



Professional Standards Bureau

Misconduct Investigations Semi-Annual Report

July 1, 2023 – December 31, 2023

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Requirement

The Maricopa County Sheriff requires the Professional Standards Bureau (PSB) to produce a semi-annual public report on misconduct investigations, including, at a minimum, the following: Summary information about sustained allegations that an employee violated conflict-of-interest rules; aggregate data on external complaints; analysis of civilian complaints received; aggregate data of internally-generated misconduct allegations; aggregate data on misconduct case processing; aggregate data on the outcomes of misconduct investigations; and aggregate data on employees with persistent or serious misconduct problems.

Executive Summary

The Professional Standards Bureau (PSB) is required to submit a semi-annual public report on misconduct investigations involving Deputy Sheriffs, Detention Officers, Civilian employees, and volunteer Posse members. The purpose of this report is to provide an analysis of data collected from the IAPro database and supplemental spreadsheets between July 1, 2023, to December 31, 2023.

The MCSO noted a decrease in the overall complaints received from the last semi-annual reporting period and the complaints received remain consistent overall. The most common external allegations received were unbecoming conduct and public demeanor. Approximately 34% of external complaints arose from custody operations and 30% arose from calls for service. The most common internal allegations received were failure to meet standards, employee relationships with other employees, and workplace professionalism. Of all opened investigations, approximately 11% were assigned to divisions outside of the PSB and the remaining 89% were assigned to the PSB (criminal and administrative). The median investigative completion timeframe for district-level investigations was 76 days. The median investigative completion timeframe for PSB-investigations was 350 days. The median total completion timeframe for all cases was 509 days. While the median total case completion timeframe remains above the 180-day statutory guidelines of Arizona Revised Statutes 38-1110 and MCSO Policy GH-2, Internal Investigations, the overall median number of days for total case completion is on an upward trend which the PSB attributes to the growing emphasis on closing older and backlog cases. There were 240 misconduct investigations completed with a sustained disposition. This translates to 51% of completed investigations. Further research shows 55 employees had persistent misconduct (the subject of more than two misconduct investigations within the last 12 months) and 56% of employees with more than one sustained allegation received serious discipline, in which the employee received a suspension, demotion, or dismissal from employment.

Response

A. Conflict-of-Interest Sustained Allegations

The Professional Standards Bureau (PSB) did not sustain any allegations of an employee violating conflict-of-interest rules in conducting or reviewing misconduct investigations between July 1, 2023, and December 31, 2023.

B. External Complaints

Based on the data, the MCSO received a total of 174 external complaints that resulted in PSB administrative investigations and criminal investigations from July 1, 2023, and December 31, 2023, officewide. The division with the most external complaints was 4th Avenue Jail, reporting 24 external complaints. Figure 1 depicts the number of external complaints received between July 1, 2023, and December 31, 2023, differentiated by Division.



Figure 1: External Complaints received, by District, that resulted in an investigation.

Among the 174 external complaints, the MCSO received 32 complaints in July, 40 complaints in August, 32 complaints in September, 21 complaints in October, 24 complaints in November, and 25 complaints in December. The allegations occurring most were those involving Code of Conduct practices (e.g., Unbecoming Conduct). The approximate average number of external complaints received each month was 29. In August, the MCSO received 40 complaints, an approximate 28% increase in complaints over the average. Figure 2 depicts the number of external complaints received by month.

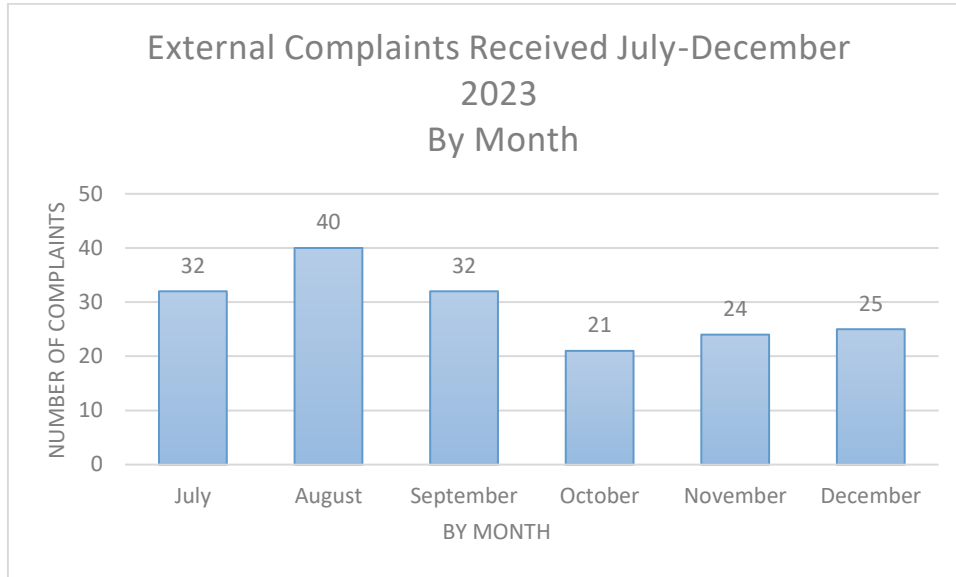


Figure 2: External Complaints, by month, received from July to December 2023.

It is important to note a single complaint can result in an investigation with multiple Principals and allegations. Therefore, the number of external complaints resulting in an investigation (174) will not mirror the number of principals and allegations in this next subsection.

The “Sworn Deputy” rank was identified 91 times out of 225 total principals listed in external complaint investigations between July 1, 2023, and December 31, 2023. Figure 3 depicts the ranks of principals identified in external complaint investigations during the reporting period listed.

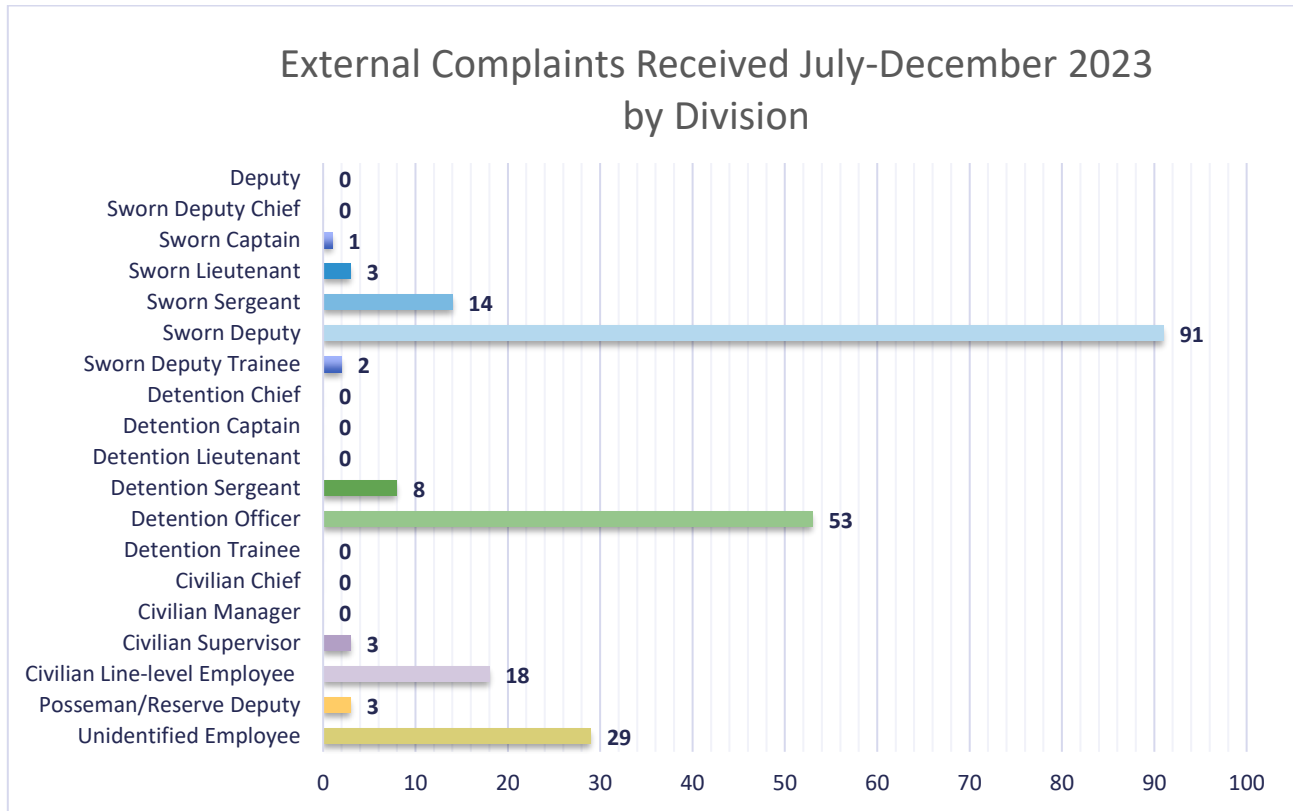


Figure 3: Rank of Principals in External Complaint Investigations July to December 2023.

The following information in Figures 4, 5, and 6 consists of available demographic information¹ of MCSO employees named as the principal in External Complaint investigations.

The number of unknown employees identified as Principals this reporting period was lower than the number of unknown employees last reporting period.

¹ Data is based on known, compensated MCSO employees. The IAPro system does not track demographic information of unknown and volunteer employees (i.e. Posse members/Reserve Deputies)

Principal Gender Demographic Information External Complaints

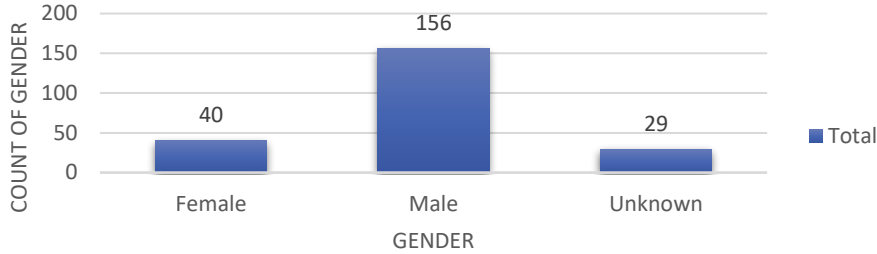


Figure 4 depicts 156 identified male principals in External Complaints; approximately 69% of External Complaint Principals. As of 12/31/2023, males made up 68% of the MCSO workforce.

