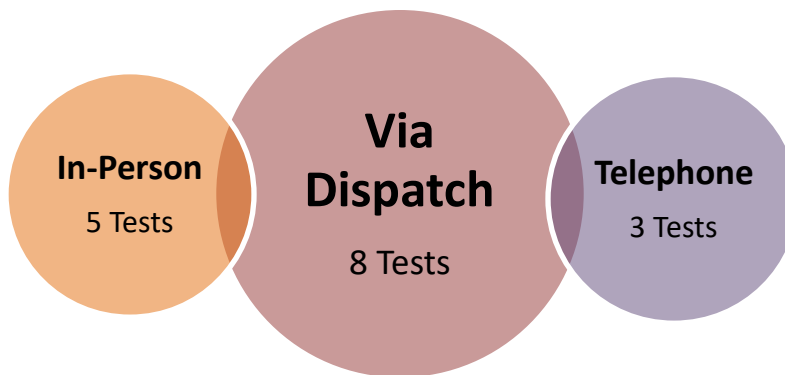
The tester sent a letter by U.S. Mail addressed to PSB at 101 W. Jefferson Street, Phoenix, AZ 85003 complaining that a deputy was allegedly driving "crazy", weaving in and out of traffic with no lights or siren. Seven days after mailing the letter, the tester received a letter electronically (since no return address was provided by the tester) from PSB providing her with an IA number and the contact information for the assigned investigator. No deficiencies were noted.

The tester commented that the test appeared to go smoothly but added that the seven-day period between when the complaint was mailed and when a response from PSB was received seemed long. The tester had mailed the complaint on a Thursday. PSB received the complaint and entered it in BlueTeam on the following Wednesday. PSB e-mailed its Initial Letter the following day. Although the complaint was mailed locally, PSB's operations are not open on weekends and mail addressed to PSB is routed first to a mailroom before being delivered to PSB. Timing together with these factors contributed to the length of time between the date the complaint was mailed and when the response was received.

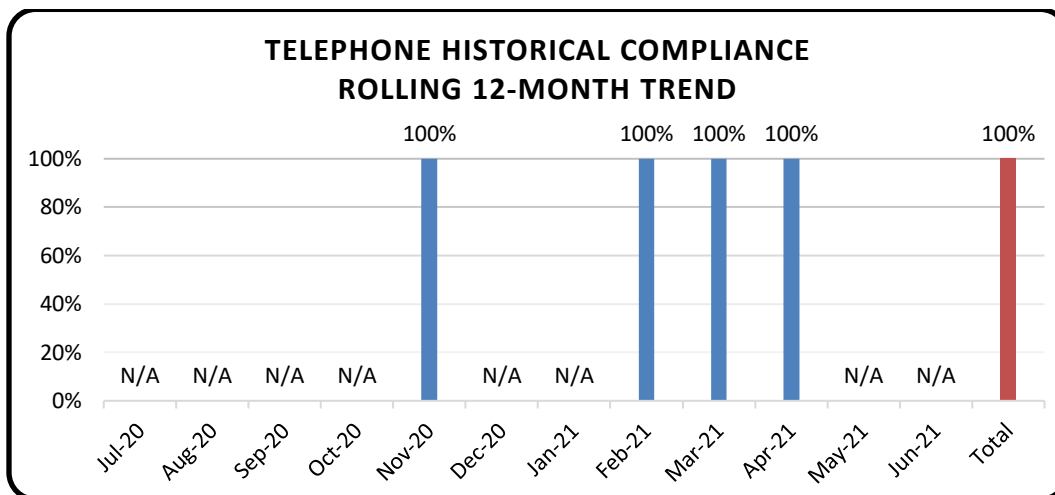
Testing by Telephone:

There are different ways in which a complaint may be filed via telephone—through Dispatch or directly to the patrol district, PSB, or another division of MCSO. There were five Telephone Complaint Intake Tests conducted and inspected during Fiscal Year 2021. However, there was a total of eight tests initiated through the Communications Division by telephone. Five of those eight were discussed in the previous section, **In-Person Testing**; three were also telephone tests and are discussed in the paragraphs below. The following diagram illustrates the relationship between In-Person tests and Telephone tests that also involved the participation of Communications Division personnel:

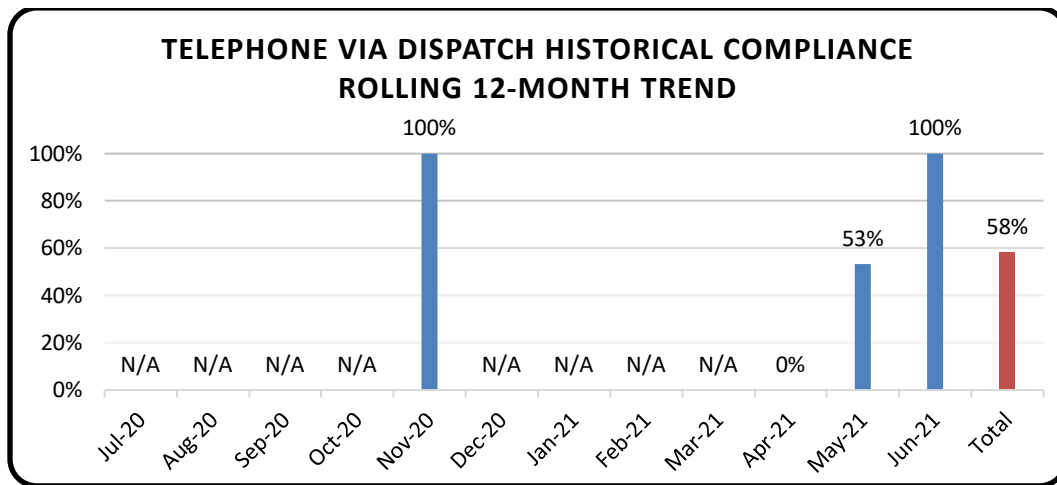
Tests Through Communications Division



The following chart represents MCSO employees’ monthly and overall compliance rating with Office Policy GH-2, *Internal Investigations*. The overall compliance rate for Fiscal Year 2021 was 100%.



The following chart represents the Communications Division's monthly and overall compliance rating with Office Policy GI-1, *Radio Enforcement Communications Procedures*. The overall compliance rate for Fiscal Year 2021 was 58%.



November 2020 – 1 Test

For the Complaint Intake Test conducted by Telephone in the month of November 2020, MCSO employee compliance with Policy GH-2, *Internal Investigations* was 100%, as indicated in the first graph under this report section. This test was initiated through the Communications Division and resulted in an employee compliance rate of 100% with MCSO Policy GI-1, *Radio and Enforcement Communications Procedures*, as shown in the second graph under this report section. The following paragraph is a summary of the test scenario, the actions taken by the tester and MCSO employees, and the results of the test.

A complaint came in through the Communications Division alleging that a deputy was rude and unprofessional during contact with the tester and her husband when he aggressively told them, “You need to move,” while parked by the side of the road near Lake Pleasant. Dispatch personnel obtained information required by Policy GI-1, *Radio Enforcement Communications Procedures*, and indicated that someone would contact her. Dispatch immediately notified the on-duty supervisor of the appropriate district and e-mailed the Early Intervention Unit as required. Approximately 20 minutes later, the district sergeant called the tester and obtained details of the complaint. Within the seven days required by Policy, PSB provided the tester with the IA number and name of the assigned investigator by telephone since the telephone number was the only contact information provided. No deficiencies were noted.

Although there were no policy violations noted during the inspection of this test, the tester included comments on the Test Report Form which appear below along with BIO's responses.

- **TESTER COMMENT:** The tester indicated that the first operator who answered the call did not identify herself before transferring the call.

BIO RESPONSE: The call was initially taken by a new Communications Division employee who was still in training. She put the tester on hold while she notified her supervisor, who then took the complaint.

