



# Professional Standards Bureau

Misconduct Investigations Semi-Annual Report

January 1, 2019 – June 30, 2019

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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 semiannual public report on misconduct investigations involving Deputy Sheriffs, Detention Officers, Civilian employees, and volunteer Posse members. The purpose of this report is to provide analysis on data collected from the IAPro database and supplemental spreadsheets between January 1, 2019 and June 30, 2019.

The MCSO saw a slight increase in the overall complaints received from the last semi-annual reporting period; but there is still a downward trend of complaints received. The most common external allegations received were unbecoming conduct and failure to meet standards. The most common internal allegations received were failure to meet standards and employee relationships with other employees. Of all opened investigations, 15% were assigned to divisions outside of the PSB and 85% were assigned to the PSB (criminal and administrative.) The completion timeframe for district level investigations was 50% over the required 60-day timeframe. The completion timeframes for PSB-investigations were high during this reporting period; approximately 328% over the required 85-day timeframe. There were 251 misconduct investigations completed; 31% with a sustained disposition. Further research shows 33 employees had persistent misconduct (subject of more than two misconduct investigations) and 6% 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 receive or generate any complaints regarding conflict-of-interest rules when conducting or reviewing misconduct investigations between January and June 2019.

## B. External Complaints

Based on the data, the MCSO received a total of 186 external complaints that resulted in PSB administrative investigations and criminal investigations from January 1, 2019 to June 30, 2019 office wide. There were two districts (also known as divisions) with the most external complaints; Lower Buckeye Jail with 23 complaints and District 1 (Mesa) with 22 complaints.

Figure 1 depicts the number of external complaints received between January and June 2019, differentiated by Division.

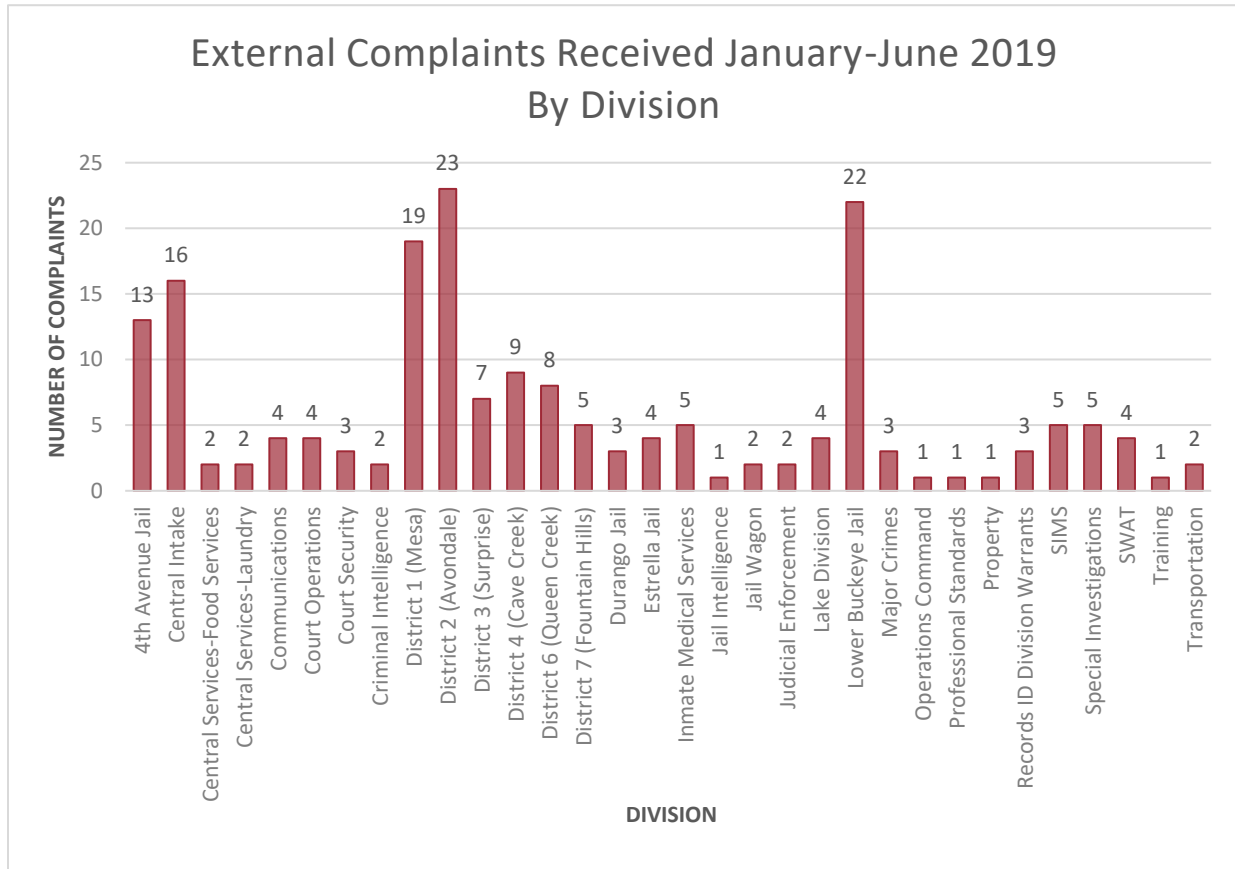
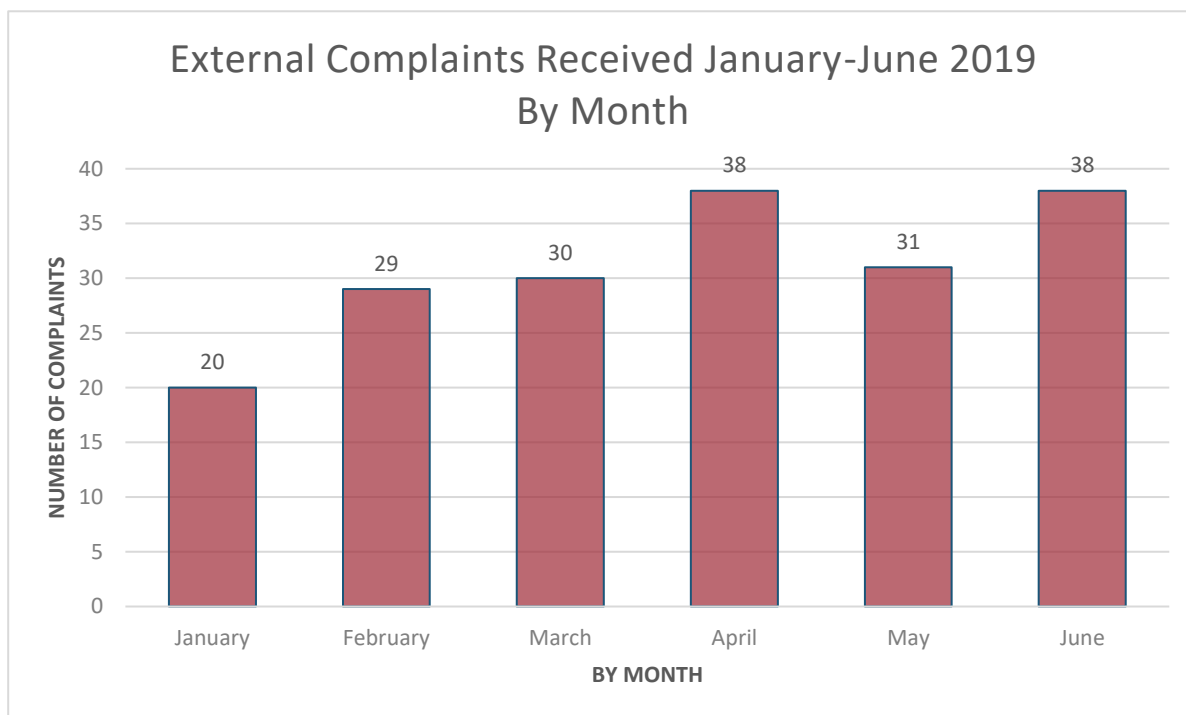


Figure 1: External Complaints, by District, received that resulted in an investigation.

Within the 186 external complaints, the MCSO received 20 complaints in January, 29 complaints in February, 30 complaints in March, 38 complaints in April, 31 complaints in May, and 38 complaints in June. The allegations occurring most were those involving Code of Conduct practices (e.g., unbecoming conduct and failure to meet standards.) The approximate average of external complaints received each month was 31. In the month of April and June, the MCSO received 38 complaints, a 23% increase of complaints over the average.

Figure 2 depicts the information above.



**Figure 2:** External Complaints, by month, received from January to June 2019.

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 (186) will not mirror the number of principals and allegations in this next subsection.

The “Sworn Deputy” rank was identified 72 times out of 217 total principals listed in external complaint investigations between January and June 2019.

Figure 3 depicts the ranks of principals identified in external complaint investigations during the reporting period listed.