Figure 4:
Demographic of Principals between July and December 2023, by Gender.

Principal Race Demographic Information External Complaints

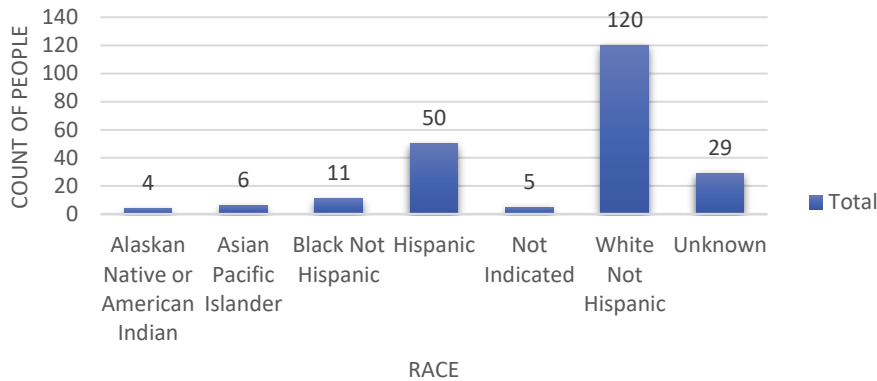


Figure 5 depicts 120 identified White (Non-Hispanic) employees named as a Principal in External Complaint Investigations; approximately 53% of the 225 principal employees. As of 12/31/2023, White (Non-Hispanic) employees made up 52% of the MCSO workforce.

Figure 5:
Demographic of Principals between July and December 2023, by Race.

Principal Age Range Information External Complaints

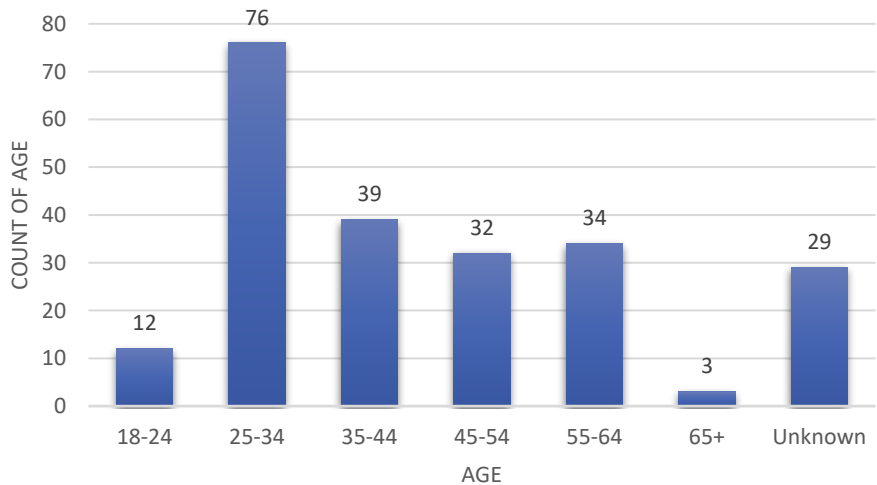


Figure 6 shows known External Complaint Principals are commonly between the ages of 25-34. The average age of a Principal is 40 years old.

Figure 6:
Demographic of Principals between July and December 2023, by Age.

The MCSO does not collect external complainants’ demographic information during the complaint intake process. This ensures all complaints are received, processed, and investigated consistently and without bias.

The PSB initiated the collection process of complainant demographic information in January 2020 via a voluntary paper and online survey provided to the complainant at the conclusion of an investigation. During this reporting period, the PSB closed 258 external cases and thus sending complaint surveys to all known external complainants.² PSB received 9 survey responses.

The following information in Figures 7, 8, and 9 consists of the demographic information, provided voluntarily, by individuals named as a complainant in an external complaint investigation.

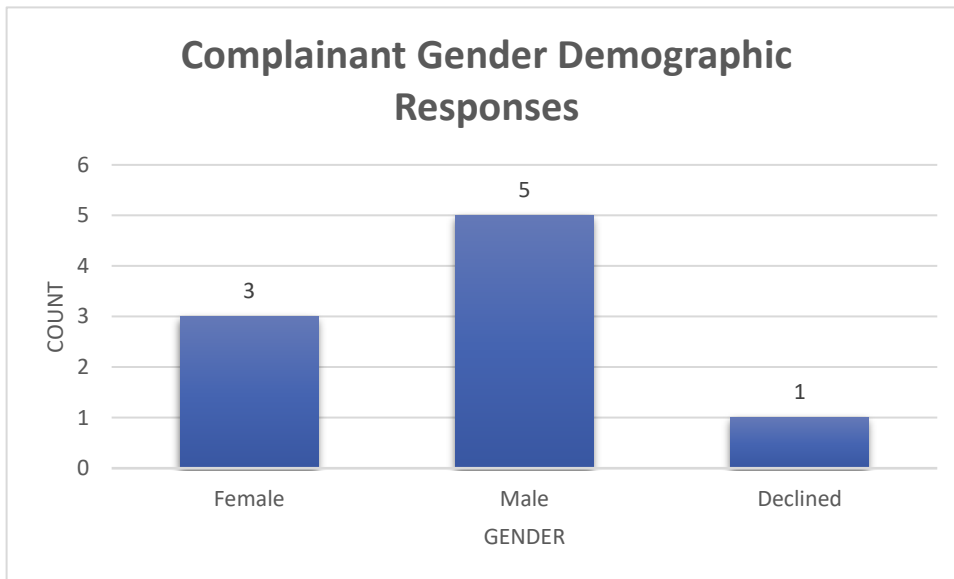


Figure 7: Demographic of Complainants between July and December 2023, by Gender.

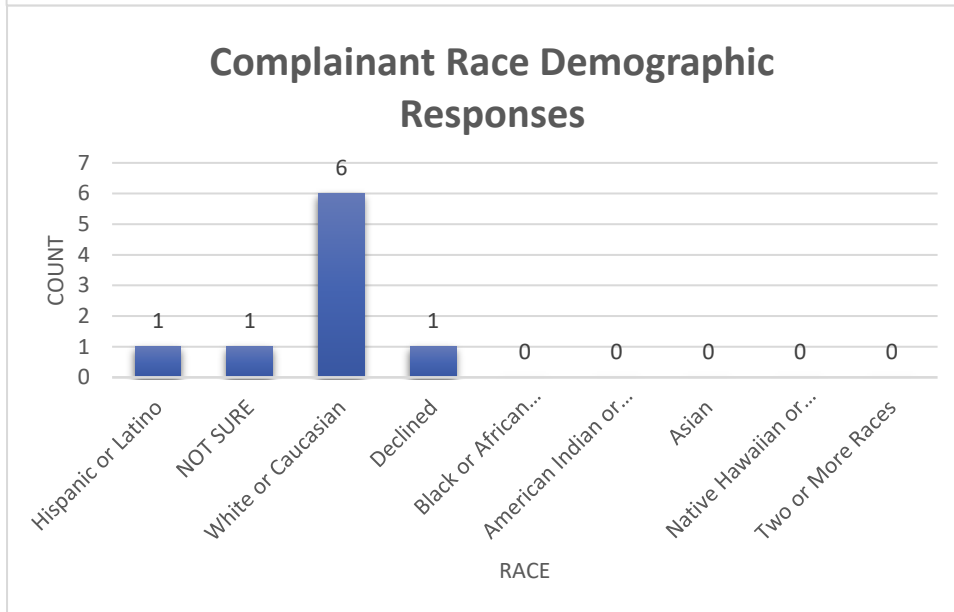


Figure 8: Demographic of Complainants between July and December 2023, by Race

² Due to the possibility of multiple complainants in a single IA case, one IA case may receive several survey responses. Additionally, anonymous complainants do not receive a demographic survey.

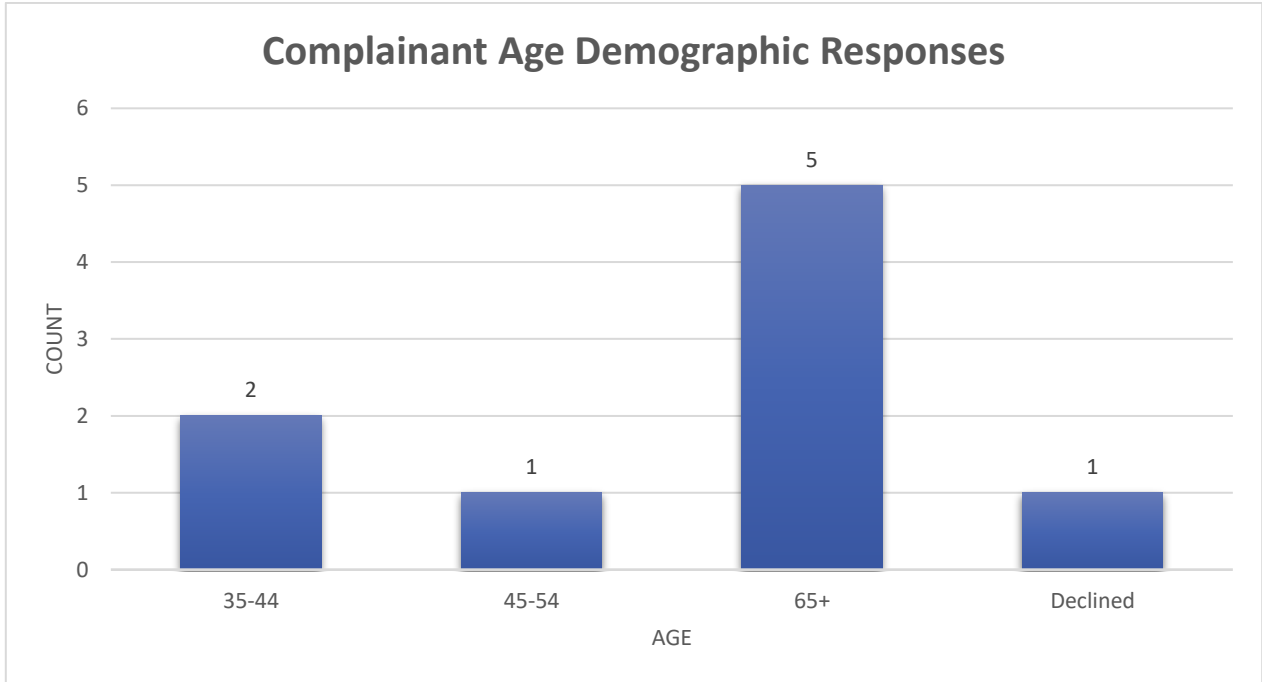


Figure 9: Demographic of Complainants between July and December 2023, by Age.