- **TESTER COMMENTS:** The tester commented that when the dispatch supervisor picked up the call and answered by saying, “This is [supervisor's first name]”, it would seem more professional if she identified “herself further than that; some information or context about who she was ...” Also, the dispatch supervisor ended the call by saying that she would have someone contact the tester which seemed a little vague in the tester's opinion.

BIO RESPONSE: Communications Division employees followed MCSO policy and BIO found no misconduct with the second dispatcher's actions.

BIO FOLLOW-UP: BIO shared the tester's comments with the Dispatch Supervisor so that she was aware of the tester's perspective concerning the interaction.

- **TESTER COMMENTS:** *"Very quickly after that I was contacted by [on-duty supervisor]. He was very professional, pleasant and helpful. This experience alone with the speed by which he called me was very positive."*

February 2021 – 1 Test

For the Complaint Intake Test conducted by Telephone in the month of February 2021, MCSO employee compliance with Policy GH-2, *Internal Investigations* was 100%, as indicated in the first graph under this report section. The tester posed as a Hispanic female and called the patrol district directly to complain about observing a deputy allegedly intoxicated get into his marked vehicle and drive away. The employee who received the phone call took the tester's contact information so the on-duty supervisor could call the tester and get the complaint details. The on-duty supervisor was not available when the initial call was made and called the tester back later that same day. Due to a glitch on the tester's end, the sergeant's call went directly to voicemail on the tester's personal phone. The sergeant left a message and his contact information. The sergeant verified the tester's contact information with the staff member who took the original call since the name on the voicemail greeting was different.

After phone calls were exchanged by the tester and the district sergeant, PSB called the tester with an IA number and the contact information for the assigned investigator. No deficiencies were noted. The tester commented, *"[Sergeant] was very professional and friendly. He asked me many questions and even when I didn't want to provide info, he was still very professional and kind."*

March 2021 – 2 Tests

Both of the Complaint Intake Tests conducted by Telephone in the month of March 2021 were performed by contacting the districts directly. MCSO employee compliance with Policy GH-2, *Internal Investigations* was 100%, as indicated in the first graph under this report section.

TEST #1:

The tester called the patrol district directly to file a complaint on behalf of her friend. A deputy allegedly made racially insensitive remarks directed at the friend who was Asian. The employee who received the phone call took the tester's contact information so the on-duty supervisor could call the tester and get the complaint details; the on-duty supervisor was not available when the initial call was made. Approximately 30 minutes later, a sergeant called the tester back. The sergeant obtained details of the complaint from the tester and told her that this matter would be referred to PSB and investigated. The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator. No deficiencies were noted. The tester commented that she was put *"... on hold for nearly five minutes – that felt quite long, but [Administrative Assistant] was very cordial. ... Both [Sergeant] and [Administrative Assistant] were very professional."*

TEST #2:

The tester called the patrol district directly to file a complaint. The tester stated that two deputies allegedly made homophobic remarks directed at a couple of men who asked for directions. The administrative employee who received the phone call immediately referred the tester to the on-duty supervisor (sergeant). The sergeant obtained details of the complaint from the tester and told her that this matter would be referred to PSB and investigated. The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator. There were no deficiencies noted. The tester commented, *"[Sergeant] was very professional and earnestly expressed concern about my complaint — of all the testing we have done I believe his response was the most serious and affirmative that this would be investigated."*

April 2021 – 1 Test

The Complaint Intake Test conducted by Telephone during the month of April 2021 was initiated through the Communications Division. MCSO employee compliance with Policy GH-2, *Internal Investigations*, was 100% as indicated in the first graph under this report section. Employee compliance with MCSO Policy GI-1, *Radio and Enforcement Communications Procedures*, was zero percent as shown in the second graph under this report section. The following paragraphs summarize the test scenario, the actions taken by the tester and MCSO employees, and the results of the test.

