



Professional Standards Bureau

Misconduct Investigations Semi-Annual Report

January 1, 2024 – June 30, 2024

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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 and aggregate data collected from the IAPro database and supplemental spreadsheets pertaining to misconduct investigations between January 1, 2024, to June 30, 2024.

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 for unbecoming conduct and public demeanor, making up 43% of the allegations. Approximately 35% of external complaints arose from custody operations, and 34% arose from calls for service. The most common external allegations were code of conduct policy violations such as unbecoming conduct and public demeanor, and failure to take appropriate action. The most common internal allegations received were unbecoming conduct and public demeanor, leave and absences, and truthfulness.

Between January 2024 and June 2024, there were a total of 332 administrative investigations initiated. Approximately 8% of the investigations initiated were assigned to divisions outside of the PSB while the remaining 92% were assigned to the PSB.

Between January 2024 and June 2024, there were a total of 685 administrative investigations completed. The average total completion time of administrative investigations completed outside of PSB was 410 days and the median was 208 days. The average total completion time of administrative investigations completed within the PSB was 1012 days and the median was 901 days.

Undeniably, there is still improvement necessary to exceed the requirements of the Court's Orders and exceed the goal of implementing fully implementing robust, current, transparent, and lasting processes. The MCSO remains committed to improvement relative to the goals and objectives set forth in this report and beyond.

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 January 1, 2024, and June 30, 2024.

B. External Complaints

Based on the data, the MCSO received a total of 172 external complaints that resulted in PSB administrative investigations and criminal investigations from January 1, 2024, and June 30, 2024, officewide. The division with the most external complaints was District III, reporting 25 external complaints. Figure 1 depicts the number of external complaints received between January 1, 2024, and June 30, 2024, differentiated by Division.