It should be noted, the gender, race, and age demographic categories replicate those listed on the United States Census Bureau survey.

Due to the low response rate, a statistical analysis could not be conducted to determine if any pattern or trend could be identified.

The PSB also tracks external complaints received from anonymous sources. Between July and December 2023, the PSB received 15 anonymous external complaints resulting in an investigation.

There were 339 alleged policy violations between July and December 2023. Approximately 80% of the allegations were related to violations of conduct (e.g., unbecoming conduct, failure to meet standards, etc.); this is a decrease of allegations from the last semi-annual reporting period but an increase in the percentage of complaints related to violations of conduct. Figure 10 depicts the allegation breakdown.³

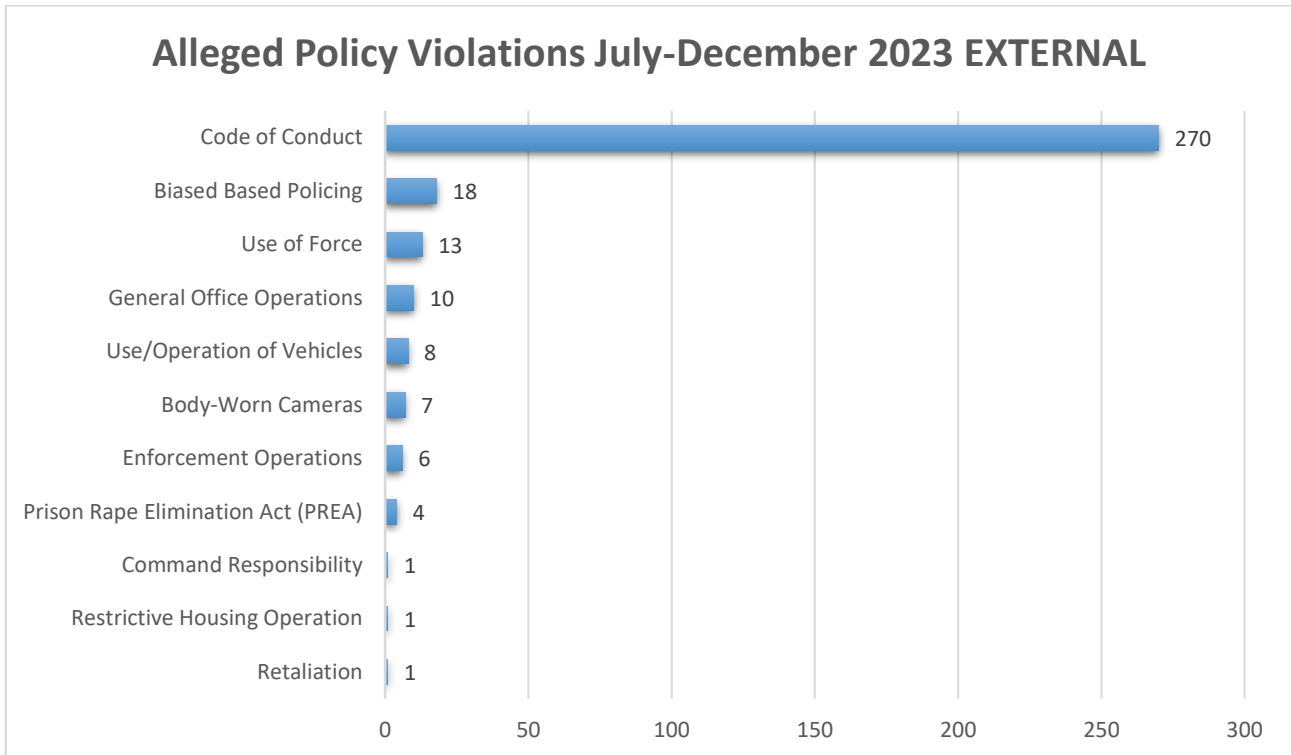


Figure 10: Alleged Policy Violations within External Complaint Investigations between July and December 2023.

³ Low allegation counts have been combined for presentation purposes. See category breakdown below.

Enforcement Operations: Law Enforcement Extra Duty and Off-Duty Employment (2), vehicle accident investigations (1), Traffic Enforcement (2), Domestic Violence (1).

General Office Operations: Truthfulness (1), Criminal Justice Data Systems (3), Workplace Professionalism (2), Parking (2), Internal Investigations.

The PSB tracks the “nature of contact” that led to the alleged employee misconduct. The PSB has distinguished these into nine categories. Below is the breakdown of each category:

Booking: actions of/interactions with personnel during the booking process

Call for Service: actions of/interactions with sworn personnel dispatched to an incident

Custody Operations: actions of/interactions with personnel during detention/custody functions

Follow-up Investigation: actions of/interactions with personnel post initial call for service or detective investigations

Non-Enforcement Duties: actions of/interactions with personnel who are not actively conducting enforcement duties. (e.g. sworn staff on-duty but not on a call, civilian staff actions, etc.)

Observation: witnessed employee misconduct (e.g. no direct contact)

Off Duty Incident: actions of/interactions with personnel not on duty

On-view Activity: actions of/interactions with sworn personnel initiating contact with the public (not a call for service or vehicle stop)

Vehicle Stop: actions of/interactions with sworn personnel during a traffic stop

The below chart shows the nature of contact between the complainant and principal for external complaint investigations initiated between July and December 2023.

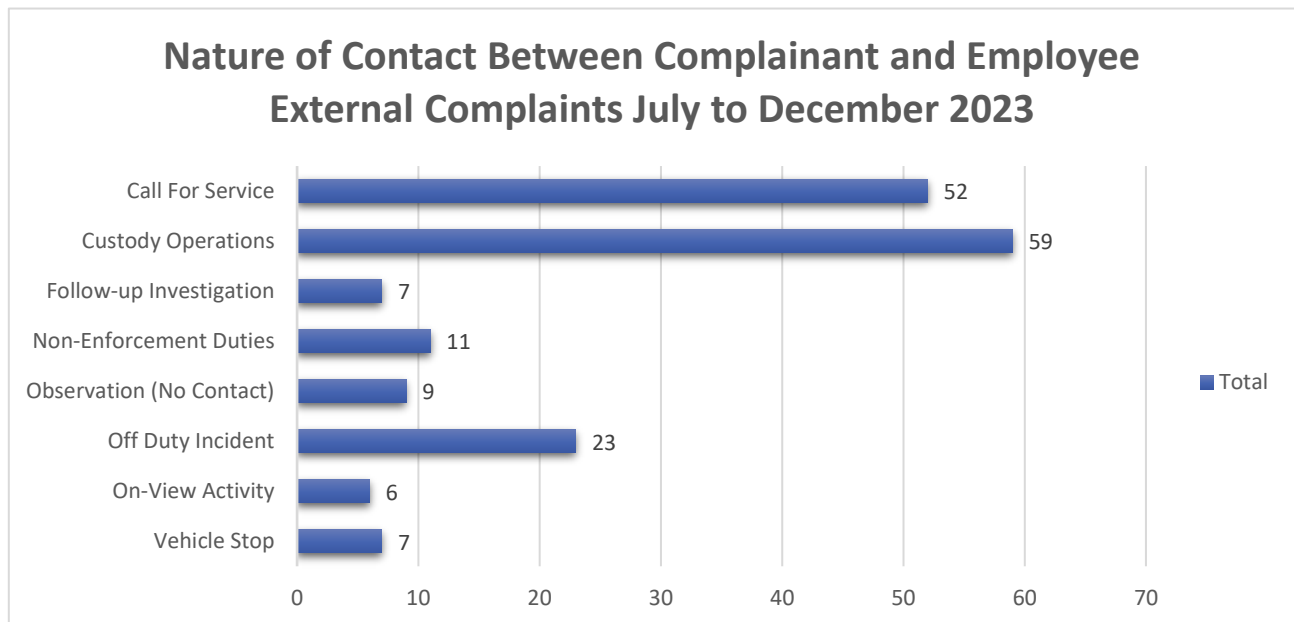


Figure 11: Nature of Contact for External Complaints between July and December 2023.

C. Civilian Complaint Analysis

This section is intended to evaluate implications the complaint intake process had on the number and type of administrative investigations initiated following civilian complaints. As noted in this report, MCSO saw a slight increase in the number of opened administrative investigations during this reporting period. The reason(s) behind the increase remains in the assessment stage given this is the first reporting period where an increase rather than a decrease was realized. Future semi-annual reports will continue to assess this area of analysis to identify causes and areas in which MCSO can positively reduce the number of civilian complaints.

D. Internal Complaints

Based on the data, the PSB received a total of 167 internal complaints from July to December 2023, office wide. The division with the most internal complaints was Central Services Food Services, with a total of 28 internal complaints. Figure 12 depicts the number of internal complaints received from July to December 2023, differentiated by Division.



Figure 12: Internal Complaints received, by District, which resulted in an investigation.

Among the 167 Internal Complaints, the MCSO received 31 complaints in July, 35 complaints in August, 41 complaints in September, 32 complaints in October, 12 complaints in November, and 16 complaints in December. The number of internal complaints received had increased from the previous six-month reporting period, with most of the allegations involving Code of Conduct practices (e.g., employee relationships with other employees and failure to meet standards). In September, the MCSO received 41 internal complaints; with an approximate average of 29 complaints received per month; this was approximately 41% above the average number of internal complaints received.