This test was about a deputy allegedly driving in excess of 90 mph with no lights on, weaving in and out of traffic, while on U.S. Route 60. The tester initially went to a patrol district to file the complaint. The lobby was closed so the tester called the number posted on the doors which was the MCSO non-emergency number. The dispatcher who took the call documented the location of the complaint occurrence but did not obtain the complainant's name and contact information as required by Policy GI-1. Policy GI-1, *Radio and Enforcement Communications Procedures*, also requires that Communications Division personnel verbally contact the on-duty supervisor of the district immediately with the complaint information. Following the call, an e-mail to the on-duty supervisor of the district should have been sent and copied to the Early Identification Unit with the complaint information. These procedures required by Policy GI-1 were not done and were noted as deficiencies.

The dispatcher transferred the tester's call to PSB, who then took the complaint according to Policy. The tester received a phone call from PSB within the timeframe required by Policy providing her with an IA number and the contact information for the assigned investigator.

BIO followed up with the Communications Division through the BIO Action Form process to address the three Policy GI-1 requirements that were not met.

The tester included the following comment on the Test Report Form:

- **TESTER COMMENTS:** *"[Dispatcher] seemed frustrated with me that I didn't have any information for him to go on and transferred me to the Professional Standards number."*

BIO FOLLOW-UP: BIO followed up with Communications Division Command to remind their staff of the requirement of Policy GH-2, *Internal Investigations*, "No employee shall attempt to discourage, interfere with, or delay an individual from registering a complaint."

May 2021 – 5 Tests

There were five Complaint Intake Tests by Telephone via the Communications Division for the month of May 2021. Four of the five tests began as In-Person tests and were described in detail under the section **In-Person Testing**. Since the patrol districts' lobbies were closed due to COVID-19 protocols, it was necessary for testers to call the MCSO non-emergency number posted on the doors. The fifth test was initiated through the Communications Division and is described in detail below.

TEST #1:

There were no deficiencies noted in the inspection of the Communications Division portion of [In-Person TEST #1](#) for the month of May 2021.

TEST #2:

There were no deficiencies noted in the inspection of the Communications Division portion of [In-Person TEST #2](#) for the month of May 2021.

TEST #3:

There were three deficiencies noted in the inspection of the Communications Division portion of [In-Person TEST #5](#) for the month of May 2021.

TEST #4:

There were two deficiencies noted in the inspection of the Communications Division portion of [In-Person TEST #6](#) for the month of May 2021.

TEST #5:

A complaint initiated through the Communications Division alleged that a deputy was observed berating and yelling racially insensitive remarks at a Hispanic driver he had pulled over for a traffic stop. The first call made by the tester to the MCSO general information number went unanswered, so the tester called the following day. Dispatch personnel who took the call documented the complaint information and the complainant’s name and contact information as required by Policy GI-1. However, Policy GI-1, *Radio and Enforcement Communications Procedures*, also requires that Communications Division personnel verbally contact the on-duty supervisor of the appropriate district immediately with the complaint information. Following the call, an e-mail to the on-duty supervisor of the district should have been sent and copied to the Early Identification Unit with the complaint information. These two requirements of Policy GI-1 were not done and were noted as deficiencies.

The tester included a comment on the Test Report Form which appears below along with BIO’s response and follow-up.

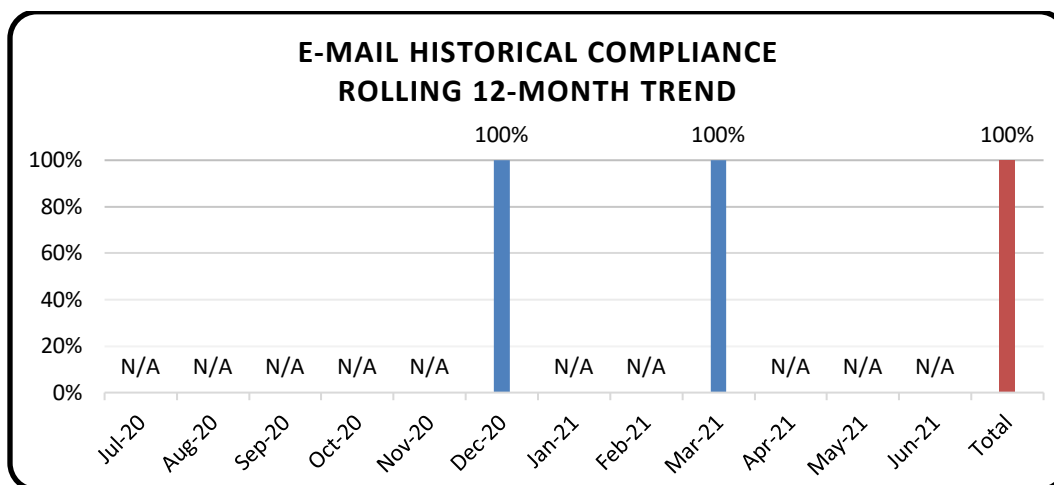
➤ **TESTER COMMENT:** *“During my second attempt, I felt that she was listening but she was not interested in really taking a complaint or having anyone contact me back.”*