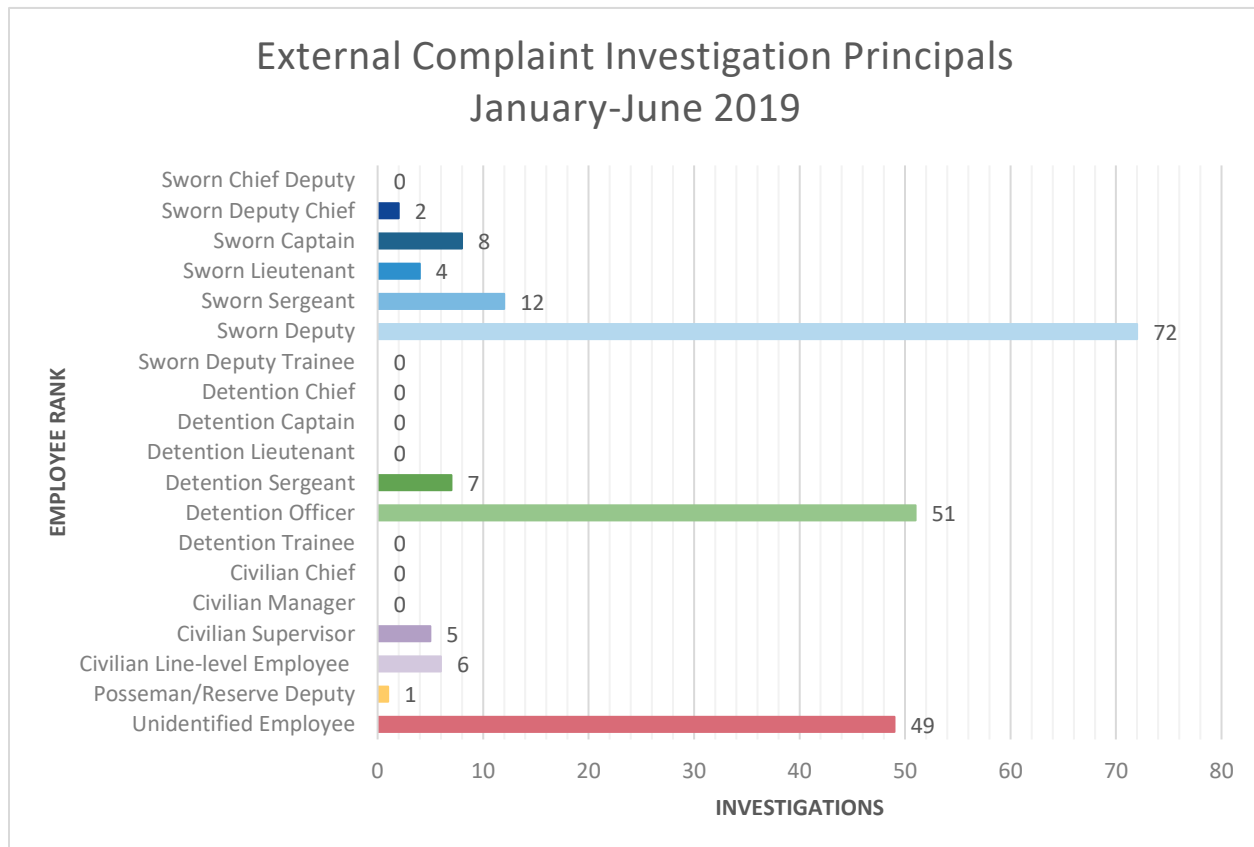


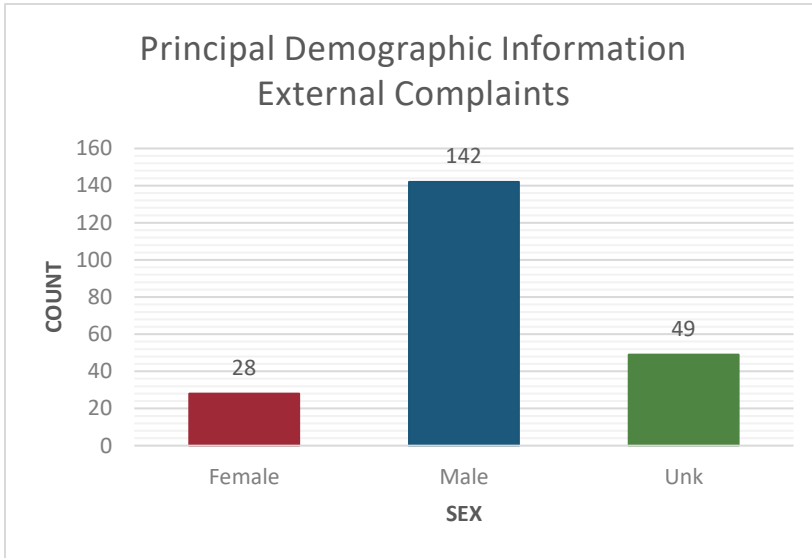
Figure 3: Rank of Principals in External Complaint Investigations January-June 2019.

The following information shown in Figures 4, 5, and 6 consists of available demographic information<sup>1</sup> of MCSO employees named as the principal in External Complaint investigations.<sup>2</sup>

The PSB saw an increase in the number of unknown employees identified as principals this reporting period.

<sup>1</sup> 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)

<sup>2</sup> The PSB has developed a way to collect external complainant demographic information.



There were 142 identified male principals; approximately five times more than the number of identified females.

**Figure 4:**  
Demographic of Principals between January and June 2019, by Sex.

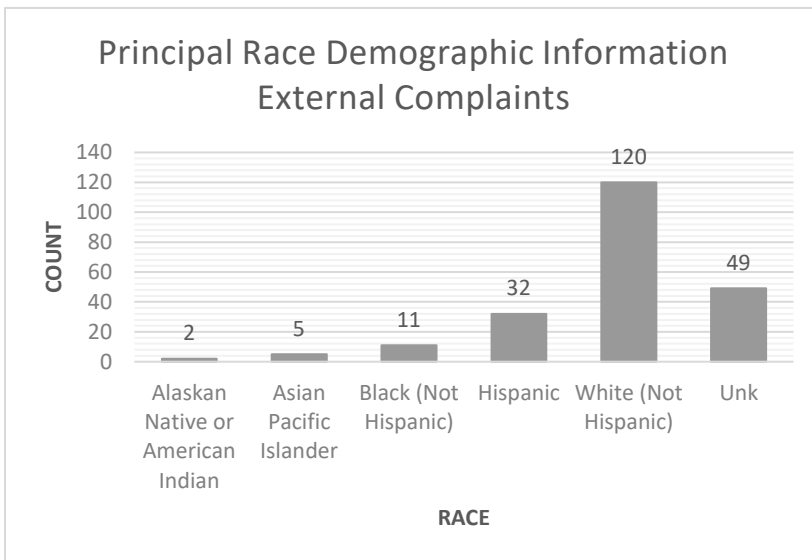


Figure 5 depicts 120 identified White (Not Hispanic) employees named as a principal in External Complaint Investigations; approximately 55% of the 219 principal employees.

**Figure 5:**  
Demographic of Principals between January and June 2019, by Race.

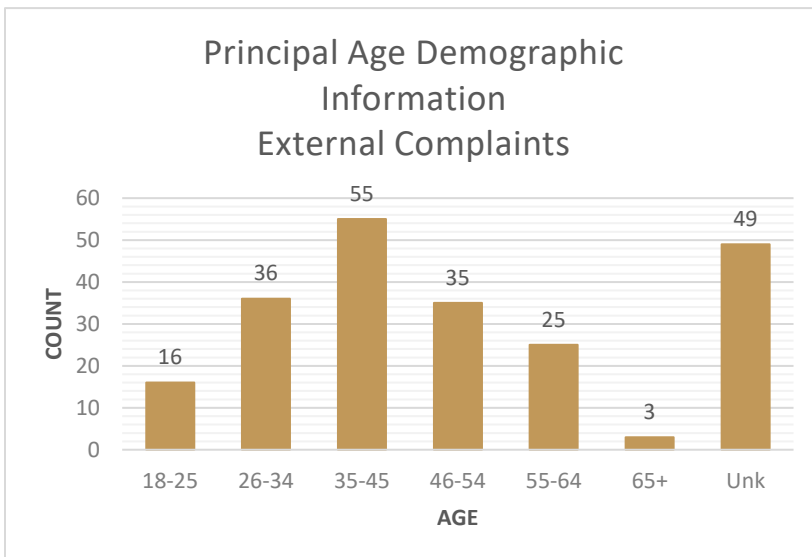


Figure 6 shows known External Complaint Principals are commonly between the ages of 35-45, which coincides with an average age of 41 years old.