Figure 13 depicts the number of internal complaints received by month.

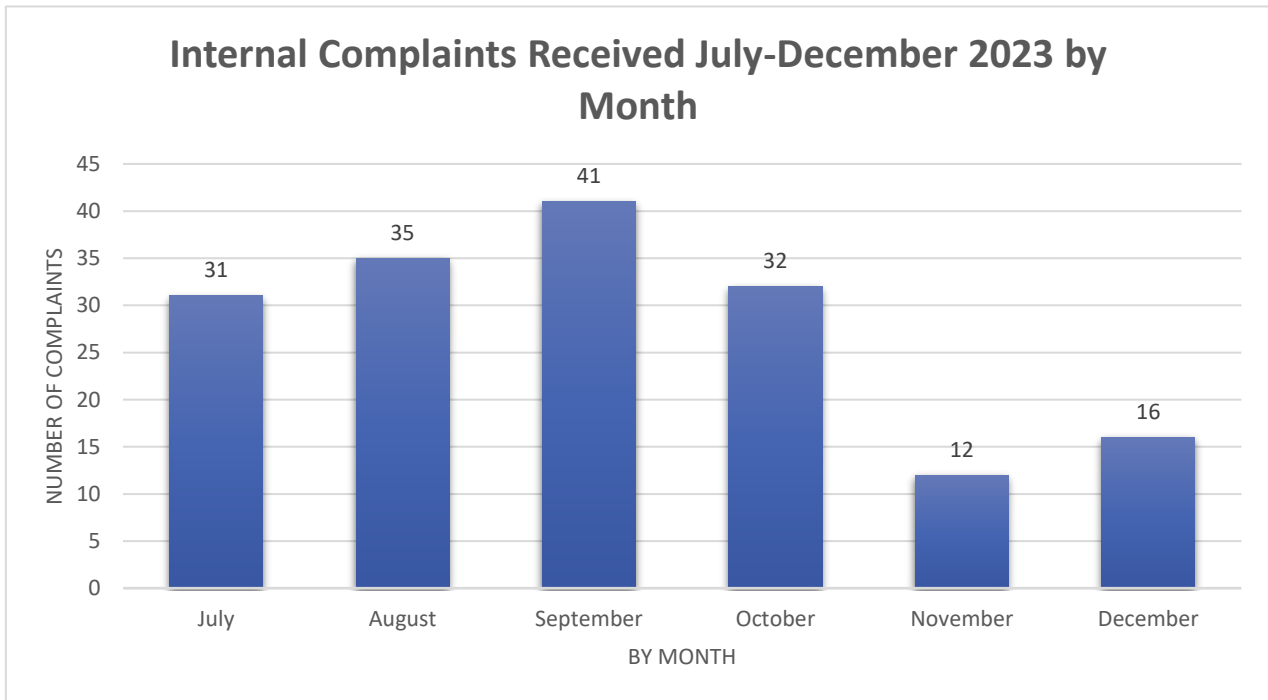


Figure 13: Internal Complaints received, by month, from July to December 2023.

To reiterate, a single complaint can result in an investigation with multiple principals and allegations. Therefore, the number of internal complaints that resulted in an investigation (367) will not mirror the number of principals and allegations in the next subsection.

The “Detention Officer” rank was identified 80 times out of 196 total principals listed in internal complaint investigations between July and December 2023.

Figure 14 depicts the ranks of principals identified in internal complaint investigations during the reporting period listed.

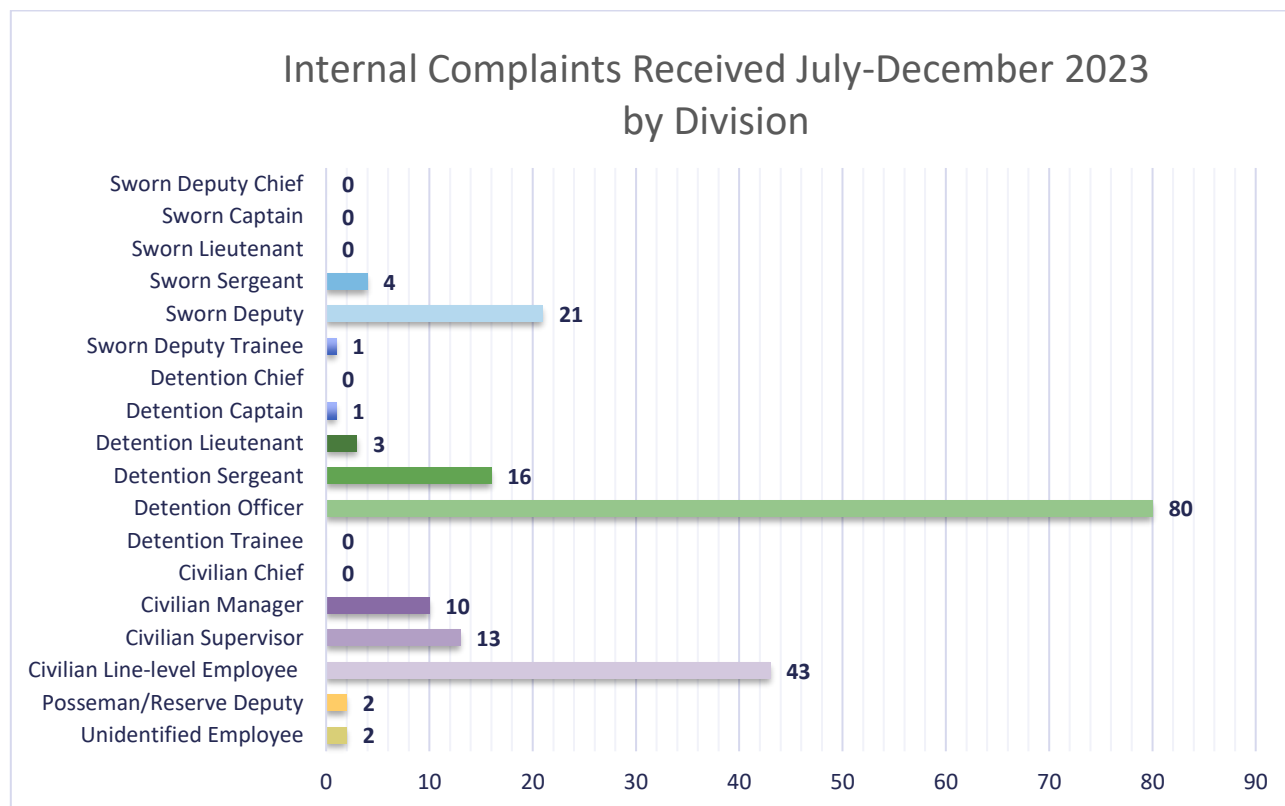


Figure 14: Rank of Principals in Internal Complaint Investigations July to December 2023.

The following information consists of demographic information of MCSO employees that have been named the **principal** and **complainant** in Internal Complaint IA investigations.⁴

It is important to note, from July and December 2023, the PSB initiated 15 internal investigations with an anonymous complainant. These were handled as internal complaints due to the content being information only an employee would know.

⁴ Data is based on known, compensated MCSO employees. The IPro system does not track demographic information of unknown and volunteer employees (i.e. Posse members and Reserve Deputies)

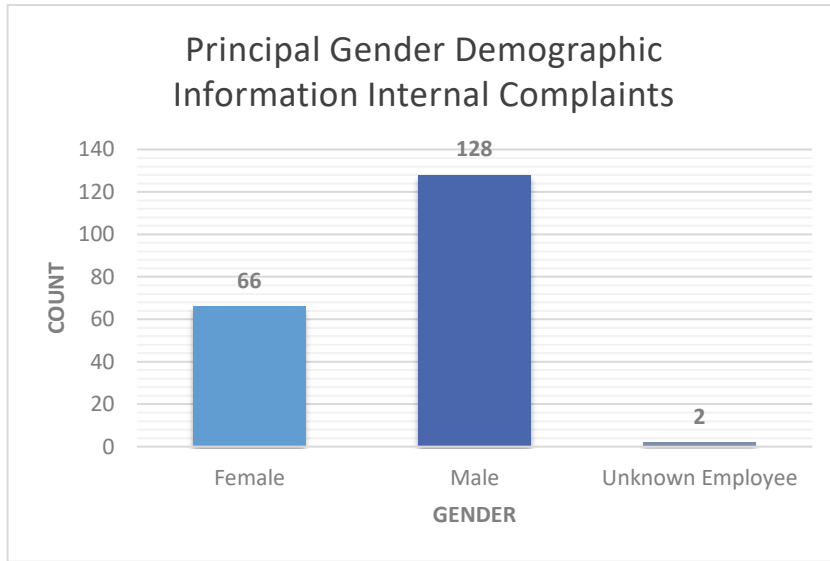


Figure 15 shows 128 identified male principals; approximately twice the number of identified female principals. There were two unknown employees identified as principals.

Figure 15:
Demographic of Principals between July and December 2023, by Gender.

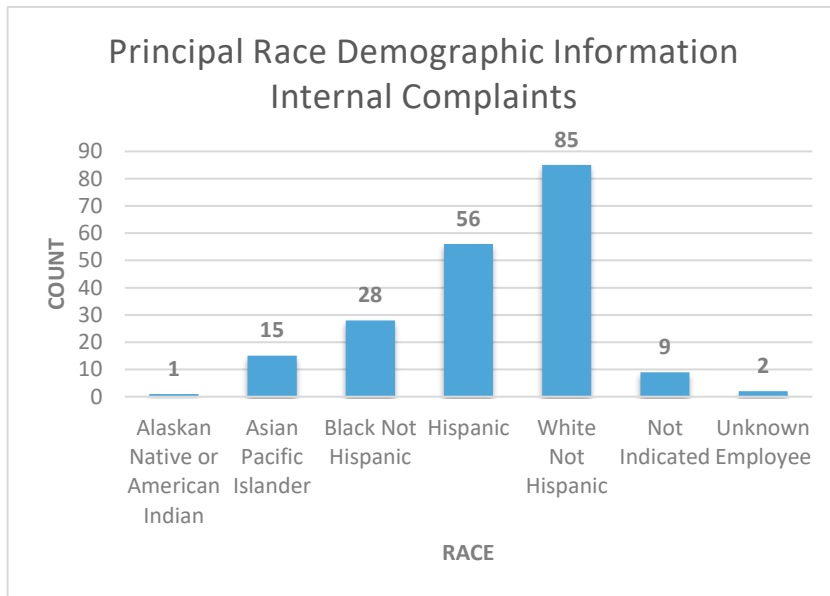


Figure 16 depicts 85 identified White (Not Hispanic) employees named as the principal in Internal Complaint Investigations; approximately 43% of the 196 employees.