BIO RESPONSE: After listening to the recording, BIO disagrees with the tester’s comment. The dispatcher was pleasant and professional, showing her interest by asking follow-up questions and obtaining complaint details. The dispatcher concluded the call by reassuring the tester that the complaint would be logged into the system and that she would be contacted.

BIO FOLLOW-UP: BIO followed up with Communications Division through the BIO Action Form process to address the two Policy GI-1 requirements that were not met.

Testing by E-mail:

There were four E-mail Complaint Intake Tests conducted and inspected, but only two were completed during Fiscal Year 2021. Both of the completed tests resulted in an employee compliance rate of 100%. The overall compliance rate for Complaint Intake Testing by E-mail for Fiscal Year 2021 was 100%, as illustrated by the following chart:



The following is a summary of each of the four E-mail tests conducted grouped by month:

December 2020 – 2 Tests

TEST #1:

The tester sent an e-mail directly to the commander of a patrol district alleging that a deputy was rude to the tester's friend who spoke only Spanish, telling him, "No habla español." The deputy said he had to go and then drove away. The tester was e-mailing the complaint on behalf of her Spanish-speaking friend. The tester received an automatic e-mail response the same day from the commander indicating he was out of the office on vacation. However, the following day, the district commander forwarded the complaint to PSB. Two days later, the tester received a letter electronically from PSB providing her with an IA number and the contact information for the assigned investigator. There were no deficiencies noted. The tester commented, *"All went very well with this test ... Very quick response."*

TEST #2:

The tester e-mailed the commander of a patrol district directly. The complainant alleged that a deputy was rude and belligerent when he issued a ticket to the man for j-walking. The man was African American and his wife was Caucasian, which seemed to "set [the deputy] off." The deputy calmed down only when another deputy drove up to assist.

The e-mail test was flagged as potential spam and placed in E-mail Quarantine for 14 days. After being notified by the tester they had not received an IA number and AIU could not locate the complaint in IAPro, AIU followed up with the district commander. The commander was unaware of the complaint e-mail. After a search, it was located in a junk/spam folder. It had been placed in quarantine by the anti-spam software program. The e-mail system is owned and overseen by Maricopa County and not the Sheriff's Office. There appeared nothing offensive or inappropriate in the address of the sender or content of the e-mail. The anti-spam software developer determined the e-mail to be a false-positive. The test was not completed due to E-mail Quarantine. As a result, it could not be given a "Pass" or "Fail" score and did not affect the compliance rate.

March 2021 – 2 Tests

TEST #1:

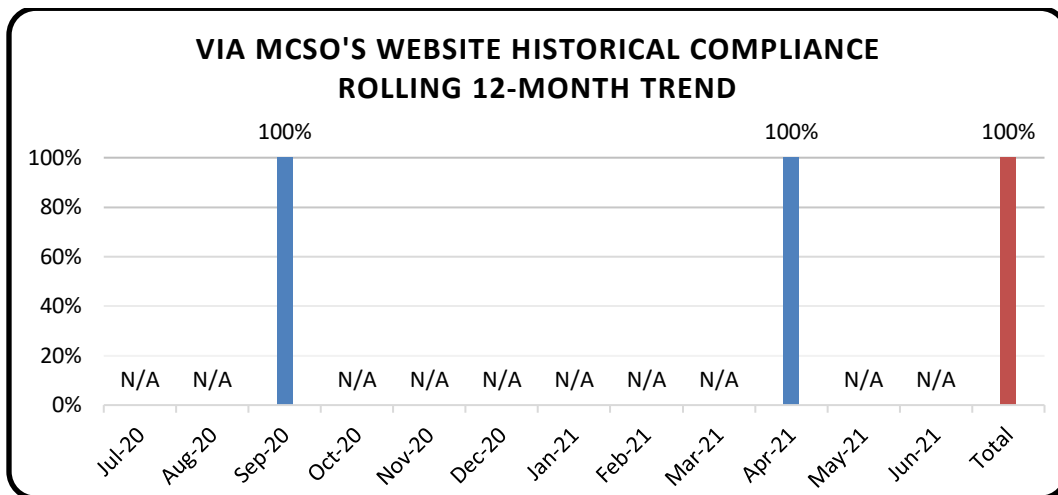
The tester e-mailed the commander of a patrol district directly. According to the tester's e-mail, a deputy was observed allegedly littering in the parking lot of a fast food restaurant after sitting in his vehicle for at least two hours. When the tester reported that she did not receive an IA number within the seven days allowed by policy, AIU checked the e-mail address provided to the tester and discovered that it was incorrect; therefore, the test could not be completed. As a result, it could not be given a "Pass" or "Fail" score and did not affect the compliance rate.

TEST #2:

Posing as a Hispanic male, the tester e-mailed PSB directly. According to the tester's e-mail, the tester observed a deputy allegedly asleep in his MCSO vehicle while parked outside of a restaurant. Less than 10 minutes after sending the e-mail, the tester received a response from PSB requesting additional information about the complaint. The tester then responded and PSB indicated that the assigned investigator would contact the tester. Approximately two hours later, the tester received an e-mail containing the IA number and contact information for the assigned investigator. No deficiencies were noted. The tester commented that *"... this is the first time that I received questions back after filing a digital complaint – really felt like someone noticed. ... This was perhaps the fastest IA# via email we've received – all done in 2 hrs & 20 minutes. Definitely gave the impression the MCSO takes complaints seriously."*

Testing Online via MCSO's Website:

There were two Online Complaint Intake Tests conducted and inspected during Fiscal Year 2021. Both resulted in an employee compliance rate of 100%. The overall compliance rate for Complaint Intake Testing Online via MCSO's Website for Fiscal Year 2021 was 100%, as illustrated by the following chart:



The following is a summary of both Online tests:

September 2020 – 1 Test

Posing as a Hispanic female, the tester filed a complaint through the MCSO website by filling out the online *Comment and Complaint Form* alleging that she and her family were targeted by a deputy because they were Hispanic. The tester alleged the deputy was confrontational and unprofessional in his interactions, treating them with suspicion. The deputy asked them for ID when they were merely parking their car in their hotel parking lot. The tester immediately received a confirmation from the MCSO Web Team that the complaint had been received. The following day, PSB e-mailed the complainant the IA number and the name and contact information of the assigned investigator. No deficiencies were noted.

- **TESTER COMMENT:** The tester indicated that she had great difficulty figuring out how to submit the completed *Comment and Complaint Form* online at the www.mcso.org website.

BIO FOLLOW-UP:

- AIU confirmed that the online form was indeed very difficult to locate on the MCSO website. AIU immediately contacted the website design team, recommended changes to the website and the changes were made. Now, when someone wishes to submit a complaint or comment online, the user is taken to the “Comment and Complaint Form Submission” page. The page contains data entry fields like traditional websites and a “Send” button which will submit the form. In addition, the page contains the contact information for PSB as well as PDF versions of the *Comment and Complaint Form*.
- After the website changes were made, AIU followed up with the tester for feedback. The tester felt the changes made to the website looked great and the *Comment and Complaint Form* was definitely easier to use and find.