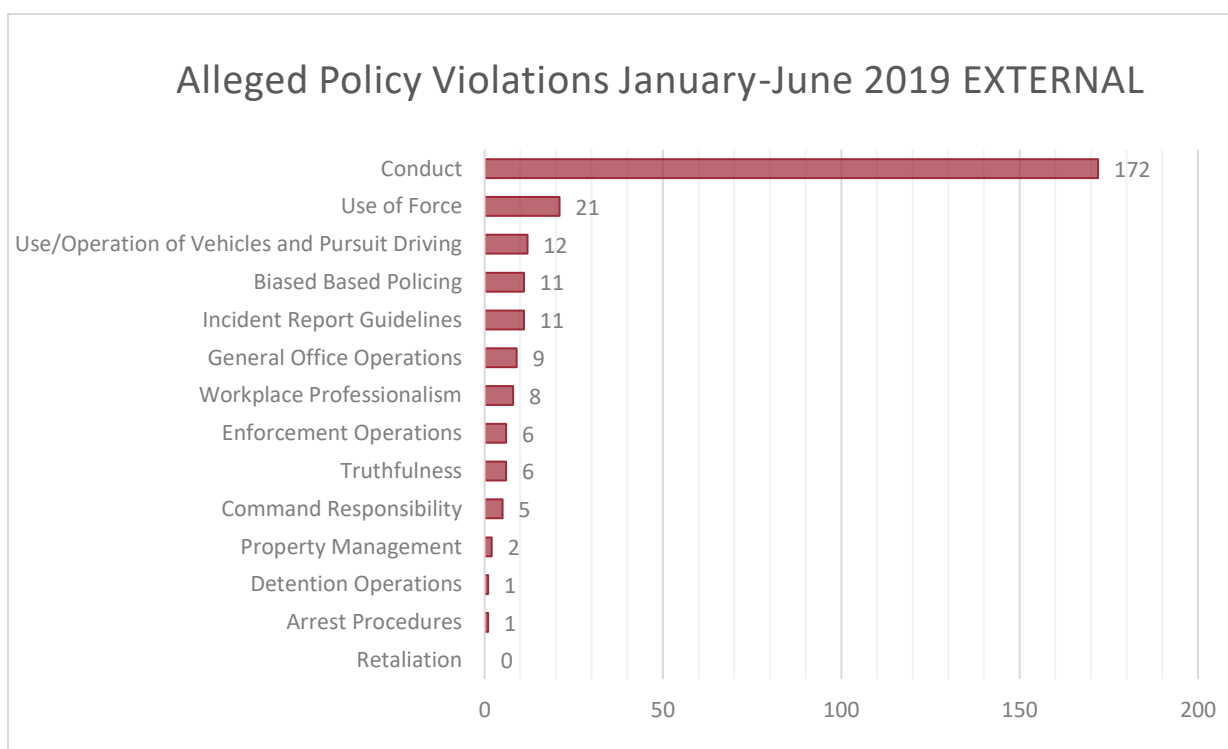
**Figure 6:**  
Demographic of Principals between January and June 2019, by Age.



During this reporting period, the MCSO did not collect external complainants' demographic information during the complaint intake process. Collecting complainant demographic information could help ensure that all complaints are received, processed, and investigated in a consistent manner; and would possibly identify and prevent any bias toward or against a complainant.

The PSB will initiate the collection process of complainant demographic information starting January 2020. The PSB will collect external complainant demographic information via a voluntary paper and online survey provided at the conclusion of an investigation.

The PSB also tracks external complaints received from anonymous sources. Between January and June 2019, the PSB received 8 anonymous external complaints resulting in an investigation.



**Figure 7:** Alleged Policy Violations within External Complaint Investigations

There were 265 alleged policy violations between January and June 2019. Approximately 65% of the allegations were related to violations of conduct, a decrease from the last semi-annual reporting period. Figure 7 depicts the allegation breakdown.<sup>3</sup>

<sup>3</sup> Low allegation counts have been combined for presentation purposes. See category breakdown below.

**Detention Operations:** Inmate Grievance Procedure (1).

**Enforcement Operations:** Patrol vehicles (1), traffic enforcement (1), vehicle accident investigations (2), search and seizure (1), and body-worn cameras (1).

**General Office Operations:** Uniform specifications (1), employee access to the internet (1), criminal justice data systems (2), internal investigations (3), firearms (1), and electronic communications and voicemail (1).

The PSB has categorized the methods of contact 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 January and June 2019.

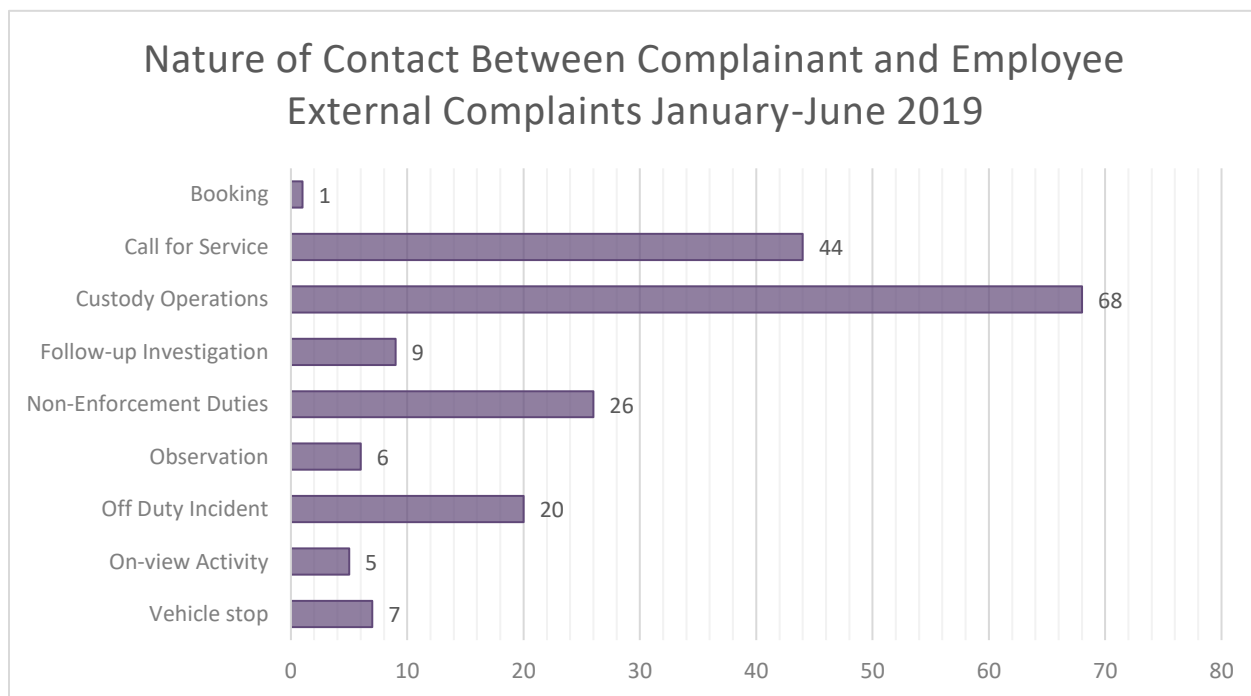


Figure 8: Nature of Contact for External Complaints between January and June 2019.

### C. Civilian Complaint Analysis

The PSB did not see any increases or decreases of complaints attributable to the complaint intake process.

### D. Internal Complaints

Based on the data, the PSB received a total of 149 internal complaints from January 1, 2019 to June 30, 2019 office wide. There were three districts (also known as divisions) with the most internal complaints; Central Food Service with 14 complaints; Estrella Jail with 13 complaints; and Central Intake with 12 complaints.

Figure 9 depicts the number of internal complaints received January to June 2019 differentiated by Division.