Figure 16:
Demographic of Principals between July and December 2023, by Race.

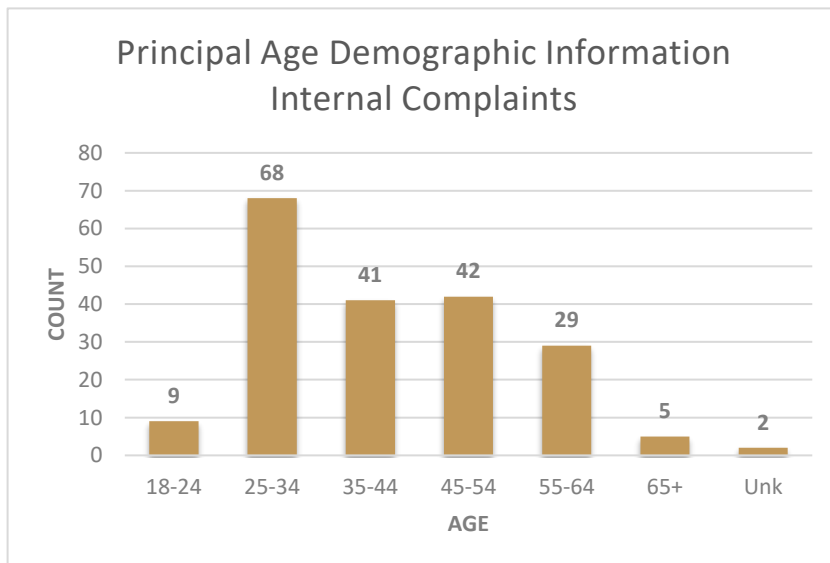


Figure 17 shows known Internal Complaint Principals are commonly between the ages of 25-54, with 151 principals. The largest segment of principals was between the ages of 25-34. The average age of all known principals was 41 years old.

Figure 17:
Demographic of Principals between July and December 2023, by Age.

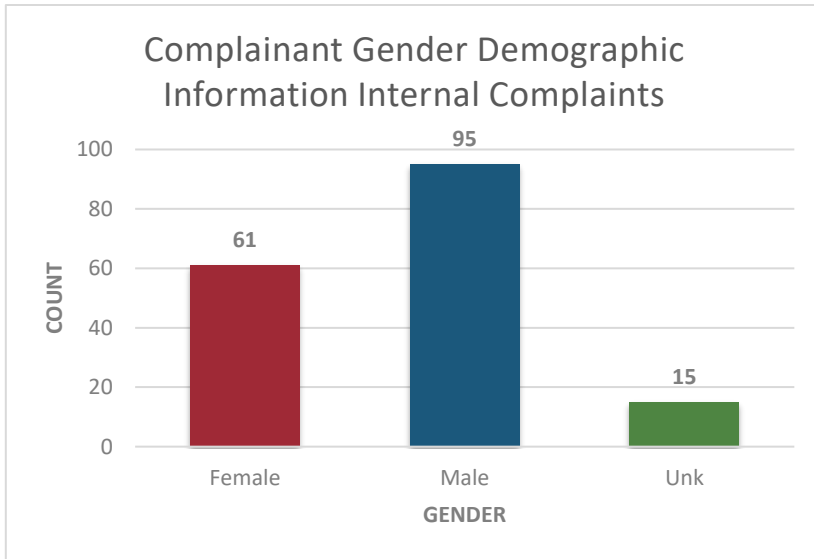


Figure 18 shows 95 identified male complainants, approximately 55% more than the number of the identified female complainants. Gender could not be identified for the 15 unknown complainants.

Figure 18: Demographic of Complainants between July and December 2023, by Gender.

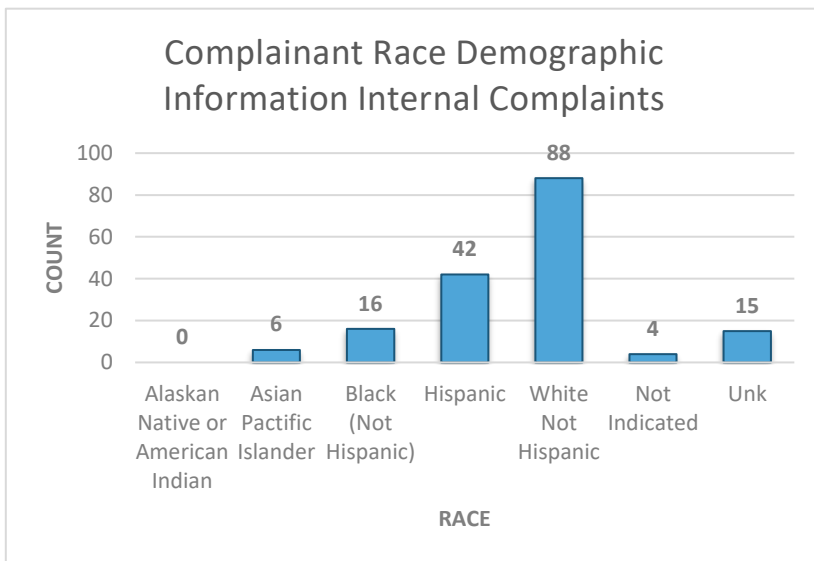


Figure 19 depicts 83 identified White (Not Hispanic) employees named as the complainant in Internal Complaint Investigations; approximately 57% of the 145 complainants. Race could not be identified for the three unknown complainants.

Figure 19: Demographic of Complainants between July and December 2023, by Race.

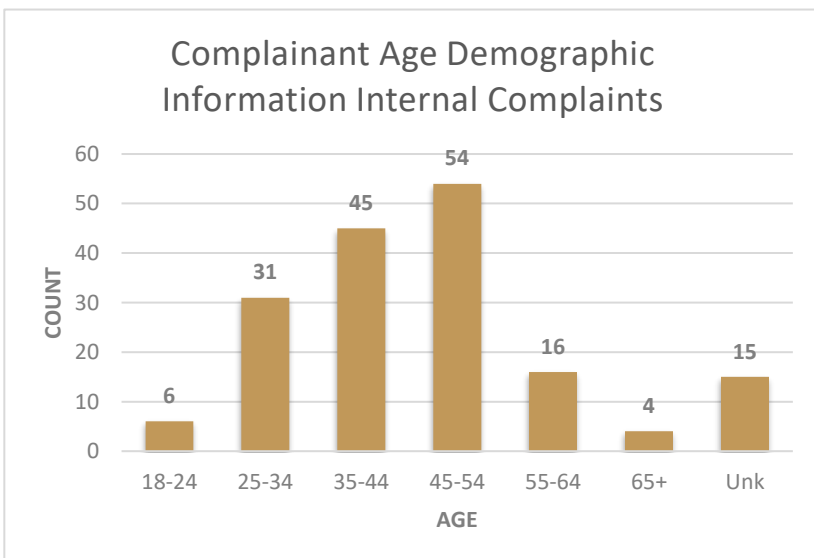


Figure 20 shows that known complainants in Internal Complaint cases are commonly between the ages of 35 and 54, which coincides with an average age of 43 years old. Age could not be identified for the 15 unknown complainants.

Figure 20: Demographic of Complainants between July and December 2023, by Age.

It should be noted the IAPro system does not track the nature of contact that led to an internal complaint.

There were 264 alleged policy violations between July and December 2023. Approximately 65% of the allegations were related to violations of conduct (e.g. employee relationships with other employees, failure to meet standards, etc.); this is an increase of allegations from the last semi-annual reporting period but a decrease in the percentage of complaints related to violations of conduct. Figure 21 depicts the allegation breakdown.⁵

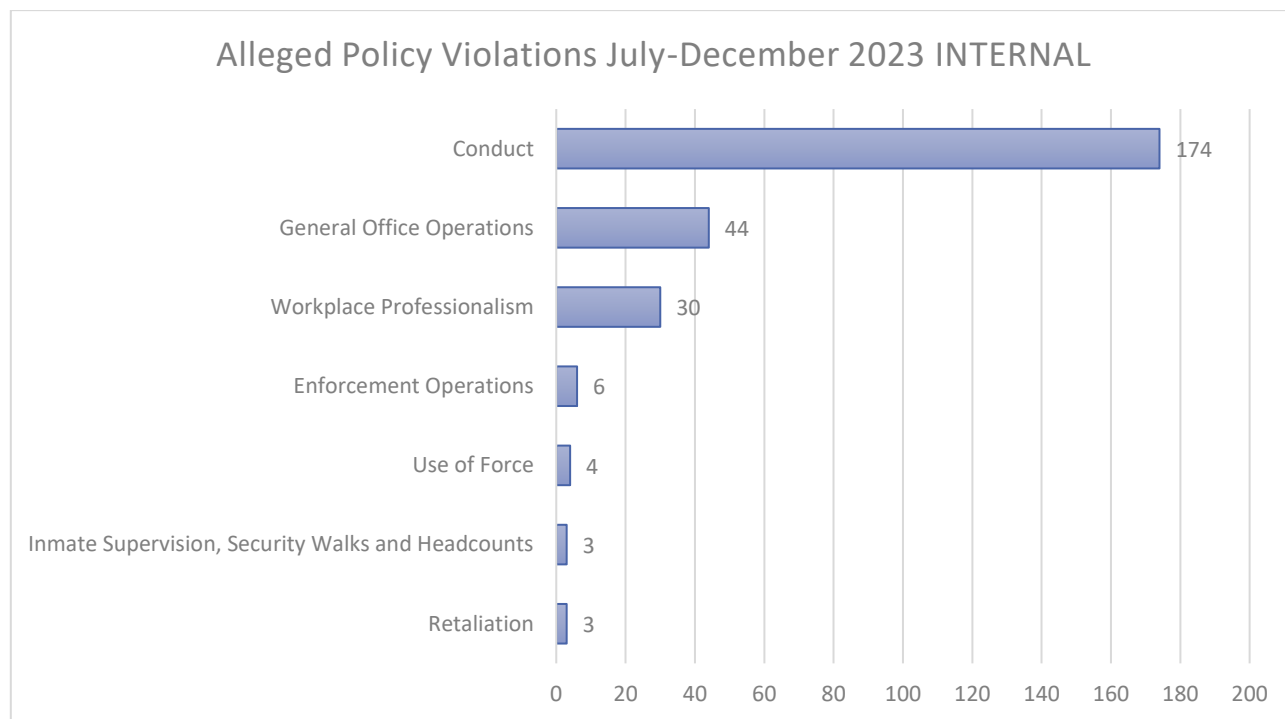


Figure 21: Alleged Policy Violations within Internal Complaint Investigations between July and December 2023

⁵ Low allegation counts have been combined for presentation purposes. See category breakdown below.