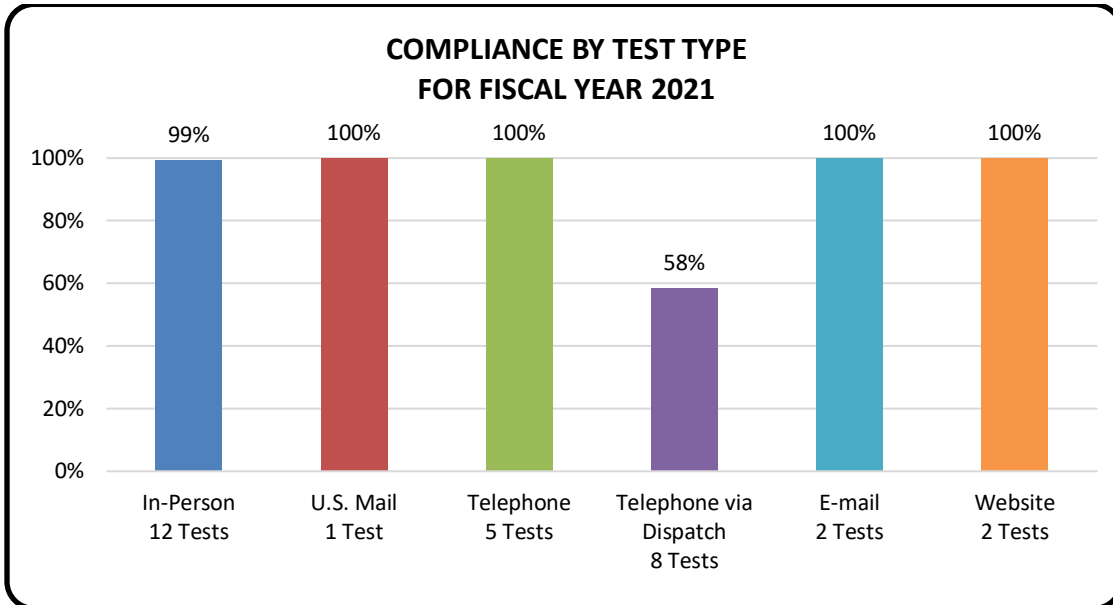
April 2021 – 1 Test

This complaint was about observing a deputy who allegedly received a meal “on the house” at a restaurant. The tester initially went to a patrol district to file the complaint. The lobby was closed so the tester called the numbers posted on the doors. When she called the MCSO non-emergency number, the recorded greeting kept repeating when no one picked up. The tester called the general information number but did not think any of the nine options were appropriate and filed the complaint through the MCSO website at www.mcso.org/i-want-to/share-comments-or-complaints. The tester immediately received an electronic submission confirmation of her complaint. Two days later, the tester received an e-mail response from the assigned investigator asking for additional information about the complaint. The tester responded to the sergeant’s questions. At this point, the test was considered completed.

Based on the information obtained from the complainant, the sergeant entered a Service Complaint in the BlueTeam system. The complaint was entered as a Service Complaint due to the absence of employee misconduct. Policy CP-2, *Code of Conduct*, allows employees to accept “food or refreshments of insignificant value” when offered by the establishment. No deficiencies were noted.