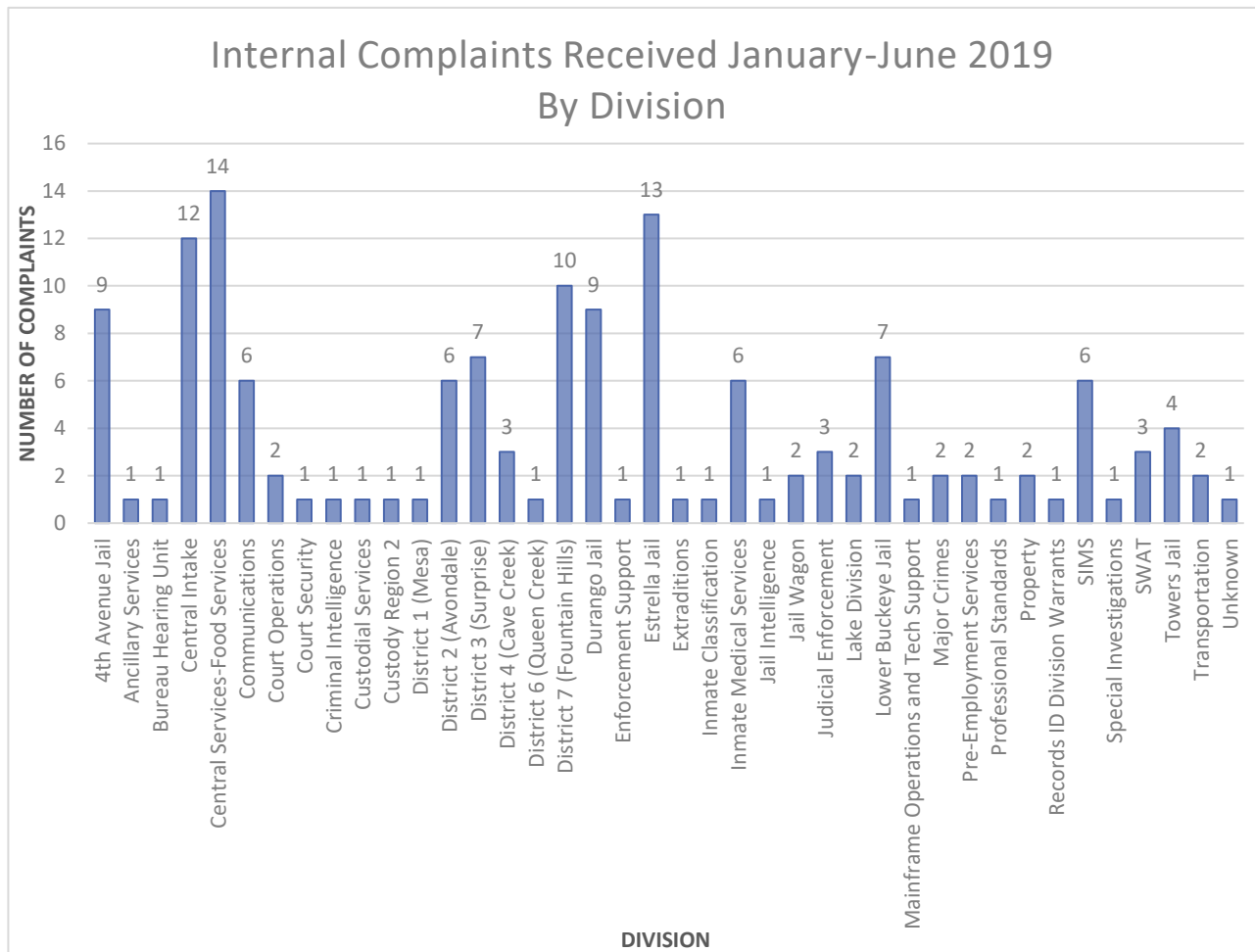
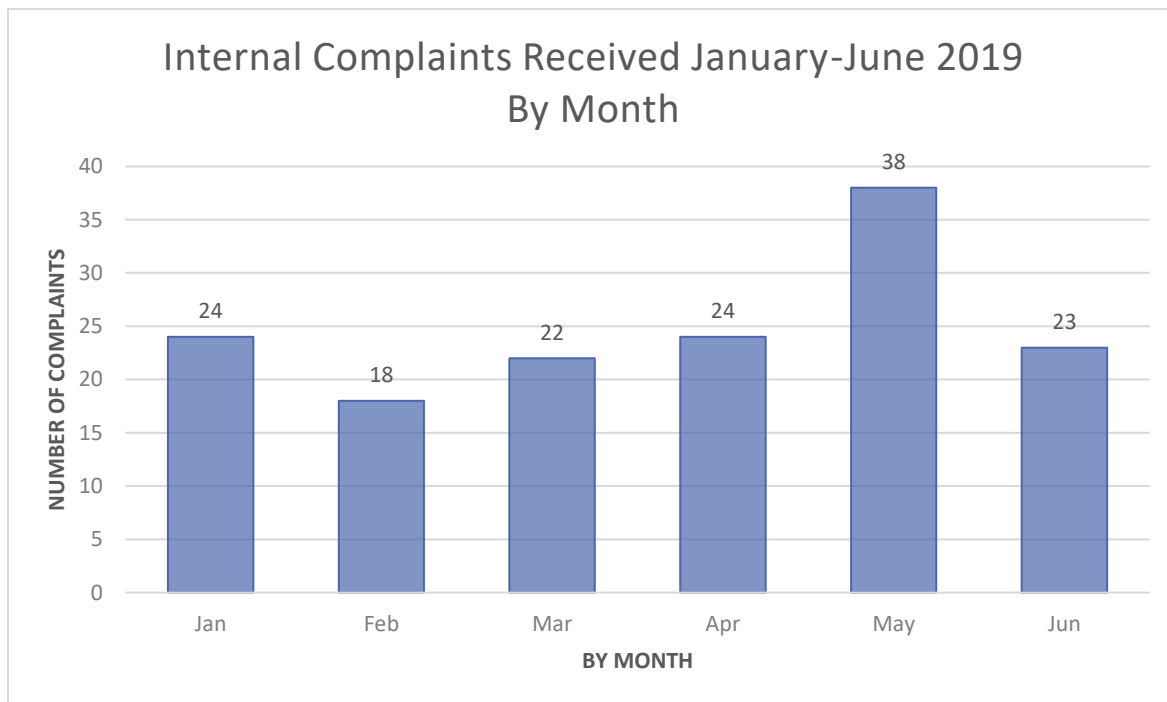


Figure 9: Internal Complaints received, by District, which resulted in an investigation.

Within the 149 internal complaints, the MCSO received 24 complaints in January, 18 complaints in February, 22 complaints in March, 24 complaints in April, 38 complaints in May, and 23 complaints in June. The internal complaints received remained consistent within the reporting six months with most of the allegations involving Code of Conduct practices (e.g., failure to meet standards and employee relationships with other employees.) In the month of May, the MCSO received 38 internal complaints; with an approximate average of 24 complaints received per month; this was 58.3% above the average internal complaints received.

Figure 10 depicts the amount of internal complaints received by month.



**Figure 10:** Internal Complaints received, by month, from January to June 2019.

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 (149) will not mirror the number of principals and allegations in the next subsection.

The “Detention Officer” rank was identified 72 times out of 184 total principals listed in internal complaint investigations between January and June 2019.

Figure 11 depicts the ranks of principals identified in internal complaint investigations during the reporting period listed.

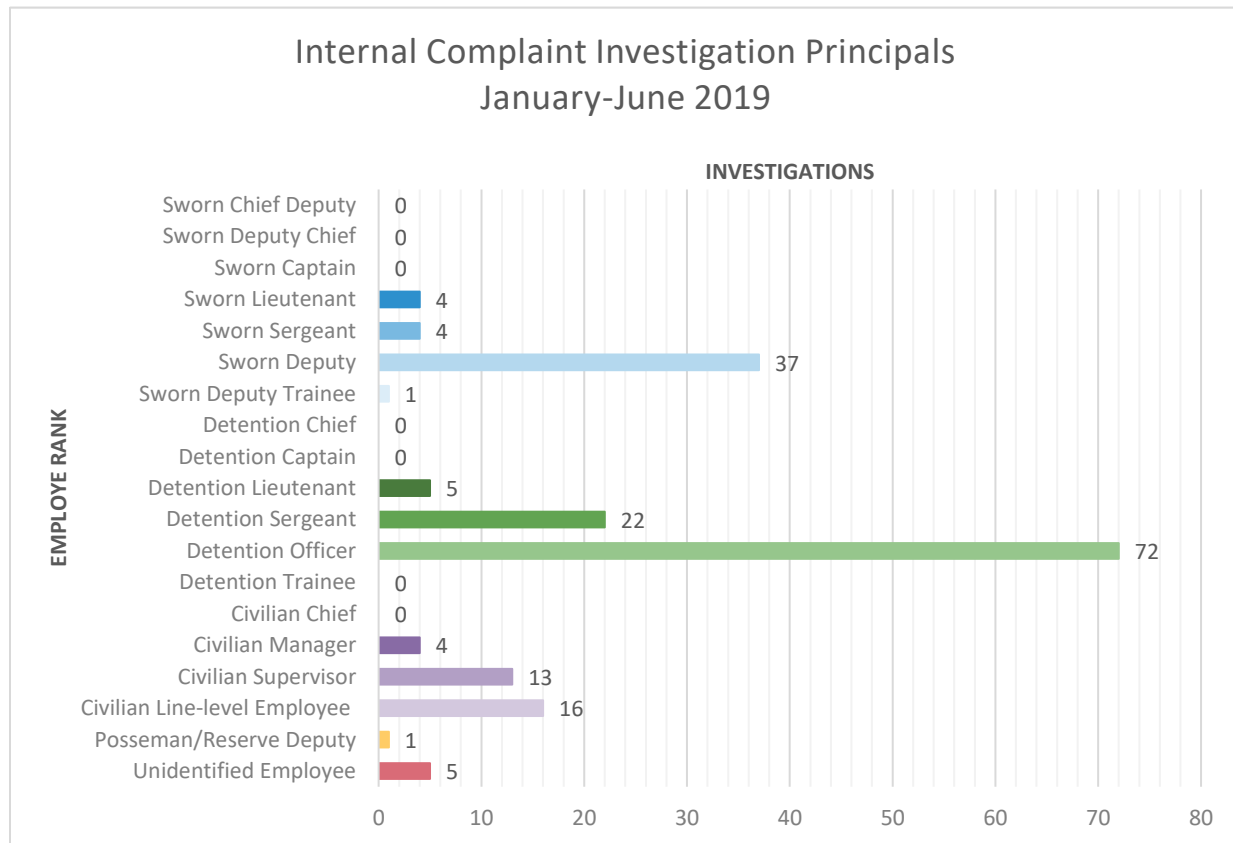
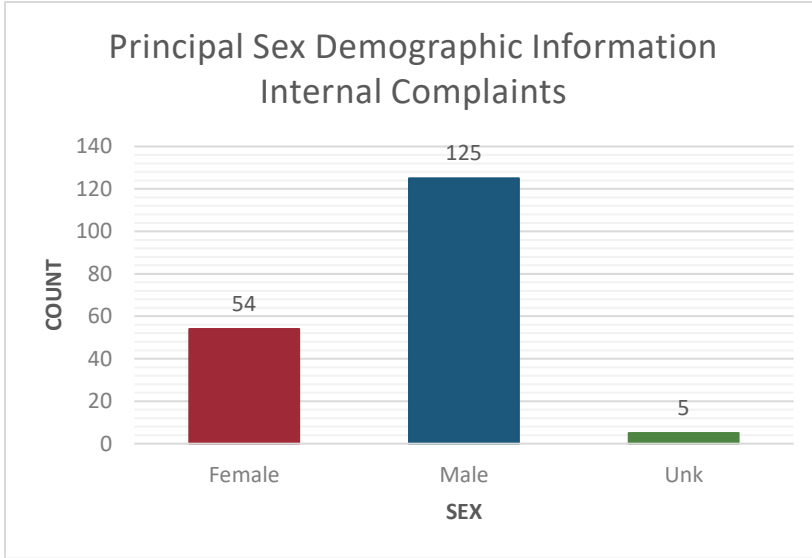


