

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Complaint Intake Testing Inspection March 2022

Inspection # BI2022-0038

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 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 has 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 March 2022; both were in-person tests. AIU inspected both complaint intake tests. These tests are discussed in further detail under the applicable report sub-sections below.

In-Person Testing

There were two In-Person Complaint Intake Tests conducted during the month of March 2022.

1. TEST #: 81

DISTRICT/DIVISION: District 2

TEST SCENARIO: Tester posed as a Hispanic female who observed a deputy driving slowly while allegedly having difficulty maintaining his lane.

ACTIONS TAKEN: The tester went to the District 2 office to file a complaint. A deputy came out to the lobby and indicated that an on-duty supervisor was not immediately available; he gave the tester the name and phone number of the supervisor who was on duty at that time. In addition, the deputy gave the tester a *Comment and Complaint*

Form to fill out and submit. When the tester asked if someone other than the on-duty supervisor could take her complaint, the deputy told her that only an on-duty supervisor can take a complaint and that there wasn't one in the building at that time. However, Office Policy GH-2 *Internal Investigations* states, in pertinent part, the following:

2.B.1.a.(1) Complaints received at the division by phone or in person shall be referred to the on-duty supervisor ... *If this is not practical, the receiving employee shall obtain pertinent information about the complaint* [emphasis added] and have a supervisor make contact with the complainant as soon as possible.

The emphasized procedure listed above required by Policy GH-2 was not done.

The tester then left but came back 10 minutes later and said she would wait for the on-duty sergeant. Another sergeant was available at that time and came out to take the complaint and audio and video recorded the interview. Then, the sergeant explained the process and informed the tester that the matter would be investigated.

Six days later with still no word from PSB, the tester realized that her voicemail had not been functioning and called PSB to see if someone had tried to call her. During this call, she received an IA number and the contact information for the assigned investigator. The test was considered complete at this point.

RESULTS: Even though one deficiency was noted for the deputy, the test was completed successfully by the sergeant.

TESTER COMMENTS: *"[The sergeant] was friendly, professional, and asked clarifying questions regarding the description of the deputy and situation."*

BIO FOLLOW UP: BIO followed up with District 2 through the BIO Action Form process to address the Policy GH-2 requirement that was not met.

2. TEST #: 82

DISTRICT/DIVISION: District 3

TEST SCENARIO: Tester posed as a Hispanic female who observed an interaction between a deputy and a woman with several small children. When the woman had difficulty controlling her children while exiting a restaurant, the deputy allegedly did not attempt to assist and made rude and disparaging comments to the woman.

ACTIONS TAKEN: The tester went to the District 3 office to file a complaint and waited in the lobby for an on-duty sergeant. Two sergeants came out to the lobby and audio and video recorded the interview. Then, they explained the process and informed the tester that the matter would be investigated.

Four days later, a PSB investigator left a voicemail following up with the tester. The tester received a phone call from PSB the following day providing her with an IA number and the contact information for the assigned investigator.

RESULTS: No deficiencies were noted.

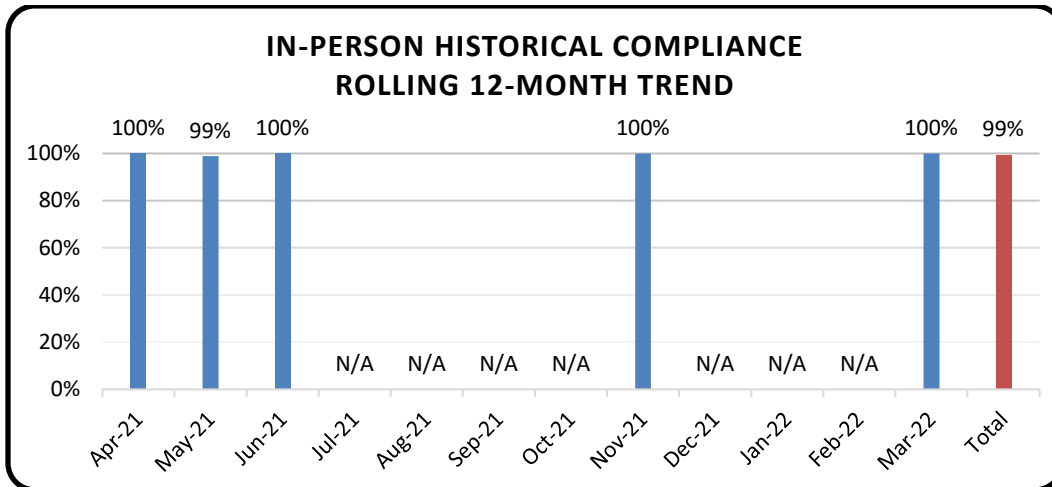
TESTER COMMENTS: *"Overall, this experience was handled very professionally and respectfully. The only issue that made me a little nervous was that I was talking to two men instead of just one Sargent."*