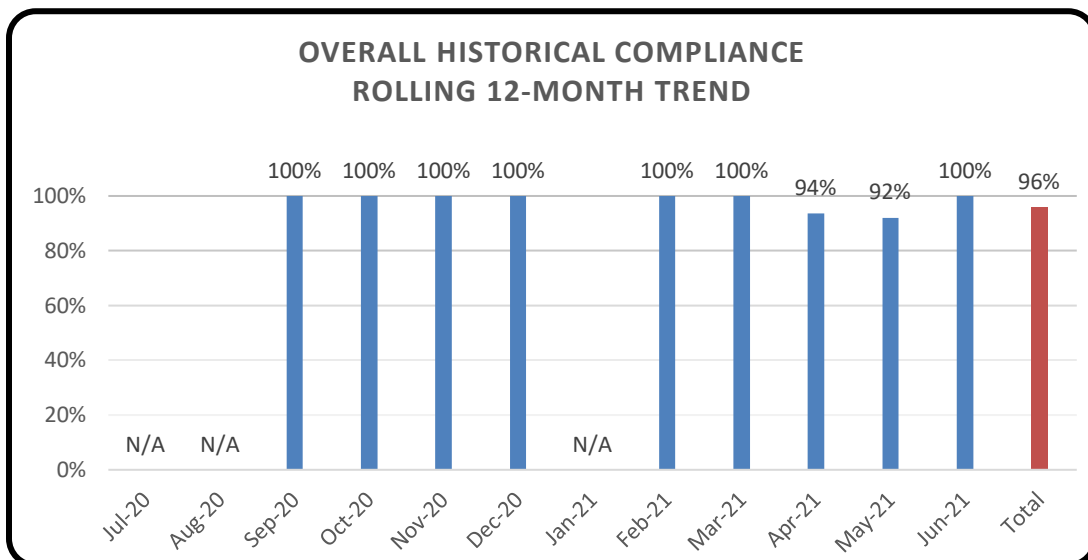
Compliance by Test Type

Below is a chart illustrating the overall compliance rate and number of tests by type for each method of testing for Fiscal Year 2021:



History of Overall Compliance:

Below is a chart illustrating the overall compliance rate by month for Fiscal Year 2021:



Conclusion

MCSO evaluated civilian complaint intake based on the results of the testing program for Fiscal Year 2021. The following is a summary of the challenges that came to light as a result and the steps MCSO has taken to improve civilian complaint intake.

Challenges:

1. It was very difficult to figure out how to submit the completed *Comment and Complaint Form* online at the www.mcso.org website.
2. A test e-mail was flagged as potential spam for no apparent reason and placed in E-mail Quarantine for a length of time that made it impossible to complete the complaint intake process timely.
3. A dispatcher did not obtain complaint information and appeared frustrated when there seemed to be little or no information to go on.
4. Due to three test scenarios meeting criteria for Service Complaints rather than complaints relating to employee misconduct, the tester did not receive IA numbers.
5. Once In-Person testing resumed late in Fiscal Year 2021, testers discovered several patrol district office doors were locked due to COVID-19 protocols. It was then necessary to call the numbers posted on the doors. This additional step in the process created some confusion on the parts of both tester and MCSO employees.

Steps Taken to Address Challenges:

1. MCSO made improvements to its website that make it easy to locate and file the *Complaint and Comment Form* online.
2. BIO followed up with County, who owns and oversees MCSO's e-mail system. It was determined that the anti-spam software program considered the test e-mail as spam because the message had similar characteristics as a spam message and thus became a false positive.
3. BIO followed up with the supervisor of the dispatcher who failed to take a test complaint and gave the tester a negative impression when there were very few complaint details available. The supervisor met with the dispatcher and reviewed Policy requirements and complaint intake procedures.
4. BIO conducted additional discussions with the vendor on how to avoid test scenarios that are classified as Service Complaints, as well as making examples of real-life scenarios available to the vendor.
5. BIO provided clarification to the vendor regarding what to expect when lobby doors were locked, and guidelines for how they might proceed with testing.
6. BIO reminded all district command staff that Policy allows any employee, not only on-duty supervisors, to take in-person complaints. This is important so that there is no delay or interference in the complaint intake process.

Follow-up Steps Taken to Address Prior Year Challenges:

It was noted during FY2020 that administrative staff could benefit from an easy-to-follow guide concerning their role in the complaint intake process. BIO distributed a guideline checklist to the patrol districts to assist administrative employees with the process of external complaint intake as it pertains to Policy GH-2, *Internal Investigations*, paragraph 2, "Complaint Intake Procedures."

I have reviewed this annual report.

Lt. Jonathan Halverson S1674

Lt. Jonathan Halverson S1674
Commander, Audits and Inspections Unit
Bureau of Internal Oversight

9/8/2021

Date