Figure 11: Rank of Principals in Internal Complaint Investigations January-June 2019.

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

It is important to note, from January to June 2019, the PSB initiated one internal investigation with an anonymous complainant. This was handled as an internal complaint due to the content being information only an employee would know.

<sup>4</sup> 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 and Reserve Deputies)



There were 125 identified male principals; approximately two times more than the amount of identified female principals. There were five unknown employees identified as principals.

**Figure 12:**  
*Demographic of Principals between January to June 2019, by Sex.*

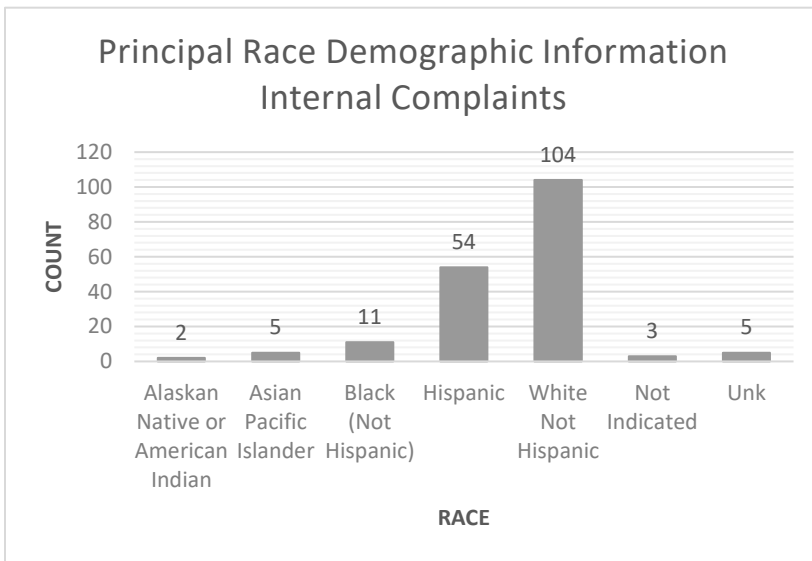


Figure 13 depicts 104 identified White (Not Hispanic) employees named as the principal in Internal Complaint Investigations; approximately 57% of the 184 employees.

**Figure 13:**  
*Demographic of Principals between January and June 2019, by Race.*

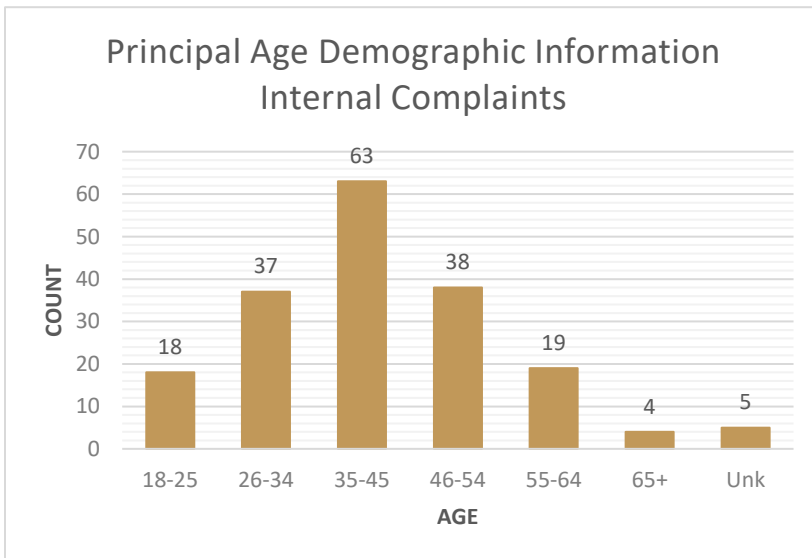
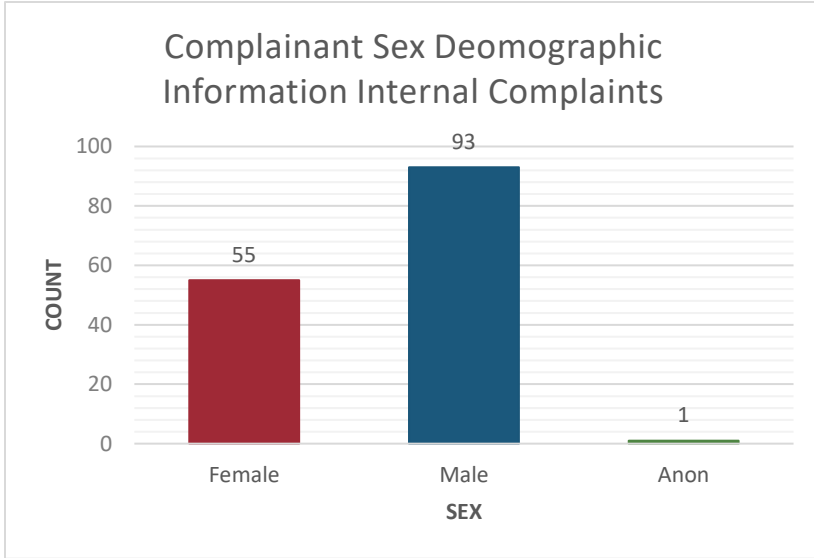


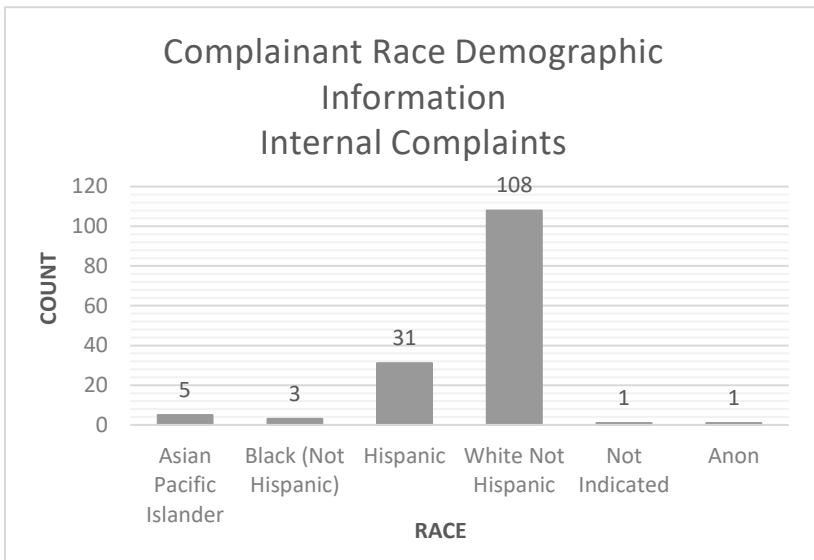
Figure 14 shows known Internal Complaint Principals are commonly between the ages of 35-45, which coincides with an average age of 41 years old.