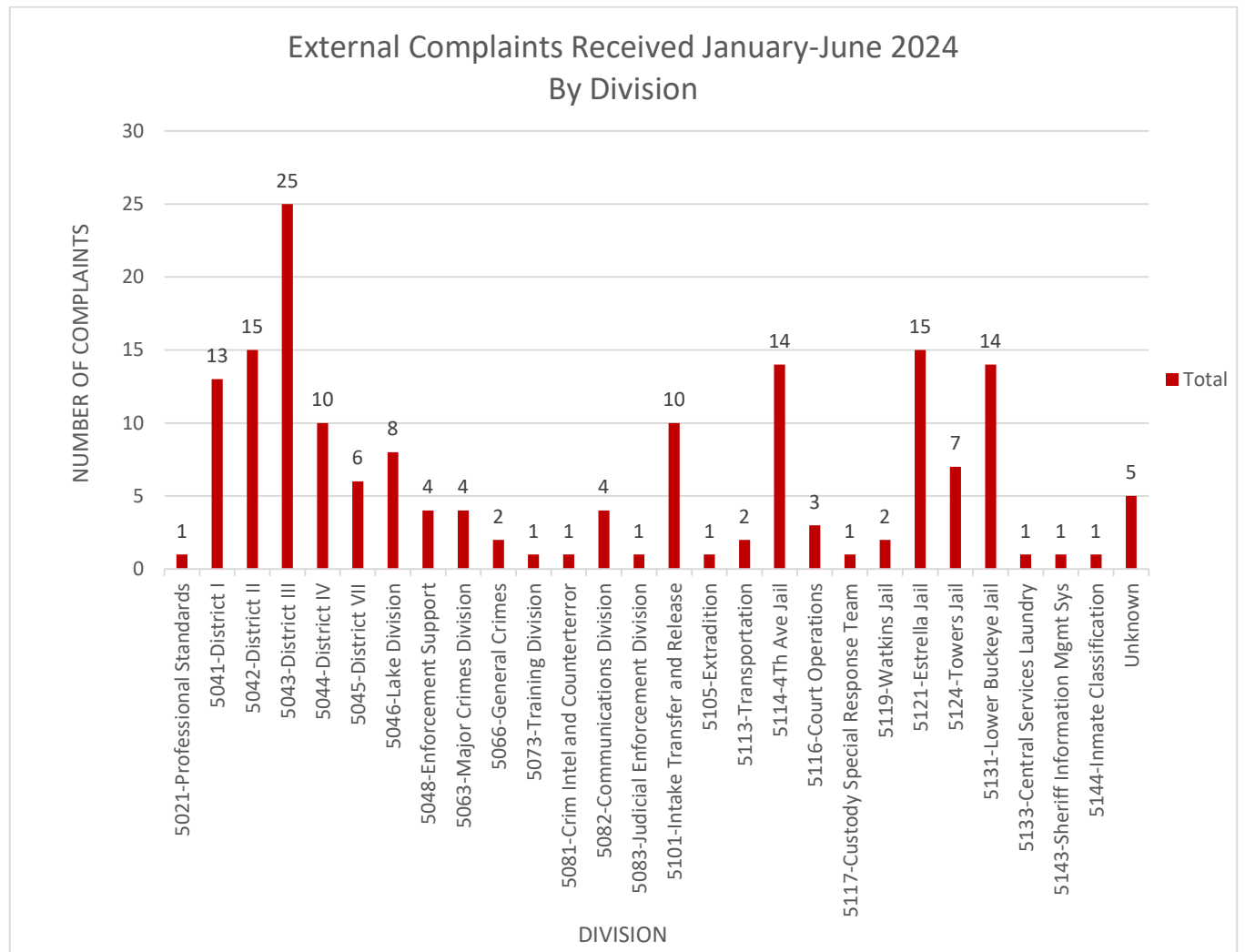


Figure 1: External Complaints received, by District, that resulted in an investigation.

Among the 172 external complaints received, the most common allegations involved Code of Conduct Policy violations (e.g., unbecoming conduct, failure to take appropriate action). The approximate average number of external complaints received each month was 28. Figure 2 depicts the number of external complaints received by month.

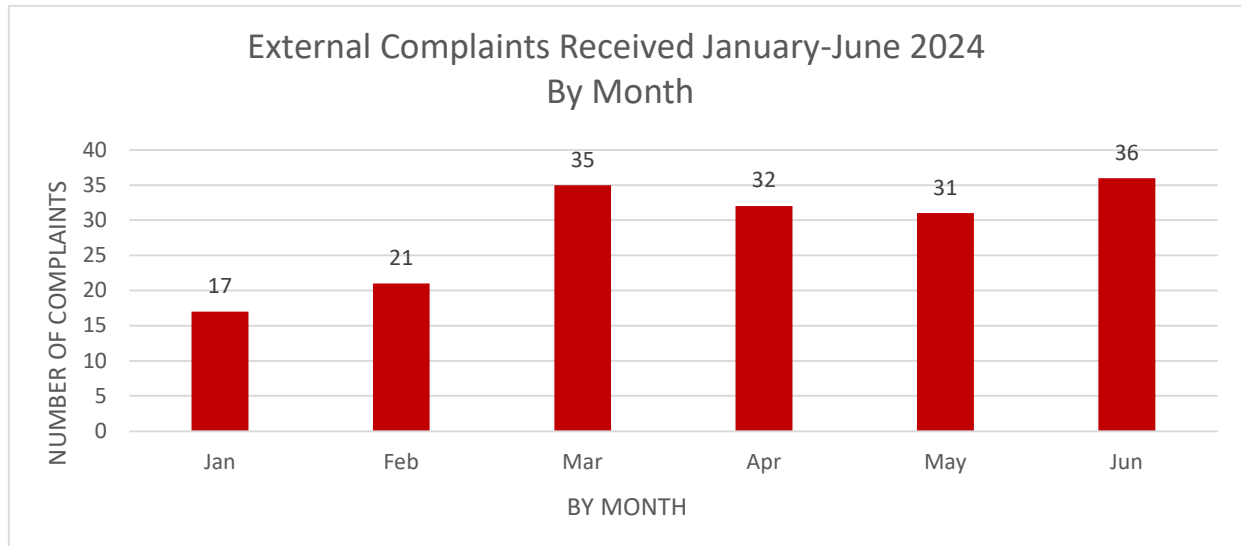


Figure 2: External Complaints, by month, received from January to June 2024.

It is important to note a single complaint can result in an investigation with multiple employee principals and allegations. Therefore, the number of external complaints resulting in an investigation (172) will not mirror the number of principals and allegations in this next subsection.

The “Sworn Deputy” rank was identified 96 times out of 217 total principals listed in external complaint investigations between January 1, 2024, and June 30, 2024. Figure 3 depicts the ranks of principals identified in external complaint investigations during the reporting period listed.