Enforcement Operations: Emergency and pursuit driving (2), incident report guidelines (2) and body-worn cameras (2).

General Office Operations: Compensation/ADP system (3), truthfulness (10), leave and absences (6), command responsibility (7), off-Duty employment (2), use of tobacco (2), access to secured office buildings (1), use/operation of vehicles (1), criminal history record Information and public records (2), detention/civilian training (1), internal investigations (2), firearms (1), property management (2) and electronic communications and voice mail (4).

E. Processing of Misconduct Cases

The Professional Standards Bureau Commander determines whether an administrative investigation will be conducted at the division level or within the PSB⁶. The decision is based on the severity and type of offense, the complexity of the investigation, the rank of the employee, and the alleged principal’s disciplinary history. Once it has been decided that an investigation can be handled at the division level, it is assigned an investigator to conduct interviews, review all information provided, and recommend the proper finding for the alleged violation to the Division Commander. Assistance and guidance from the Professional Standards Bureau are provided throughout the division level investigation.

Between July 1st and December 31st, 2023, the PSB opened a total of 341 misconduct investigations⁷; 294 were assigned to the Professional Standards Bureau investigators, 9 were assigned to the Professional Standards Bureau Criminal Investigations Section, and 38 were assigned to investigators throughout the Sheriff’s Office. Figure 22 depicts a monthly report of assigned cases and Figure 23 depicts the investigation assignment, broken down by Non-PSB Division.

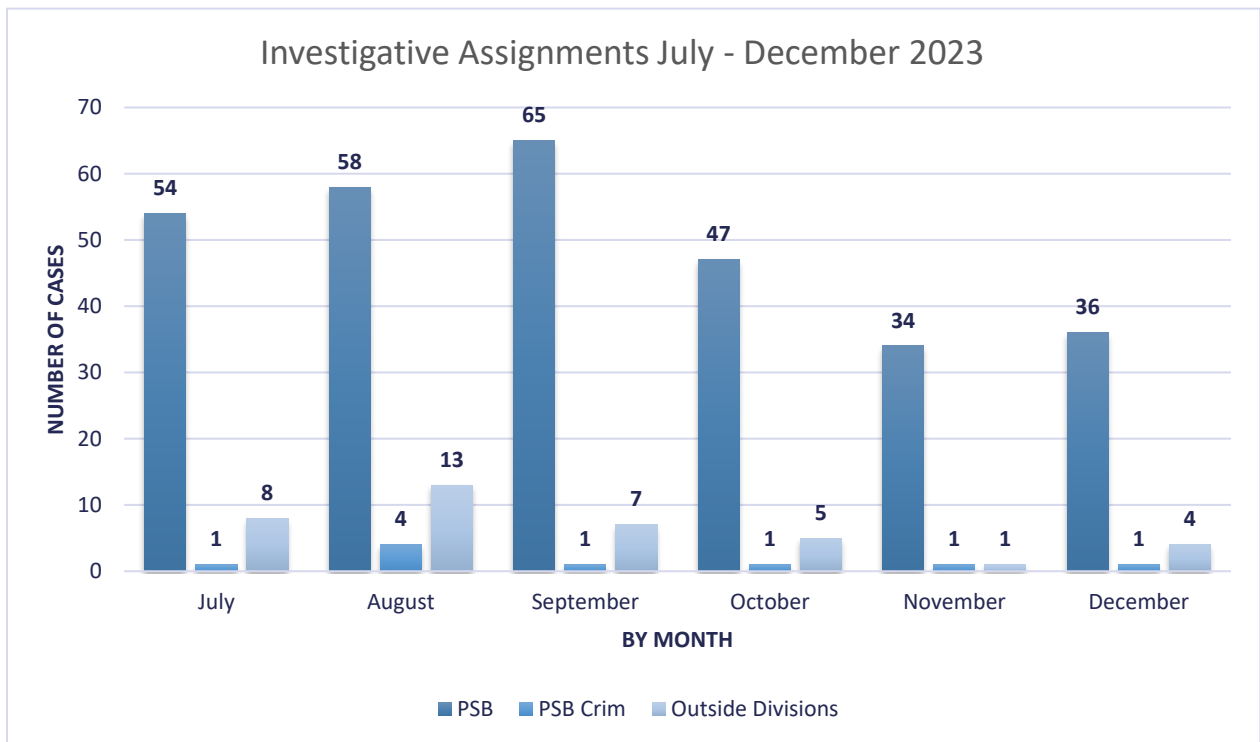


Figure 22: Investigation Assignment breakdown between PSB and Non-PSB Division

⁶ Following the issuance of the Court’s Third Order in November 2022, the intake, routing, and assignment decisions are reviewed and ultimately made by the Court Appointed Monitor.

⁷ This includes misconduct investigations into external complaints, internal complaints, external criminal complaints, and internal criminal complaints.

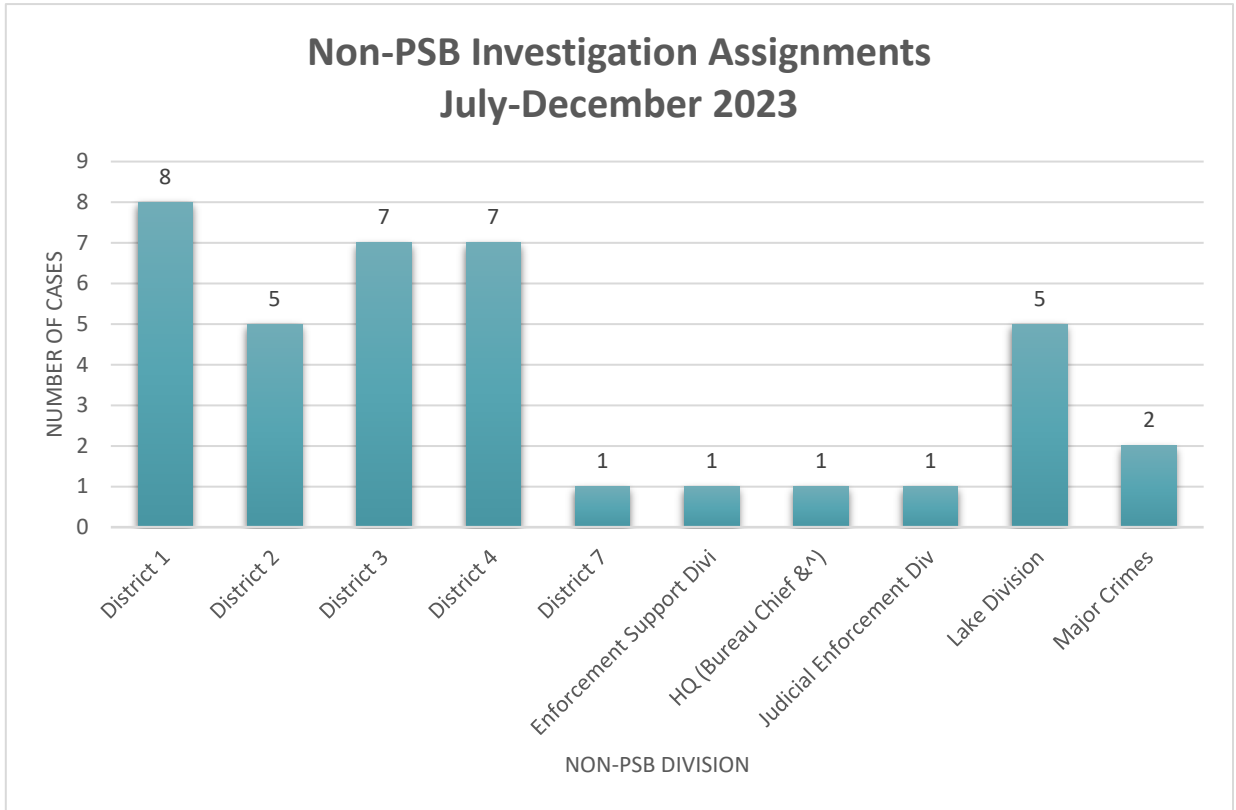


Figure 23: Non-PSB Division Assignment breakdown, by Division.

Between July and December 2023, there were a total of 71 investigations completed outside of the Professional Standards Bureau, or otherwise known as Division cases. The average time from the initiation of an investigation to the submission and approval by the investigators' chain of command was 453 days and the median time was 76 days.⁸ The average time from investigator submission to the final decision regarding discipline or other final disposition was 128 days and the median was 45 days.

The average total completion time (initiation to final discipline decision) of District investigations is 581 days.

Of the 71 Division cases, no case was returned for further investigation. After review by PSB, 13 Division investigations were considered deficient due to conclusions not being supported by the evidence, or allegations needing to be adjusted. The remaining 58 cases did not require any revisions.