**Figure 14:**  
*Demographic of Principals between January and June 2019, by Age.*



There were 93 identified male complainants; approximately one and half times the amount of the identified females. Sex could not be identified for the one anonymous complainant.

**Figure 15:** Demographic of Complainants between January and June 2019, by Sex.



**Figure 16:** Demographic of Complainants between January and June 2019, by Race.

Figure 16 depicts 108 identified White (Not Hispanic) employees

named as the complainant in Internal Complaint Investigations; approximately 72% of the 149 complainants. Race could not be identified for the one anonymous complainant.



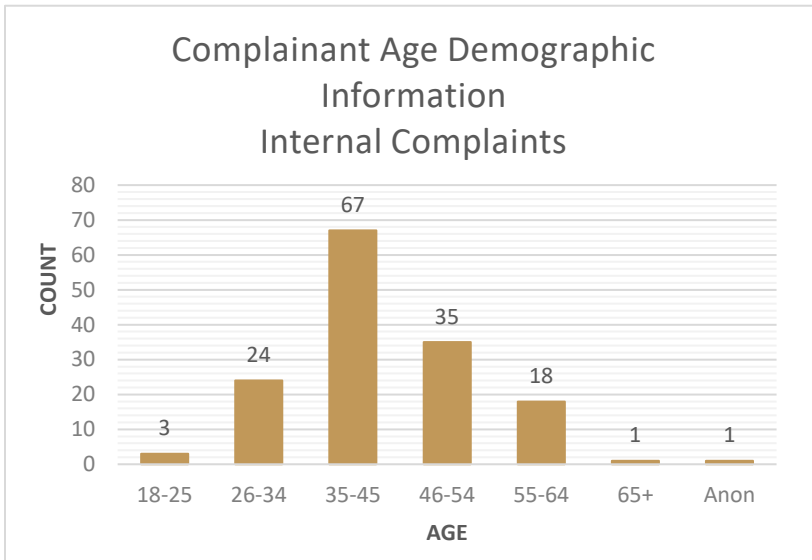
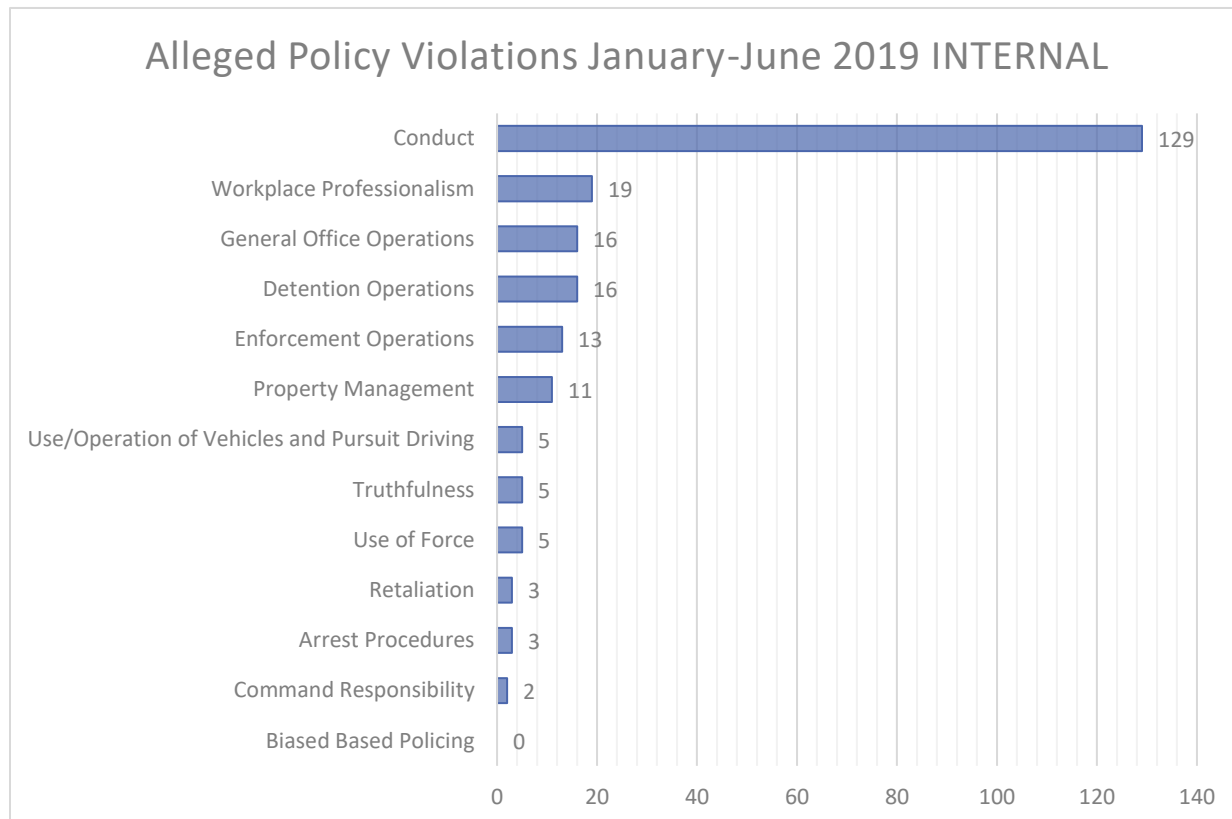


Figure 17 shows known Internal Complaint complainants are commonly between the ages of 35-45 which coincides with an average age of 43 years old. Age could not be identified for the one anonymous complainant.

**Figure 17:**  
Demographic of Complainants between January and June 2019, by Age.

The IPro system does not track the nature of contact that led to an internal complaint.

There were 227 alleged policy violations between January and June 2019. Approximately 57% of the allegations were related to violations of conduct (e.g. failure to meet standards, employee relationships with other employees, etc.) Figure 18 depicts the allegation breakdown.<sup>5</sup>



**Figure 18:** Alleged Policy Violations within Internal Complaint Investigations

<sup>5</sup> Low allegation counts have been combined for presentation purposes. See category breakdown below.

**Detention Operations:** Security surveillance systems (5), release process (5), inmate mail (3), inmate Supervision (2), and control room/security equipment (1).

**Enforcement Operations:** Search and seizure (3), off-duty employment (3), incident report guidelines (2), vehicle impound (2), criminal investigations (1), emergency/pursuit driving (1), and Sheriff's posse program (1).

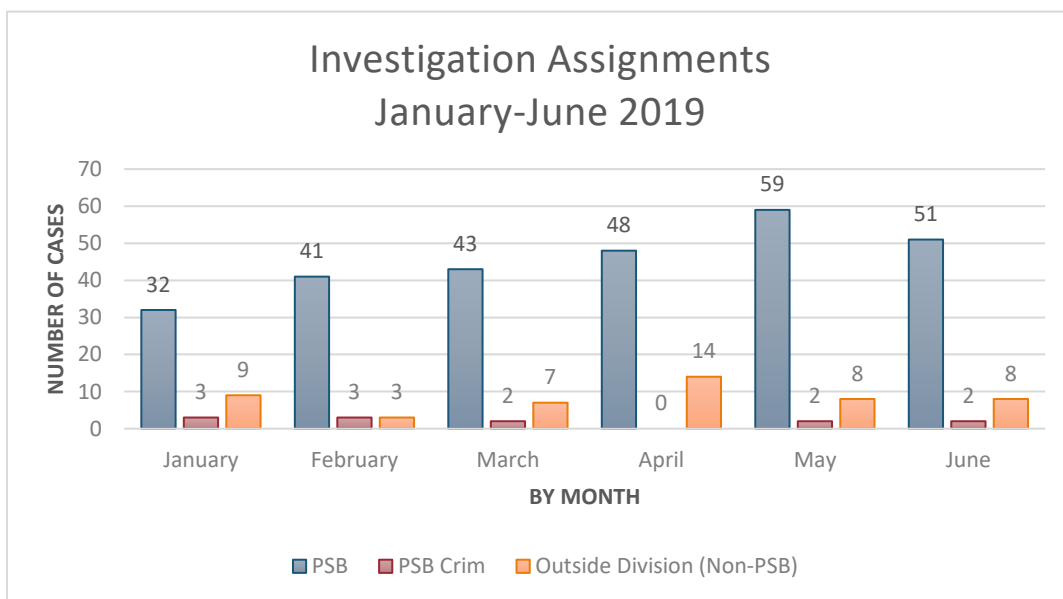
**General Office Operations:** Leave and absences (6), criminal justice data systems (2), firearms (2), general office procedures (2), compensation/ADP system (1), use of county-owned hardware/software (1), TASER (1), and electronic communications and voicemail (1).

### 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 PSB. The decision is based on the severity and type of the offense, 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.