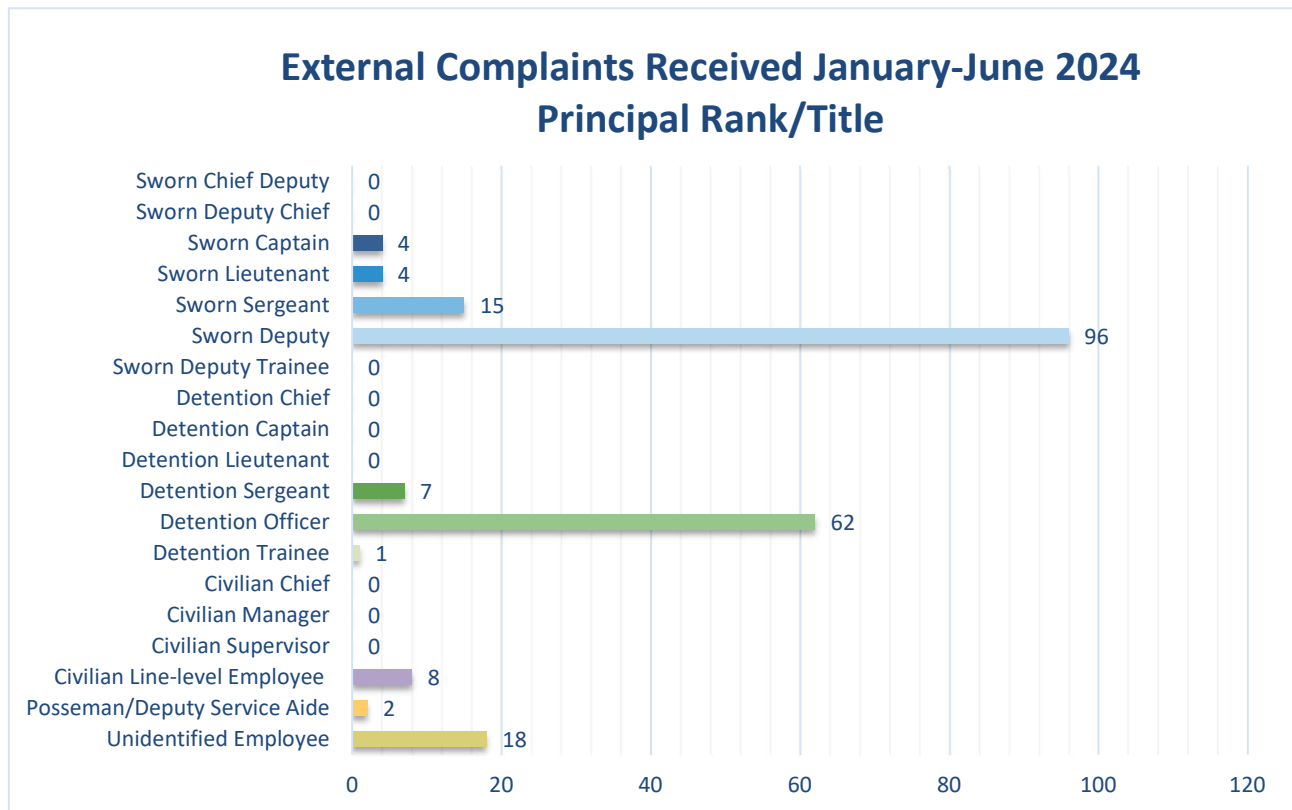


Figure 3: Rank of Principals in External Complaint Investigations January to June 2024.

The information listed in Figures 4, 5, and 6 consists of available demographic information¹ of MCSO employees named as the principal in external complaint investigations.

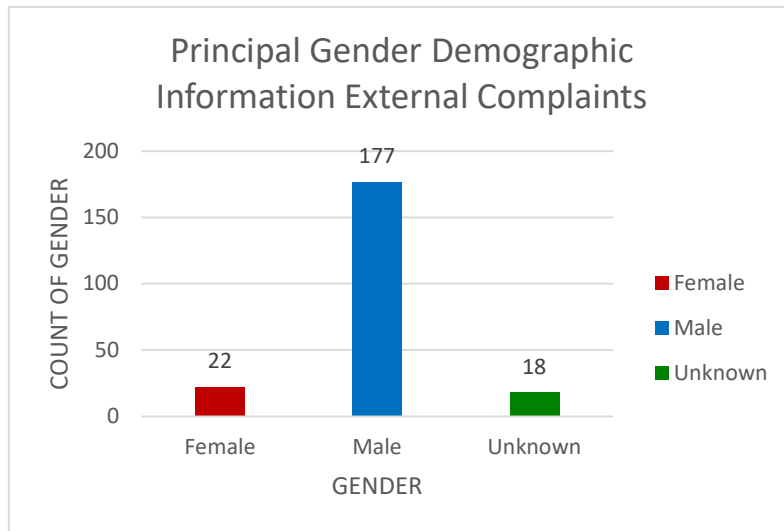


Figure 4 depicts 177 identified male principals in external complaints; approximately 72% of external complaint principals. As of 06/30/2024, males made up 68% of the MCSO workforce.