Between July and December of 2023, there were a total of 398 administrative investigations completed within the Professional Standards Bureau (PSB). The average time from the initiation of an investigation to the review and approval of the investigators' chain of command was 695 days. The median time was 350 days.⁹ The average time from investigator submission to the investigators' chain of command to the final decision regarding discipline or other final disposition was 61 days and the median was 56 days.

The average total completion time (initiation to final discipline decision) of PSB investigations was approximately 785 days. The median total completion time was 435 days.

Of the 398 PSB cases, there were zero cases returned due to the conclusion not supported by the evidence and zero cases returned to the PSB investigator for investigative corrections.

⁸ This does not include the effect approved extension requests would have on time frames.

⁹ This does not include the effect approved extension requests would have on time frames.

F. Outcomes of Misconduct Investigations

A total of 470 administrative misconduct investigations were completed between July and December 2023; 240 completed investigations had Sustained dispositions, 109 had Not-Sustained dispositions, 15 had Exonerated dispositions, 105 had Unfounded dispositions and one case was an Administrative Closure with no determination. Figure 24 shows the number of outcomes as well as each section’s approximate percentage.

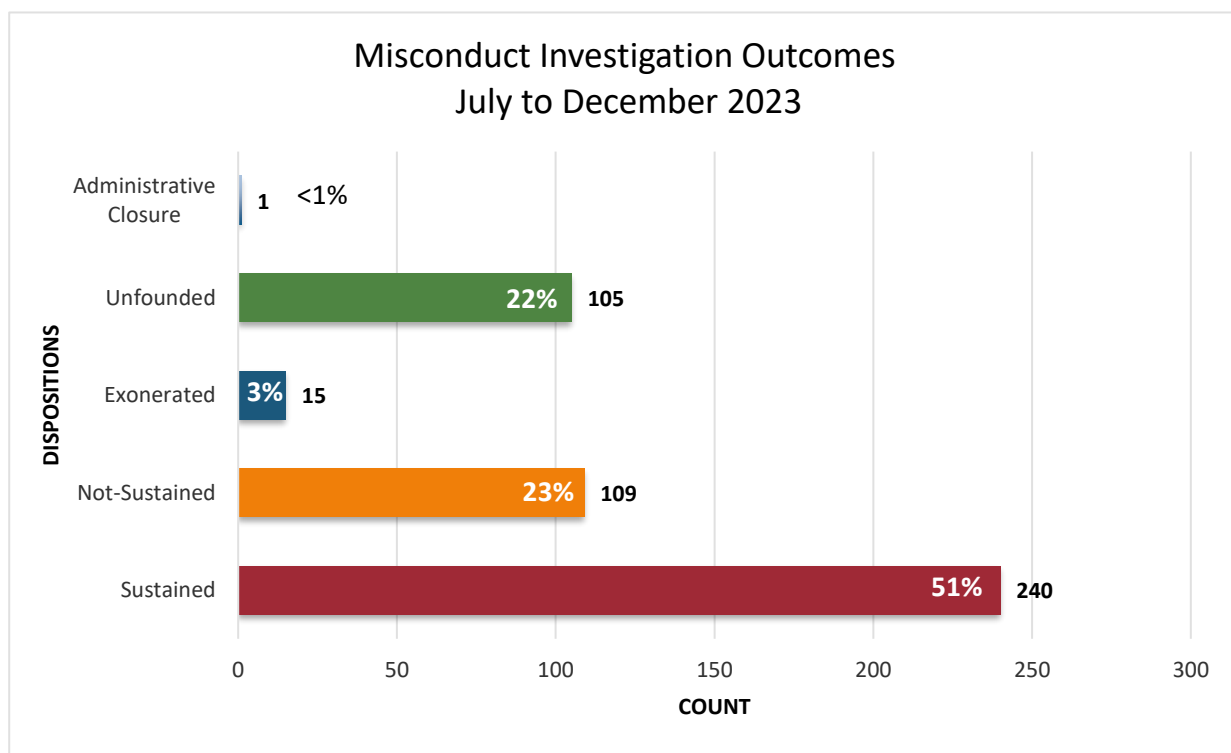


Figure 24: Misconduct Investigation Outcomes from July to December 2023.

According to MCSO Policy GC-17 Employee Disciplinary Procedures, when a single act of alleged misconduct would constitute multiple separate policy violations, all applicable policy violations shall be charged, but the most serious policy violation shall be used for determining the category of the offense and discipline. The paragraph below includes the discipline count for the 240 sustained misconduct investigations closed from July and December 2023.

The following is a breakdown of the disciplinary and non-disciplinary actions for the 240 closed sustained cases¹⁰: 45 non-disciplinary (coaching) actions; 55 written reprimands; 28 suspensions; 0 demotions; 10 terminations; 1 resignation in lieu of termination; and 1 probationary release. 84

¹⁰ Listed numbers reflect the discipline action for each employee principal involved; numbers will not match the total number of closed sustained cases.

employees retired or resigned prior to the conclusion of the investigation and/or discipline determination.

It is important to note the Maricopa County Sheriff's Office policy views a Coaching within Internal Affairs Investigations as a *"non-disciplinary interaction between a supervisor and an employee that supports an individual in achieving specific personal or professional goals by providing training, advice, and guidance in response to a specific situation."*

From July 1, 2023, to December 31, 2023, there were five cases where the findings were changed after a Pre-Determination Hearing (PDH.) The initial findings of the allegations for one or more of the principals in these cases were changed from sustained to not-sustained.

There were two cases in which the Appointing Authority, regarding discipline, deviated from the established matrix after the PDH. The Discipline Range indicated a suspension; however, a Written Reprimand was imposed, in both cases.

From July to December 2023, The Maricopa County Law Enforcement Merit System Council did not overturn the discipline of any closed investigations. There were no cases in which the Council altered or overturned the Findings of an investigation. Three cases were withdrawn from the appeal process. There was a total of three cases where the findings were upheld by the Merit System.

G. Persistent or Serious Misconduct

This section discusses employees listed as the subject of more than two misconduct investigations, employees with more than one sustained allegation, and the number of criminal prosecutions of employees. It is important to note the MCSO categorizes discipline (minor or serious) imposed by the sustained misconduct; it is not based on the allegations themselves. It is also important to note there can be multiple allegations within a single misconduct investigation. The last paragraph of this section (criminal prosecution charges) is based on a six-month time period. The paragraphs directly below are based on a rolling annual timeframe and NOT a six-month time period.

In the previous 12 months (January 1st through December 31st, 2023), 55 employees were listed as the subject of more than two misconduct investigations, out of a total of 221 investigations. The 55 employees have been broken down and categorized by their most serious discipline. Of the 55 employees, 4 received major discipline, and 11 received minor discipline¹¹. 11 received non-discipline coaching. 2 separated from MCSO prior to discipline being determined. 42 employees have ongoing active investigations¹².

There were 20 employees, from January 1st through December 31st, 2023, that have had more than one sustained allegation that resulted in **minor** discipline. Those 20 employees had a combined total of 52 sustained allegations. In that same timeframe, 26 employees had more than one sustained allegation that resulted in **serious** discipline. There were 74 sustained allegations between the 26 employees.

Between January and December 2023, eight employees were the subjects of criminal prosecutions.

Disorderly Conduct: Class 1 Misdemeanor	1
Assault: Class 1 Misdemeanor	2
Assault: Class 2 Misdemeanor	1
Transportation of Dangerous Drug: Class 2 Felony	1
Transportation of Narcotic Drug: Class 2 Felony	1
Promoting Prison Contraband: Class 2 Felony	2
Theft: Class 3 Felony	1
Aggravated Assault: Class 4 Felony	3
Sexual Abuse: Class 5 Felony	1
Unauthorized Release or Access of Criminal History: Class 6 Felony	2

Figure 25: Types of Criminal Charges filed, with the number of Counts.

¹¹ Serious discipline is categorized as discipline equal to or greater than an employee suspension. Minor discipline is categorized as discipline less severe than a suspension, not to include coaching.

¹² A distinct employee may be classified into several categories. The number of employees will not equal the sum of the category numbers.

H. Patterns and Trends

The Professional Standards makes assessments of the types of complaints received to identify problematic patterns and trends quarterly. The PSB conducted an assessment for the third quarter (July 2023 to September 2023) and for the fourth quarter (October 2023 to December 2023.)

Third Quarter Assessment:

Divisions Receiving the Most Complaints

The PSB identified the 4th Avenue Jail facility, Central Food Services, and the patrol District 3-Surprise, receiving the most complaints between July 1, 2023, and September 30, 2023.

The 4th Avenue Jail facility received 33 complaints resulting in misconduct investigations; six with alleged time and attendance issues; five alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); four alleged off/on duty crimes; three alleged workplace professionalism; three with alleged conflict between employees; three with alleged failure to follow Office procedures; and two alleged rudeness associated with dismissive or demeaning behavior. The remaining seven allegations did not follow a pattern or trend we could identify at this time.

The Central Services Food Services division received 20 complaints resulting in misconduct investigations; eight with alleged conflict between employees; four alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and three with alleged workplace professionalism. The remaining six allegations did follow a pattern or trend we could identify at this time.

The patrol District 3-Surprise received 13 complaints resulting in misconduct investigations; five alleged rudeness associated with dismissive or demeaning behavior; two alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats) and two with alleged biased law enforcement action. The remaining four allegations did not follow a pattern or trend we could identify at this time.

Notable Patterns and Trends Identified within MCSO Divisions

Between July 1, 2023, and September 30, 2023, multiple divisions were not identified as having the most complaints; however, the PSB identified a pattern or trend of complaints received.

District 2-Avondale received 12 complaints resulting in misconduct investigations; five with alleged mishandled investigations/calls for service; and four alleged rudeness associated with dismissive or demeaning behavior. The remaining three allegations did not follow a pattern or trend we could identify at this time.

The Lower Buckeye Jail received 12 complaints resulting in misconduct investigations; three alleged failure to follow Office procedures; and two with alleged mistreatment of inmates. The remaining three did not follow a pattern or trend we could identify at this time. The remaining seven allegations did not follow a pattern or trend we could identify at this time.

The patrol District 4-Anthem received 9 complaints resulting in misconduct investigations; four with alleged refusal to take report during calls for service. The remaining five allegations did not follow a pattern or trend.