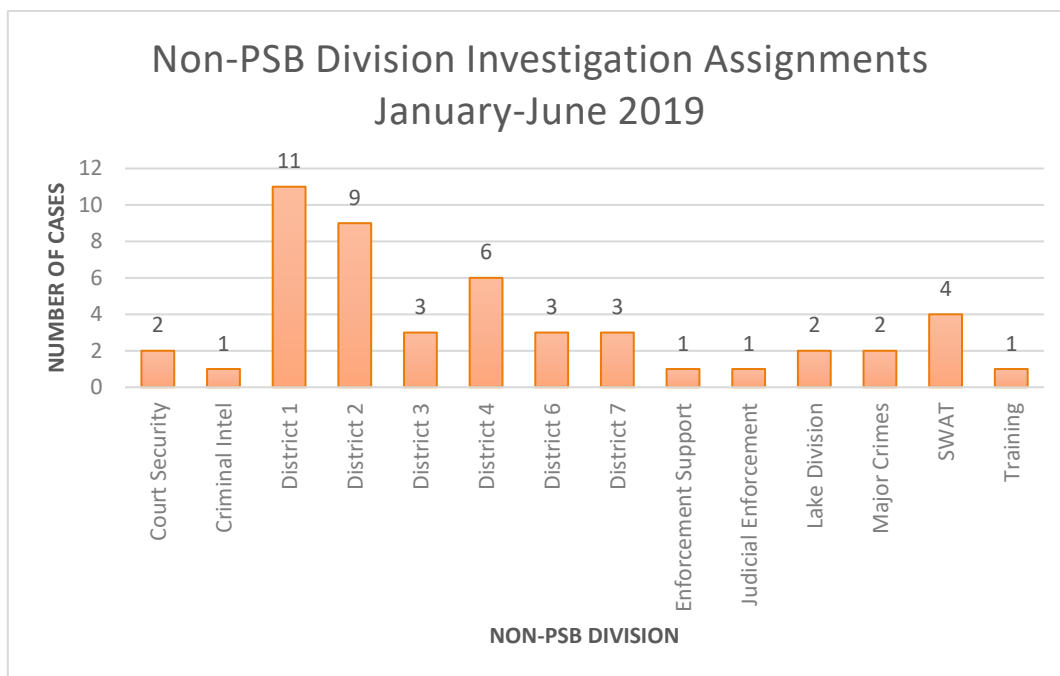
Between January 1, 2019 and June 30, 2019, the PSB opened a total of 335 misconduct investigations<sup>6</sup>; 274 were assigned to the Professional Standards Bureau investigators, 12 were assigned to the Professional Standards Bureau Criminal Investigations Section, and 49 were assigned to investigators throughout the Sheriff’s Office.

Figure 19 depicts a monthly report of assigned cases and Figure 20 depicts investigation assignment, broken down by Non-PSB Division.



**Figure 19:** Investigation Assignment break down between PSB and Non-PSB Division

<sup>6</sup> This includes misconduct investigations into external complaints, internal complaints, external criminal complaints, and internal criminal complaints.



**Figure 20:** Non-PSB Division Assignment break down

Between January and June 2019, there were a total of 126 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 to the investigators' chain of command was 90 days and the median time was 63 days.<sup>7</sup> The average time from investigator submission to the final decision regarding discipline or other final disposition was 243 days and the median was 231 days.

The total District investigation completion average is approximately 90 days; this is approximately 50% above the 60-calendar day expectation listed in the MCSO Policy GH-2, *Internal Investigations*.

Of the 126 Division cases, 3 cases were returned to the Division assigned investigator by the PSB due to the conclusion not supported by the evidence. Of the remaining 123 investigations, there were 3 cases returned to the Division assigned investigator for formatting corrections, 4 cases returned for report detail edits, and 115 cases that did not require any revisions.

Between January and June 2019, there were a total of 125 administrative investigations completed within the Professional Standards Bureau (PSB.) The average time from the initiation of an investigation to the submission to the investigators' chain of command was 364 days and the median time was 346 days.<sup>8</sup> This is 328% above the 85-calendar day expectation listed in the MCSO Policy GH-2, *Internal Investigations*. The average time from investigator submission to the investigators' chain of command to the final decision regarding discipline or other final disposition was 47 days and the median was 24 days.

The total PSB investigation completion average is approximately 411 days. This is approximately 128% above the 180 statutory requirements of Arizona Revised Statutes 38-1110 and MCSO Policy GH-2.

<sup>7</sup> This does not include the effect approved extension requests would have on time frames.

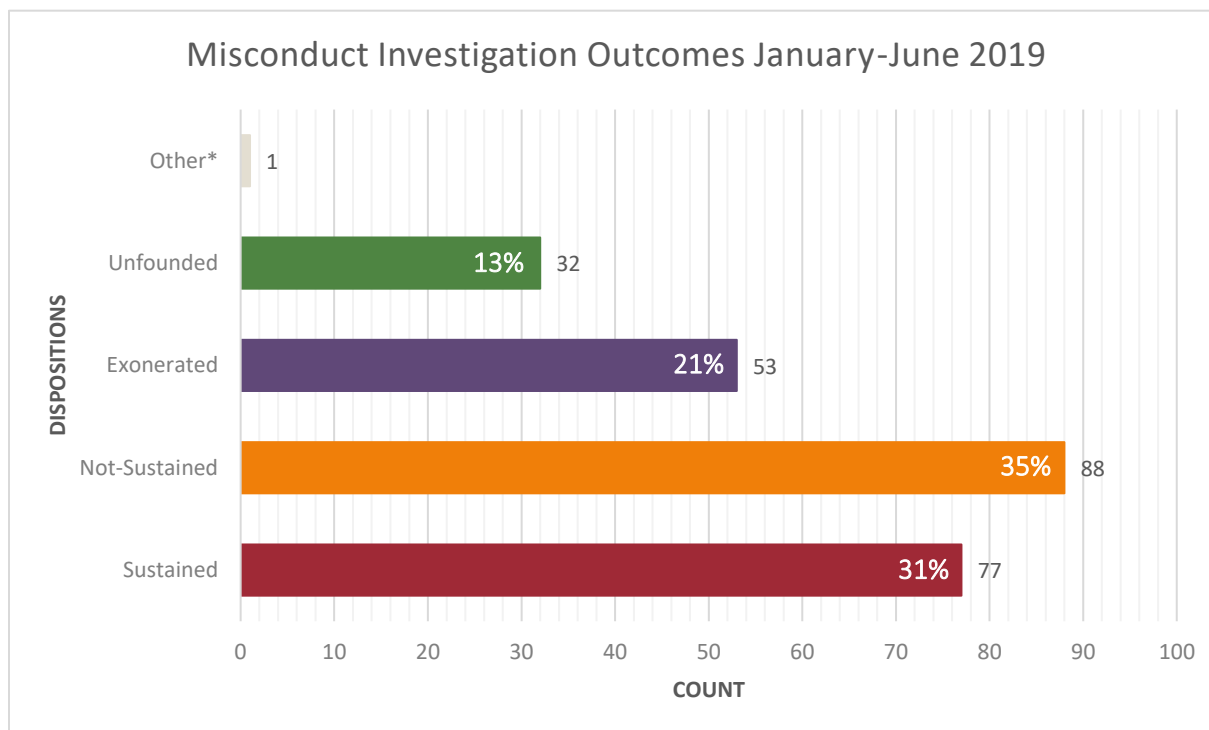
<sup>8</sup> This does not include the effect approved extension requests would have on time frames.

Of the 125 PSB cases, there were no cases returned due to the conclusion not supported by the evidence and no cases returned to the PSB investigator to conduct further investigation.

## F. Outcomes of Misconduct Investigations

A total of 251 administrative misconduct investigations were completed between January and June 2019; 77 completed investigations had Sustained dispositions, 88 had Not-Sustained dispositions, 53 had Exonerated dispositions, and 32 had Unfounded dispositions. The remaining “Other” category includes one case closed due to a duplicate entry into IAPro.

Figure 21 on the next page shows the number of outcomes as well as each section’s percentage.



**Figure 21:** Misconduct Investigation Outcomes from January to June 2019.

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 77 sustained misconduct investigations closed from January to June 2019.

The following is a breakdown of the disciplinary and non-disciplinary actions for the 77 closed sustained cases<sup>9</sup>: 6 non-disciplinary (coaching) actions; 24 written reprimands; 20 suspensions; 6 resignations, 6 terminations, one probationary release, and a medical release. There were 11 employees that retired or resigned prior to the conclusion of the investigation and/or discipline determination; and three

<sup>9</sup> Listed numbers reflect the discipline action for each employee principal involved; numbers will not match the total number of closed sustained cases.

employees with sustained allegations that were previously terminated as a result of other misconduct investigations. An investigation was closed within this period involving a previously deceased employee; therefore, no discipline was imposed. It should also be noted due to a Merit System Council ruling, there was an employee involved in a sustained investigation that did not receive any discipline.