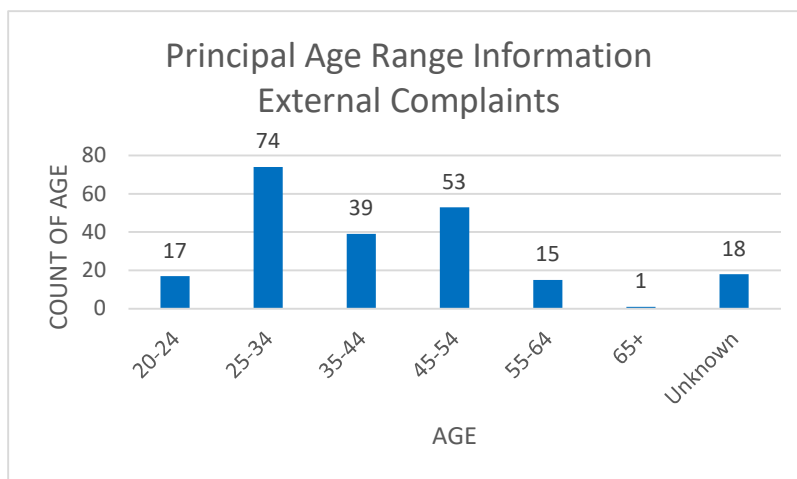


Figure 5 depicts 120 identified White (Non-Hispanic) employees named as a principal in external complaint investigations; approximately 55% of the 217 principal employees. As of 06/30/2024, White (Non-Hispanic) employees made up 55% of the 375 known principal employees. As of 06/30/2024, White (Non-Hispanic) employees made up 52% of the MCSO workforce.

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 398 external cases and thus sending complaint surveys to all known external complainants.² PSB received 6 survey responses.

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)

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.

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.

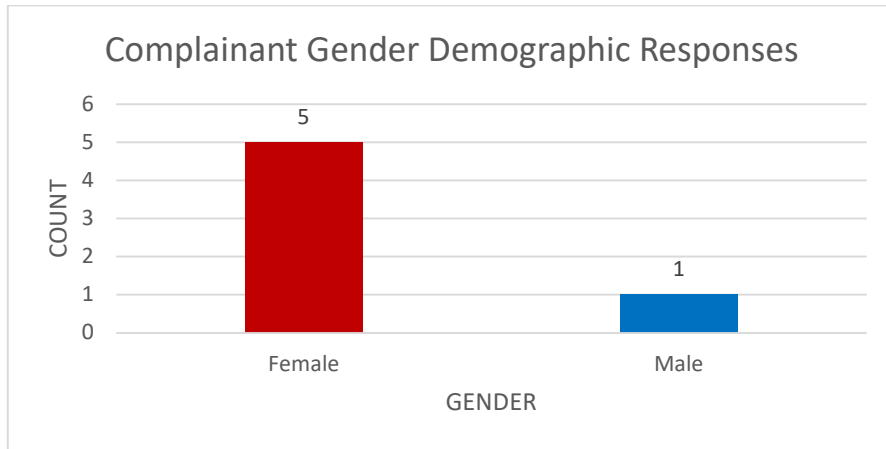


Figure 7: Demographic of Complainants between January and June 2024, by Gender.