The Watkins Jail facility received 9 complaints resulting in misconduct investigations; two alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and two with alleged conflict between employees. The remaining five allegations did not follow a pattern or trend we could identify at this time.

All Misconduct Allegations Categorized

There were 205 complaints received between July 1, 2023 and September 30, 2023. The Professional Standards Bureau identified 27 investigations alleging “rude” behavior (demeaning, confrontational, condescending, yelling, and “attitude”) toward members of the public, and 27 investigations with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures, and threats). There were 26 investigations with alleged failure to follow Office procedures; 21 with alleged conflict between employees; 18 alleged workplace professionalism; and 15 with alleged off/on duty crime.

The following allegation categories received 10 or less mentions each. There were 10 allegations of failure to act/take appropriate action; nine with alleged mishandled investigations/calls for service; nine allegations with time and attendance issues; eight with alleged excessive use of force; seven allegations of employees sleeping on-duty; and six allegations of insubordination.

Although not high in numbers overall, the following are a list of notable categories of investigations: five with alleged inaccurate deputy reports; five with alleged mistreatment of inmates; five allegations of failure to keep supervisors informed; and five with alleged biased law enforcement action.

Employee Potential Problematic Patterns and Trends

The following employees have been identified as MCSO personnel with potential problematic patterns or trends of misconduct from investigations initiated between July 1, 2023, and September 30, 2023.

An employee was named in three investigations regarding allegations of inappropriate language/actions or behavior toward inmates and employees.

An employee was named in three allegations of inappropriate language/actions or behavior toward supervisors and other employees.

An employee was named in two investigations concerning off-duty employment allegations.

Fourth Quarter Assessment:**Divisions Receiving the Most Complaints**

The PSB identified the Lower Buckeye Jail facility, 4th Avenue Jail facility, Central Food Services, and the patrol District 3-Surprise, receiving the most complaints between October 1, 2023 and December 31, 2023.

The Lower Buckeye Jail facility received 14 complaints resulting in misconduct investigations; four with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); two with alleged failure to follow Office procedures; two alleged failure to take appropriate action; and two with alleged improper security walks. The remaining four allegations did not follow a pattern or trend we could identify at this time.

The 4th Avenue Jail facility received 14 complaints resulting in misconduct investigations; six alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); two with alleged time and attendance issues; and two with alleged failure to follow Office procedures. The remaining four allegations did not follow a pattern or trend we could identify at this time.

Notable Patterns and Trends Identified within MCSO Divisions

Between October 1, 2023, and December 31, 2023, multiple divisions were not identified as having the most complaints; however, the PSB identified a pattern or trend of complaints received.

The Central Services Food Services division received 11 complaints resulting in misconduct investigations; three with alleged failure to follow Office procedures; three with alleged failure to act or take appropriate action; two alleged time and attendance issues; and two allegations of failure to keep supervisors informed. The remaining one allegation did not follow a pattern or trend.

The Watkins Jail facility received 8 complaints resulting in misconduct investigations; four alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and two allegations of employees sleeping on-duty. The remaining two allegations did not follow a pattern or trend we could identify at this time.

The Estrella Jail facility received 8 complaints resulting in misconduct investigations; three alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and two with alleged failure follow Office procedures. The remaining three allegations did not follow a pattern or trend we could identify at this time.

All Misconduct Allegations Categorized

There were 127 complaints received between October 1, 2023 and December 31, 2023. The Professional Standards Bureau identified 35 investigations alleging inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions or gestures, and threats). There were 19 investigations with alleged failure to follow Office procedures; 18 allegations of failure to act/take appropriate action; and 16 with alleged rudeness associated with dismissive or demeaning behavior.

The following allegation categories received 10 or less mentions each. There were 8 allegations of time and attendance issues; 6 with alleged inaccurate deputy reports; and six allegations of off/on duty crimes.

Although not high in numbers overall, the following are a list of notable categories of investigations: six allegations of unethical conduct; four allegations of failure to keep supervisors informed; four alleged mishandled investigations/calls for service; and four alleged workplace professionalism.

Employee Potential Problematic Patterns and Trends

The following employees have been identified as MCSO personnel with potential problematic patterns or trends of misconduct from investigations initiated between October 1, 2023, and December 31, 2023.

An employee was named in three investigations regarding allegations of time and attendance issues.

An employee was named in three allegations of improper security walks/headcounts.

An employee was named in two allegations of inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions or gestures, and threats).

I. Semi-Annual PSB Reviews of Investigations

The Professional Standards Bureau is responsible for conducting reviews, at least semi-annually, of all investigations assigned outside of the Bureau to determine whether the investigation is properly categorized, whether the investigation is being properly conducted, and whether appropriate findings have been reached.

The PSB has assigned District Liaison personnel to conduct reviews on investigations as they are submitted from the District. These liaisons utilize a review template/checklist addressing the above-listed investigation requirements. The use of the template/checklist has resulted in the improvement in the structure and procedural completeness of the investigations. These liaisons are also assigned to each District to aid the District investigators, should they have any questions, or need any advisement throughout the investigation.

Cases investigated by the Divisions have improved in quality and timeliness after the reinstatement of divisional investigations, following the temporary suspension of new case assignments to the Districts. The pause allowed the Divisions to recover investigation time for older cases, and to establish more efficient procedures for newly assigned cases. There are still areas of opportunity for improvement. Within this reporting period, the following concerns have been identified as areas needing improvement for District investigations: improper policies for allegations, improper findings, insufficient investigation, leading questions, and multiple administrative issues.

Through the review process, the liaisons continue to specifically note the following trends found within these investigations¹³: improper policies for allegations, inappropriate finding choices, and the lack of follow up or closure into any additional concerns apparent in the investigation. The PSB liaisons continue to provide feedback and guidance to investigators outside of the PSB as a proactive approach to prevent irreversible damage to the compliance level of an administrative investigation.

During this reporting period, there were 9 investigations¹⁴ where the District Division Commanders failed to identify issues within the report, prior to submitting them to the PSB. These issues mostly included incorrect allegations and unsupported findings.

With the initial 40-hour training on Conducting Misconduct Investigations, the annual 8-hour training on Conducting Misconduct Investigations, the continued practice of conducting investigations, the continued advisement from PSB District liaisons, and now the additional Command-level review, the PSB expects to see continued improvement of misconduct investigations completed at the District level.

¹³ It should be noted the investigations in this paragraph refer to any cases reviewed by the District liaison within the timeframe of this report, which could include investigations from the past several years.

¹⁴ It should be noted the investigations in this paragraph refer to any cases reviewed by the District liaison within the timeframe of this report, which could include investigations from the past several years.

Conclusion

Since the previous report, the Maricopa County Sheriff's Office (MCSO) has continued to improve processes to ensure misconduct investigations are completed thoroughly, accurately, and in a timely manner. The MCSO saw a decrease in external complaints received; the approximate average of external complaints received was 20% lower for this reporting period versus the last reporting period (January 2023 to June 2023). When comparing the numbers of external complaints received in 2022 and 2023, there is a slight downward trend, following a dip at the end of this reporting period. The MCSO continues to identify allegations of misconduct regarding Code of Conduct Practices (e.g., unbecoming conduct and failure to meet standards) with the goal of improving employee conduct office wide. The Professional Standards Bureau (PSB) could not identify a reason for the continued external allegations of misconduct regarding Code of Conduct Practices. Although the PSB has collected complainant demographic information, a pattern or trend could not be identified due to the low response rate.

The data shows an average of 28 internally generated complaints per month. This is more than the reported average for the previous six months. The internal complaints received for 2023 are showing a stable trend however, there is an overall downward trend for the overall complaints received in 2022 and 2023 combined, with the last six-month period being the exception. The most frequent allegations identified within the internal complaints received involved Code of Conduct practices (e.g., failure to meet standards and employee relationships with other employees). This overall downward trend is attributed to the revised complaint intake policies that went into effect in this reporting period, combined with the utilization of supervisor-initiated interventions, which allows supervisors to address minor misconduct to improve performance or behavior to prevent their progression to a misconduct investigation.

The PSB continues to track any cases with investigative concerns or corrections identified within division-investigated cases. There were approximately 15 fewer district investigations completed this reporting period over last. Approximately 34% of those cases completed by the districts or divisions outside of PSB required investigative corrections. This is a 19% decrease from the last six months. The quality of investigations initially submitted by District-level investigators still requires improvement in investigative thoroughness, avoiding leading questions, and identifying proper findings and proper involved employee roles.

On November 8, 2022, the Court issued a Third Court Order aimed to resolve the pending Order to Show Cause pertaining primarily to PSB Operations. The Court's Third Order expanded the authority of the Monitor with the goal of a reduction of the backlog of administrative investigations within MCSO. In addition to other remedies, the Court granted the Monitor the independent authority to make the ultimate decision pertaining to initial intake and routing decisions as of November 8, 2022. In November 2023 the new policies relative to the Third Court Order were published and implemented. Given the limited data since the issuance of the new policies, the implications have yet to be determined and realized. This area will be further evaluated, analyzed, and assessed in future semi-annual reports.

The median number of calendar days for the total completion of administrative investigations completed, during this reporting period, was 509 compared to the 180-day expectation set forth in Arizona statute and MCSO Policy GH-2, Internal Investigations, absent exceptional circumstances. The PSB attributes the increased timeframe to the focus on completing backlog cases, the complexity of PSB investigations, and the extensive review process of District-investigated cases.

The Maricopa County Sheriff's Office categorizes policy violations as minor or serious misconduct, based on what the potential resulting discipline would be if the conduct were sustained. The type of discipline imposed, minor or serious, depends upon the acts of misconduct, the mitigating and aggravating circumstances, and prior discipline. From January 2023 to December 2023, 55 employees were listed as the subject of more than two misconduct investigations, which is approximately 1.8% of all MCSO employees.

This report helps the Professional Standards Bureau have a more thorough understanding of any impediments affecting investigations completed within the Bureau and how the PSB is working toward compliance with current MCSO Policies. This report also helps MCSO achieve its goal of transparency with the community.