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 January 1, 2019 to June 30, 2019, there was one case where the findings were changed after a Pre-Determination Hearing (PDH.) There were no cases in which the Appointing Authority, regarding discipline, deviated from the established matrix.

From the January to June, The Maricopa County Law Enforcement Merit System Council upheld the findings of five closed investigations during the reporting period. The Council did, however, alter the discipline for one 2014 investigation; the Council overturned the discipline from termination to no discipline.

## 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 rolling annual timeframe and NOT a six-month time period.

In the previous 12 months (July 1, 2018 – June 30, 2019), 33 employees were listed as the subject of more than two misconduct investigations in a total of 120 investigations. The 33 employees have been broken down and categorized by their most egregious discipline. Of the 33 employees, 2 received serious discipline, 1 received minor discipline, and 2 received a non-discipline coaching<sup>10</sup>. The remaining employees (28) all have current active investigations.

There were two employees, from July 1, 2018 – June 30, 2019, that have had more than one sustained allegation that resulted in **minor** discipline. Those two employees had a combined total of five sustained allegations. In that same timeframe, five employees had more than one sustained allegation that resulted in **serious** discipline. There were 17 sustained allegations between the five employees.

Between January and June 2019, 3 employees were the subjects of criminal prosecutions. The first employee was charged with one count of disorderly conduct/domestic violence and two counts of violation by custodian of public monies. All charges were dismissed by the County Attorney's Office. The second employee received a charge of misconduct involving a weapon. This charge was dismissed on a motion/request of the prosecutor. The third employee was charged with two counts of theft, one count of burglary in the second degree, and one count of possession of burglary tools. Regarding the charge of possession of burglary tools, the employee pled guilty/responsible to a reduced charge; the one count of burglary in the second degree and two count of theft were dismissed.

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<sup>10</sup> 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

## 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 first Quarter (January 2019 to March 2019) and for the second Quarter (April 2019 to June 2019.)

The PSB identified District 2 – Cave Creek and Lower Buckeye Jail as two of the Divisions receiving the most complaints for the first quarter of 2019.

District 2 – Cave Creek received 17 complaints resulting in misconduct investigations; four of the investigations were opened regarding allegations of Deputies being unprofessional (non-specific) toward members of the public; three of the investigations were opened due to allegations of employees using excessive force while handcuffing or taking a suspect into custody; three of the investigations were opened due to allegations of incomplete investigations or incident reports; and two of the investigations were opened due to alleged misuse of Criminal Justice Systems. The other five complaints received did not follow a pattern or trend we could identify at this time.

Lower Buckeye Jail received 16 complaints resulting in misconduct investigations; seven of the investigations were opened regarding allegations of Detention Officers being rude and harassing toward non-inmate members of the public, to include visitors of inmates and outside agency jail-assistance personnel; and five were allegations of employees failing to follow Office procedures and directives. The other four complaints received did not follow a pattern or trend we could identify at this time.

There were 136 internal and external complaints received between January 1, 2019 to March 31, 2019. The Professional Standards Bureau identified 23 investigations with allegations categorized with inappropriate language/actions (unprofessional conduct to include harassment, taunting behavior, inappropriate gestures, comments, and the use of profanity.) and 18 allegations of “rudeness,” making up 30% of complaints received. The majority (70%) occurred in Detention-function divisions. The PSB also identified 23 investigations with allegations categorized as “failure to follow procedures” which includes failure to follow established processes and procedures and failure to make reasonable decisions. This quarter, the PSB saw three investigations initiated due to jail staff entering jail facilities without removing weapons from their person or bags. Also, there were three investigations with allegations of misuse of Criminal Justice Systems.

### **Employees**

The PSB saw a pattern and potential concern with an employee involved in numerous IA investigations.

The employee was named as the principal in three new IA investigations, one involving the operation of MCSO county-issued vehicles, making it his fifth investigation initiated into vehicle operation within one year. This Deputy has a total of eight active misconduct investigations.



The PSB identified Central Intake as the Division that received the most complaints from April 1, 2019 to June 30, 2019.

Central Intake received 19 complaints resulting in misconduct investigations; six of the investigations were opened regarding allegations of Detention Officers being rude and unprofessional, to include use or inappropriate comments, profanity and taunting/mock behavior; three of the investigations were opened due to allegations of Command Staff treating employees unfairly incomplete investigations or incident reports three of the investigations were opened due to allegations of physical or sexual assault by the employee. The other seven complaints received did not follow a pattern or trend we could identify at this time.

There were 187 complaints received between April 1, 2019 to June 30, 2018. The Professional Standards Bureau identified 28 investigations with allegations categorized as “rude” behavior and 16 investigations into inappropriate language/actions (unprofessional conduct to include harassment, taunting behavior, inappropriate gestures, comments, and the use of profanity.) The PSB also saw high number of allegations (16) of on and off duty criminal activity, mainly allegations of physical or sexual assault. There were 15 investigations opened into allegations of an employee not being respectful or courteous with other employees and 12 investigations opened with allegations of specific Workplace Professionalism misconduct (harassment, discrimination, retaliation, or misconduct that may violate EEOC laws.) Within this reporting period, there were two investigations opened involving allegation of ill-treatment due to Limited English Proficiency and nine investigations into allegations of biased-based policing and use of racial/protected category slurs.

### **Employees**

The PSB saw patterns and potential concerns with employees involved in numerous IA investigations.

An employee was named the principal in three new IA investigations. The allegations do not follow a current misconduct pattern at this time.

An employee was named the principal in three new IA investigations involving allegation of rudeness at the civilian during traffic stops.

Another employee was named the principal in three new IA investigations involving allegations of workplace professionalism and failure to remain respectful and courteous with other employees.

The last employee was named the principal in three IA investigations involving allegations of sexual relationships with other employees as well as recent inmates.

## 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.

While there have been improvements, the investigations still lack structure, format, thoroughness, and do not follow the proper reporting requirements. The following concerns have been identified as areas needing improvement for District investigations: use of leading questions; failure to justify findings; failure to notify employee's supervisors of the investigation; failure conduct witness interviews; and various administrative concerns. During this time period, there were ten cases where the District Division Commanders failed to identify issues within the report, prior to submitting them to the PSB. These issues include but are not limited to change of findings and further investigation needed.

Through the review process, the liaisons continue to specifically note the following trends found within these investigations: the need for more detailed interviews and more clarification within the investigative report. The PSB has dedicated a significant amount of time and effort into the review of these cases, which has led to the continued time delay for proper and complete investigations.

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

## Conclusion

Since the previous report, the Maricopa County Sheriff's Office (MCSO) has continued to improve processes to ensure internal investigations are completed thoroughly, accurately, and in a timely manner. The MCSO saw a slight decrease in external complaints received; the approximate average of external complaints received was 6% less for this reporting period versus the last. Although the overall complaints received are decreasing, 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 to improve 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.

The MCSO's data shows an average of 24 internally generated complaints per month. Although it is more than the reported average of the previous six months, the internal complaints are still showing a downward trend. 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.) The PSB attributes increases of the internal complaints to the agency-wide emphasis on supervision and accountability, the increased role of, including various audits conducted by, the Bureau of Internal Oversight (BIO), and discipline policies.

The continual improvements to the Division Case Review log has allowed the PSB to better track any cases with deficiencies ("further investigation needed" or "conclusion not supported by the evidence") identified within division-investigated cases. Approximately 2% of assigned cases have had identified deficiencies. This is a 6% decrease from the last six months. With the expectations clearly defined, the Districts are being held to a higher standard to complete more thorough investigations. There has been an overall increase in the quality of the District investigated cases but there is still room for improvement. The PSB anticipates a continued improvement of Division cases with the implementation of the following: the clearly defined expectations delivered in the initial 40-hour training and 8-hour annual continued training on Conducting Misconduct Investigations; the continued practice of completing investigations; the review and intervention from District Command Staff; and the continued advisement from the PSB District liaison personnel.

Of the cases investigated within the Professional Standards Bureau, none were returned to the investigator to conduct further investigation or returned due to conclusions not supported by the evidence. One investigator deficiency was identified reference an intake screening error and was handled at the supervisor-level. The investigation completion date was 128% higher than the expectations set forth in MCSO Policy GH-2, Internal Investigations. The PSB attributes the increased timeframes to the large and ever-increasing caseload of PSB investigators.

Within the Professional Standards Bureau, policy violations are categorized as minor or serious misconduct, based on what the potential resulting discipline would be if the conduct was sustained. The type of discipline imposed, minor or serious, depends upon the acts of misconduct, the mitigating and aggravating circumstances, and prior discipline. From July 2018 to June 2019, 33 employees were listed as the subject of more than two misconduct investigations, which is approximately 0.9% 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 their goal of transparency with the community.