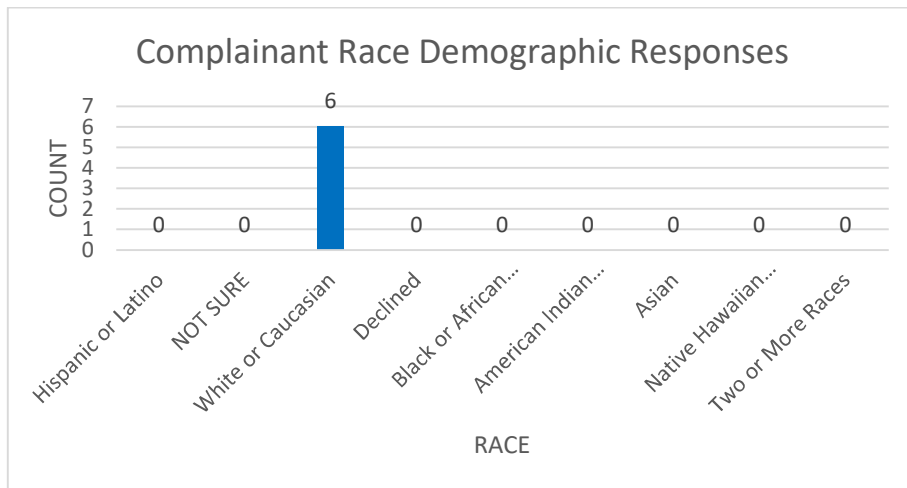


Figure 8: Demographic of Complainants between January and June 2024 by Race

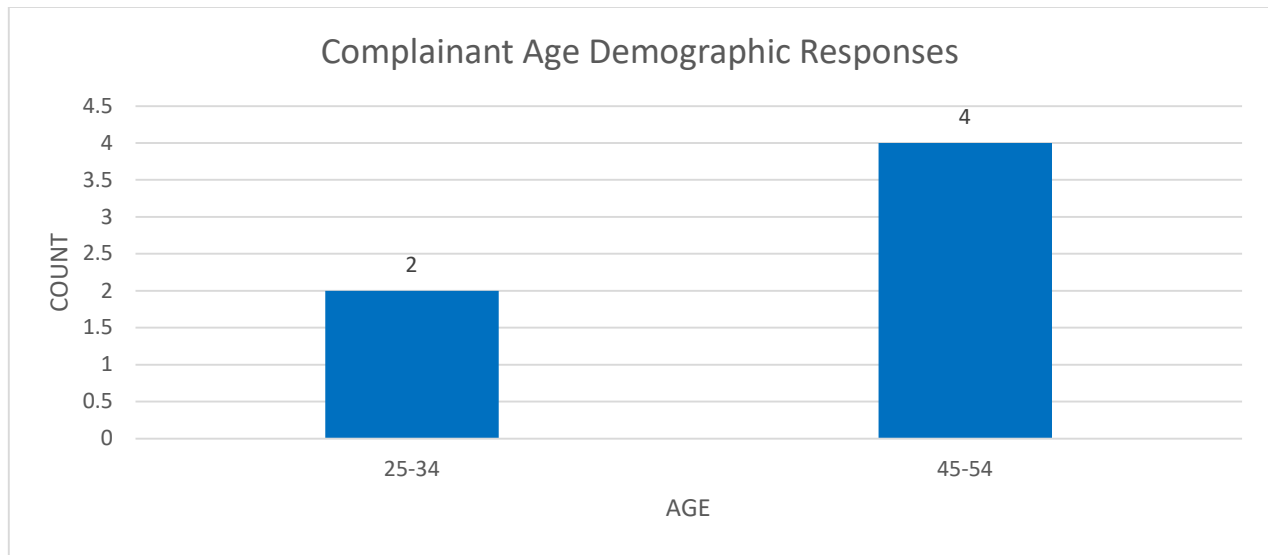


Figure 9: Demographic of Complainants between January and June 2024, by Age.

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 January 1, 2024, and June 30, 2024, the PSB received 17 anonymous external complaints resulting in an investigation.

There were 304 alleged policy violations stemming from external complaints between January 2024 and June 2024. Approximately 79% of the allegations were related to violations of conduct (e.g., unbecoming conduct, failure to meet standards, etc.). This is a decrease from the prior reporting period. Figure 10 depicts the allegation breakdown.³

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

Enforcement Operations: Emergency and Pursuit Driving (4), Arrest procedures (4), Traffic Enforcement (2), Incident Report Guidelines (1), Radio Communications (1).

General Office Operations: Truthfulness (2), Internal Investigations (2).