BIO FOLLOW UP: None required.

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	2	2	100%
Determine if the complaint was taken in a courteous manner.	0	2	2	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	2	2	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	2	2	100%
Verify that complaint was entered into BlueTeam or IPro.	0	2	2	100%
Determine if the employee attempted to discourage, interfere or delay complaint.	0	2	2	100%
If 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	2	2	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	2	2	100%
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.	0	2	2	100%
Determine if the complaint was immediately forwarded to PSB.	0	2	2	100%
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	0	2	2	100%
Determine if the employee reported accurate information in the complaint.	0	2	2	100%
Overall compliance for In-Person testing	0	24	24	100%

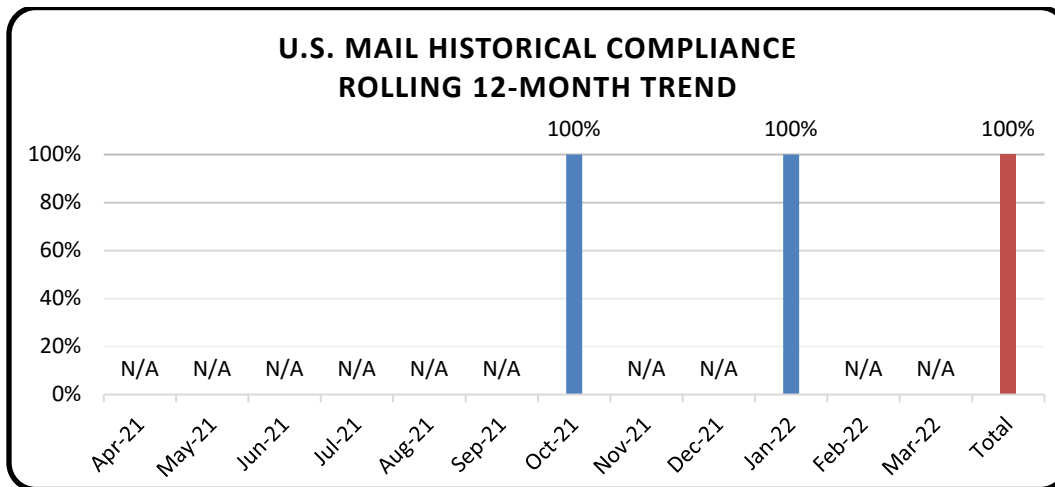
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



Testing by U.S. Mail

There were no Complaint Intake Tests conducted by U.S. Mail during the month of March 2022.

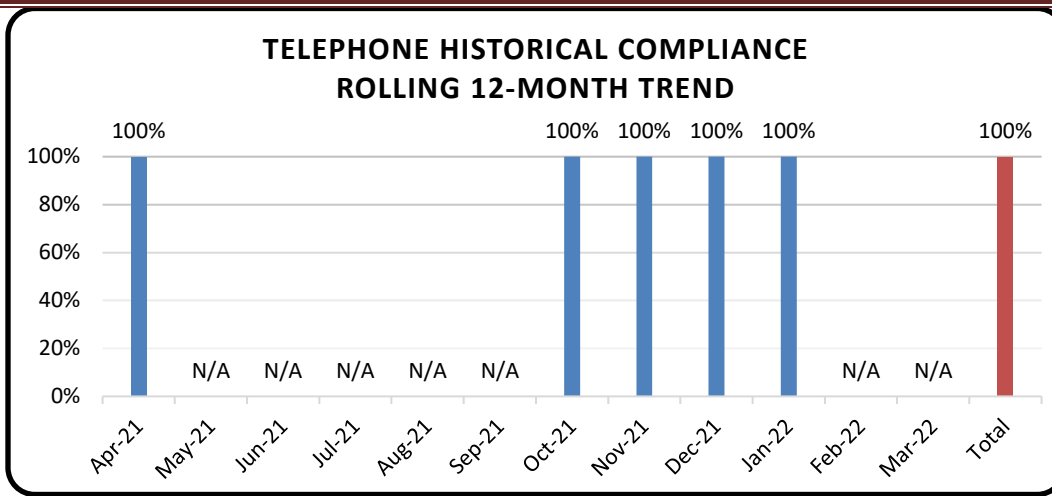
Below is a rolling 12-month historical comparison of compliance for tests conducted by U.S. Mail:



Testing by Telephone

There were no Complaint Intake Tests conducted by Telephone during the month of March 2022.

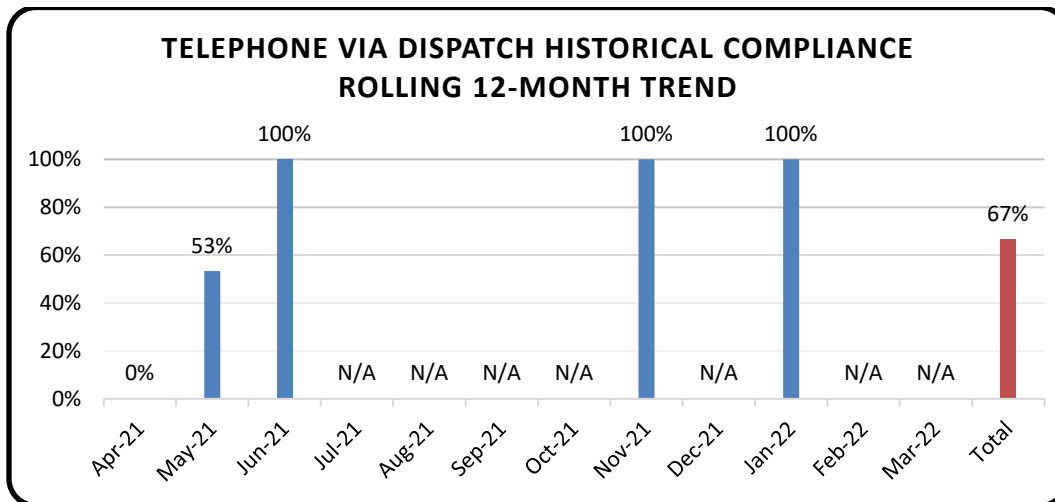
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone:



Testing by Telephone via Communications Division

There were no Complaint Intake Tests conducted by Telephone via the Communications Division for the month of March 2022.

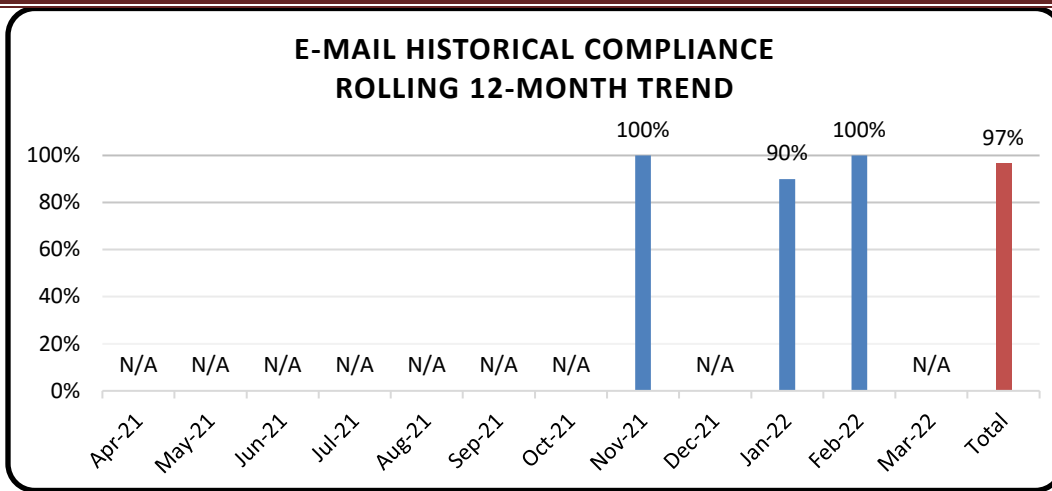
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



Testing by E-Mail

There were no Complaint Intake Tests conducted by E-mail during the month of March 2022.