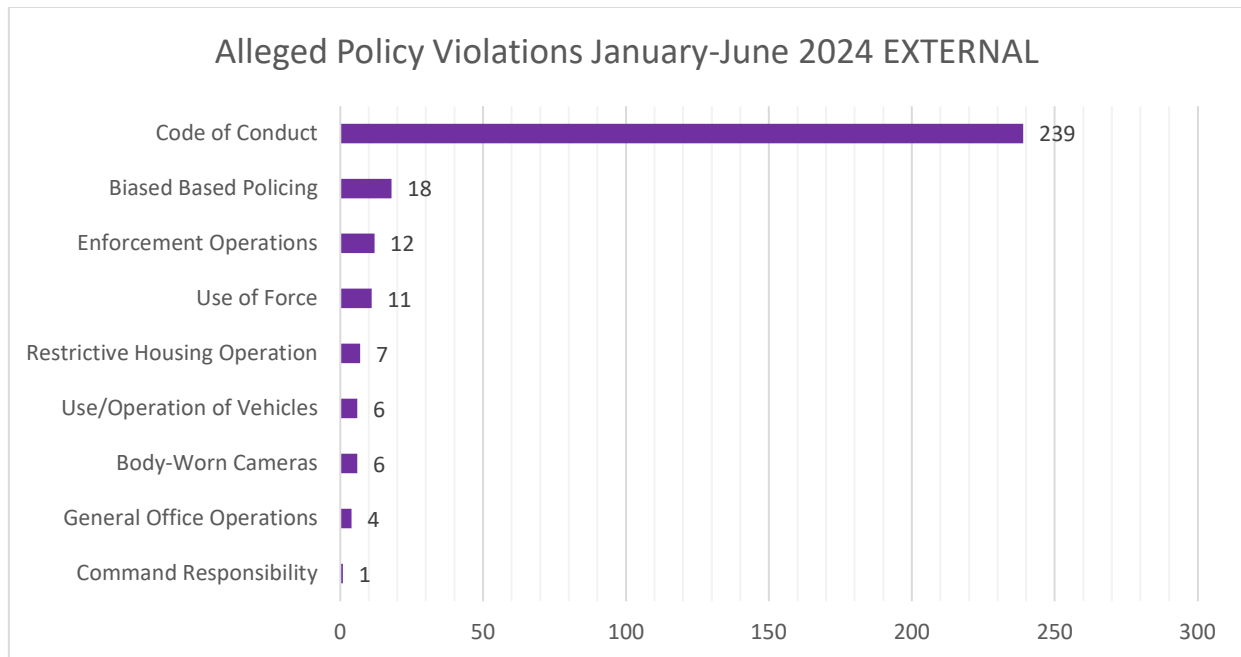


Figure 10: Alleged Policy Violations within External Complaint Investigations between January and June 2024.

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 chart below shows the nature of contact between the complainant and principal for external complaint investigations initiated between January 2024 and June 2024.

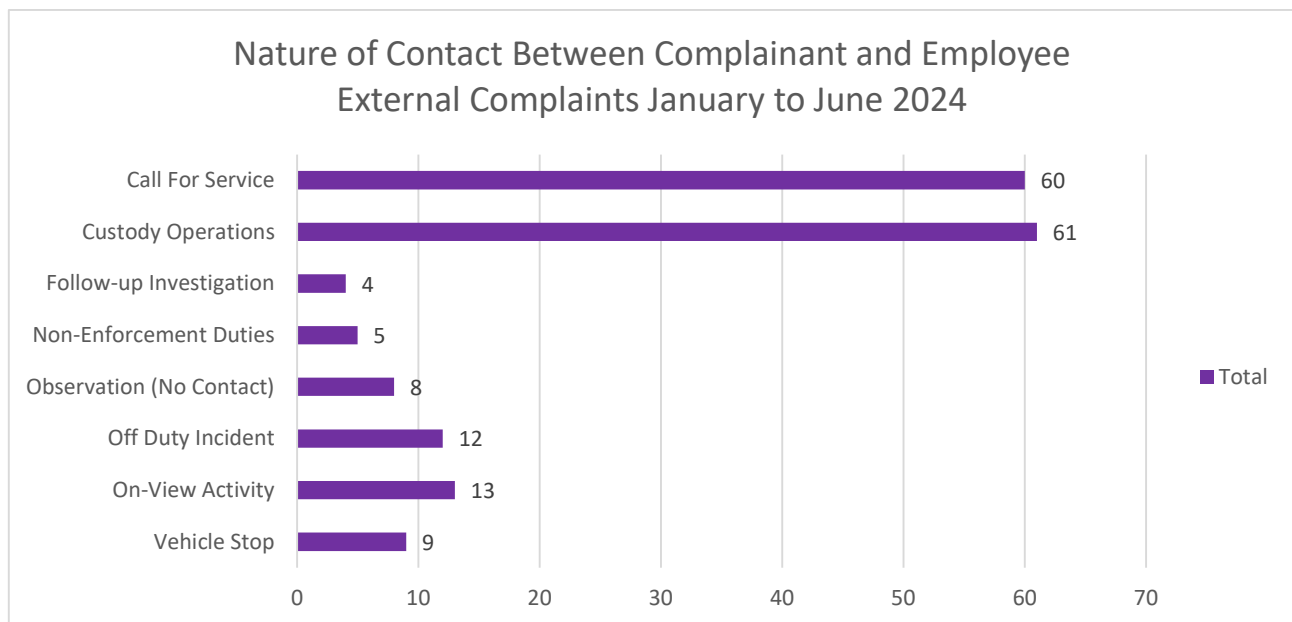


Figure 11: Nature of Contact for External Complaints between July and December 2023.