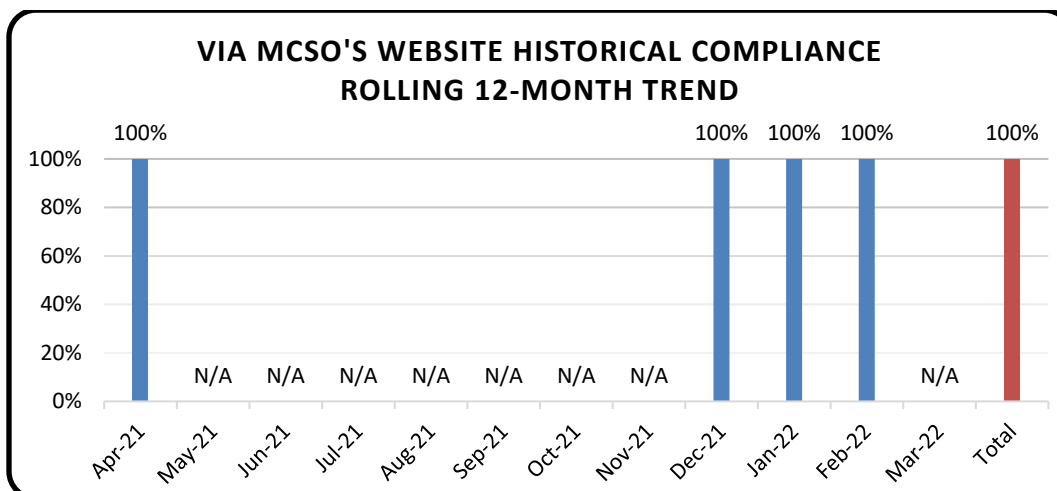
Below is a rolling 12-month historical comparison of compliance for tests conducted by E-mail:



Testing Online via MCSO’s Website

There were no Complaint Intake Tests conducted online during the month of March 2022 using the Office’s website.

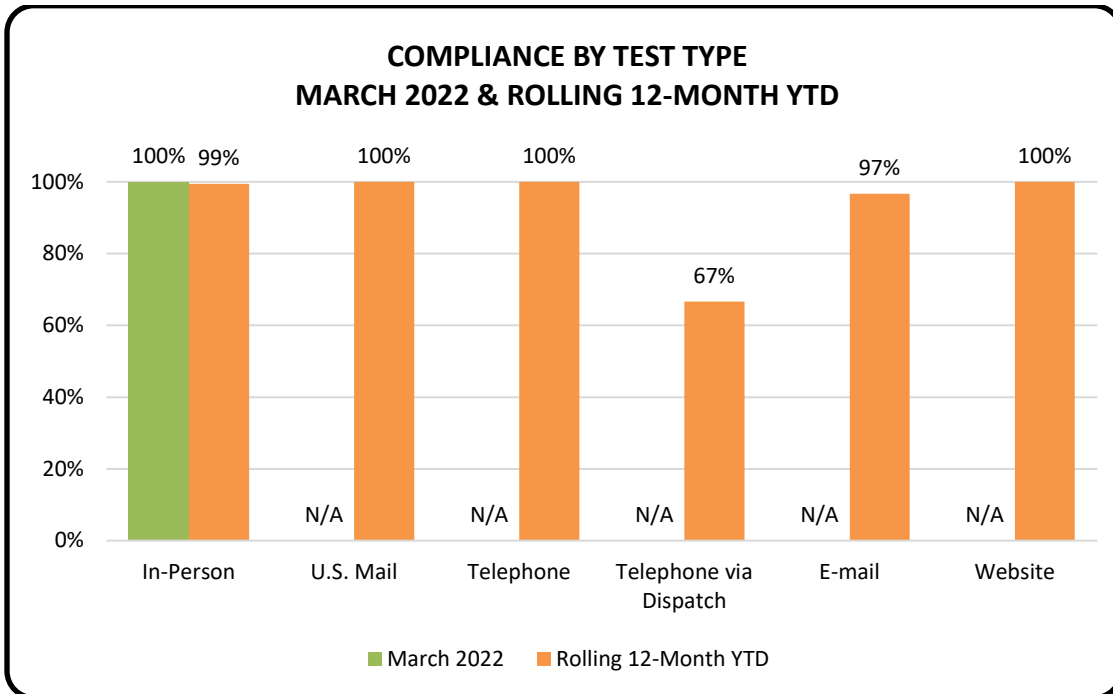
Below is a rolling 12-month historical comparison of compliance for filing a complaint Online:



Overall Compliance for March 2022:

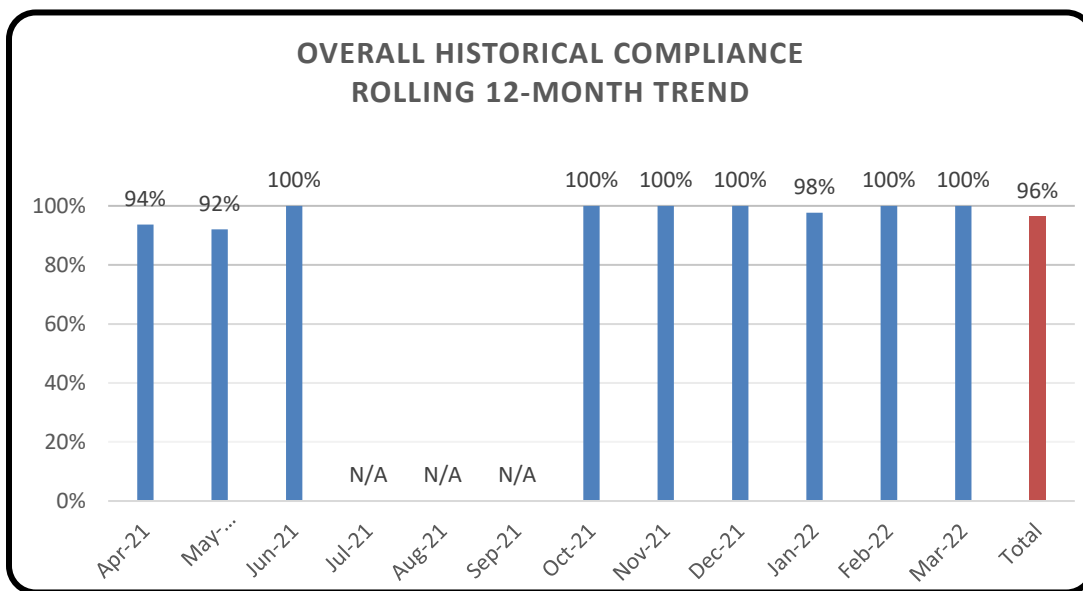
Compliance Rate by Method of Testing March 2022	Compliance Rate
Tests conducted In Person	100%
Tests conducted by U.S. Mail	N/A
Tests conducted by Telephone	N/A
Tests conducted via Dispatch	N/A
Tests conducted via E-mail	N/A
Tests conducted by filing a complaint Online	N/A
Overall Compliance for all Complaint Intake Tests Inspected – March 2022	100%

Below is a chart illustrating compliance rate by type of test conducted for the month of March 2022 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:



The following deficiency was noted during the inspection period:

District 2 (1 BIO Action Form)

District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
District 2	Deputy	3/29/2022	IA2022-0121	Sergeant	Captain
Deficiency					
Deputy did not obtain pertinent information about the complaint when a supervisor was not immediately available. (Policy GH-2.2.B.1.a.(1))					

Unless noted above in the deficiency table, there were no prior BIO Action Forms similar in nature or supervisor notes addressing the deficiencies.

Action Required:

The compliance rate is **100%** for Inspection #BI2022-0038; **one BIO Action Form** is requested.

Date Inspection Started: March 29, 2022
 Date Completed: April 8, 2022
 Timeframe Inspected: March 1st to March 31st, 2022
 Assigned Inspector: Connie Phillips B3345

I have reviewed this inspection report.

Lt. Brian Arthur S1806

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

4/20/22

 Date