C. Civilian Complaint Analysis

This section is intended to evaluate the implications the complaint intake process had on the number and type of administrative investigations initiated following civilian complaints. MCSO had a slight decrease in the number of opened administrative investigations during this reporting period. One contributing factor may be the implementation of the PSB Diversion process for some external complaint situations. The PSB Diversion process is a mechanism initiated by the PSB Commander to address, on a case-by-case basis, eligible complaints that are most appropriately handled without initiating a formal administrative investigation. Complaints received by the PSB are reviewed to determine the most appropriate course of action based on the nature of the allegation. The Diversion process can culminate in one of the following: PSB-Directed Supervisory Intervention, Administrative Closure, or Expedited Resolution. The Office continues to evaluate the complaint intake process to determine the most appropriate way to process and expedite civilian complaints.

D. Internal Complaints

Based on the data, the PSB received a total of 160 internal complaints from January 2024 to June 2024, office wide. The division with the most internal complaints was Central Services Food Services, with a total of 21 internal complaints. Figure 12 depicts the number of internal complaints received during this reporting period, differentiated by Division.

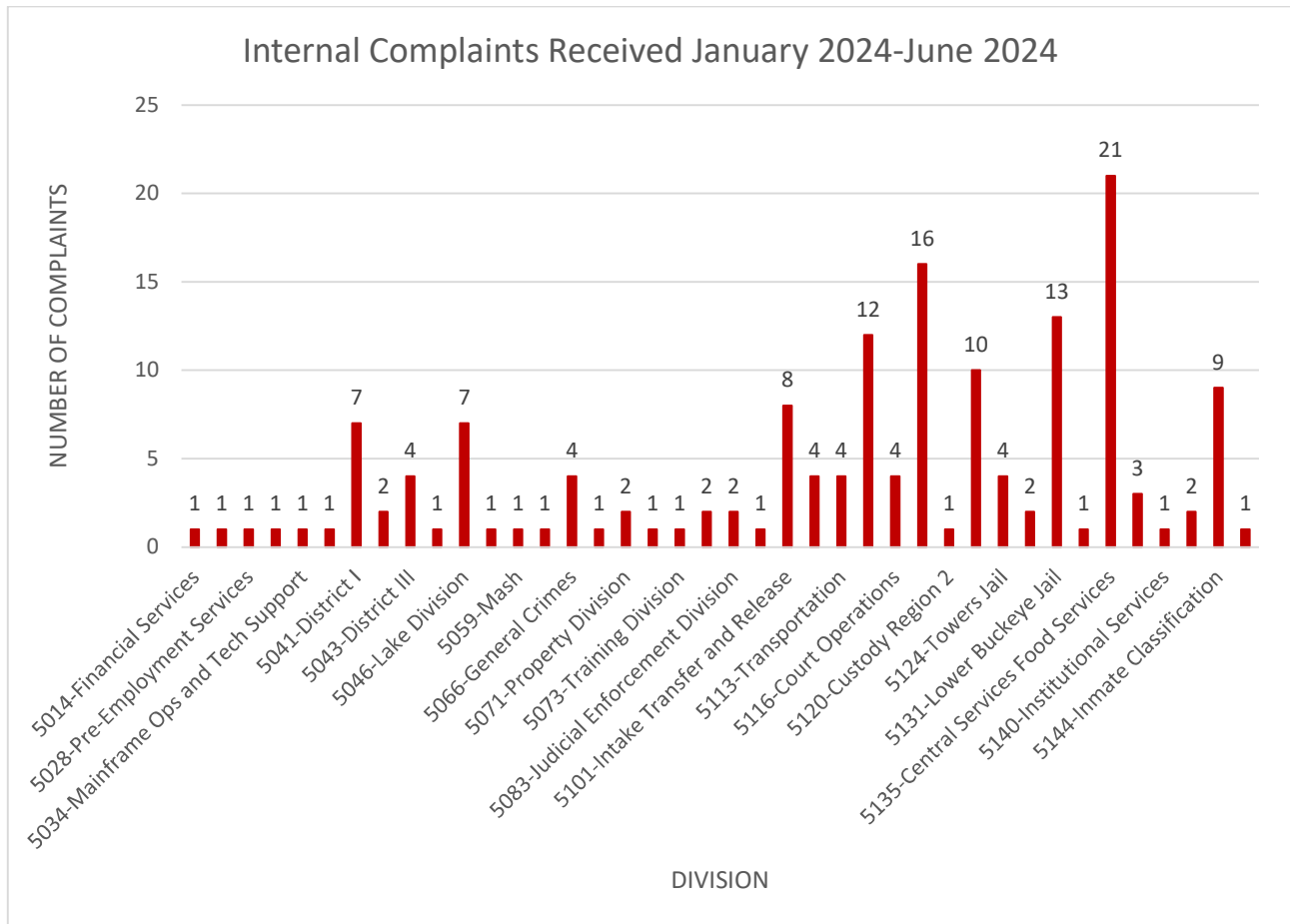


Figure 12: Internal Complaints received, by District, which resulted in an investigation.

The number of internal complaints received has decreased from the prior 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 April 2024, the MCSO received 44 internal complaints; with an approximate average of 27 complaints received per month; this was approximately 64% above the average number of internal complaints received.

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

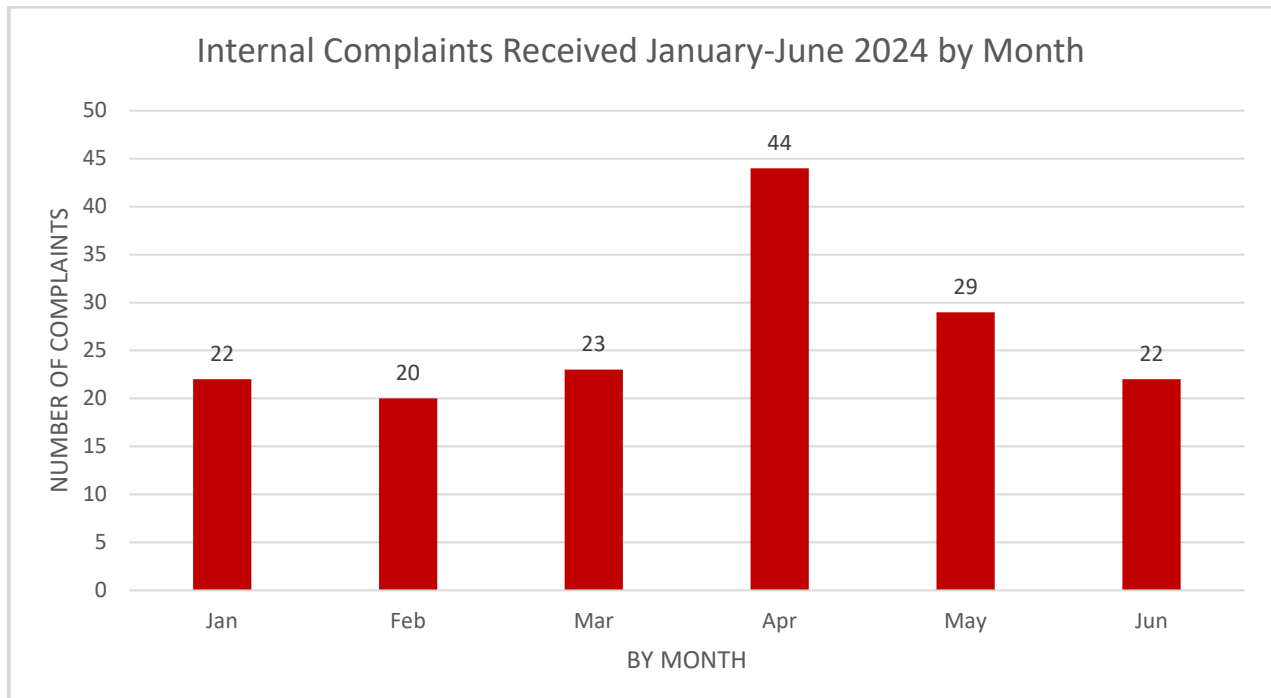


Figure 13: Internal Complaints received, by month, from January to June 2024.

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

The “Detention Officer” rank was identified 81 times out of 184 total principals listed in internal complaint investigations between January and June 2024.

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

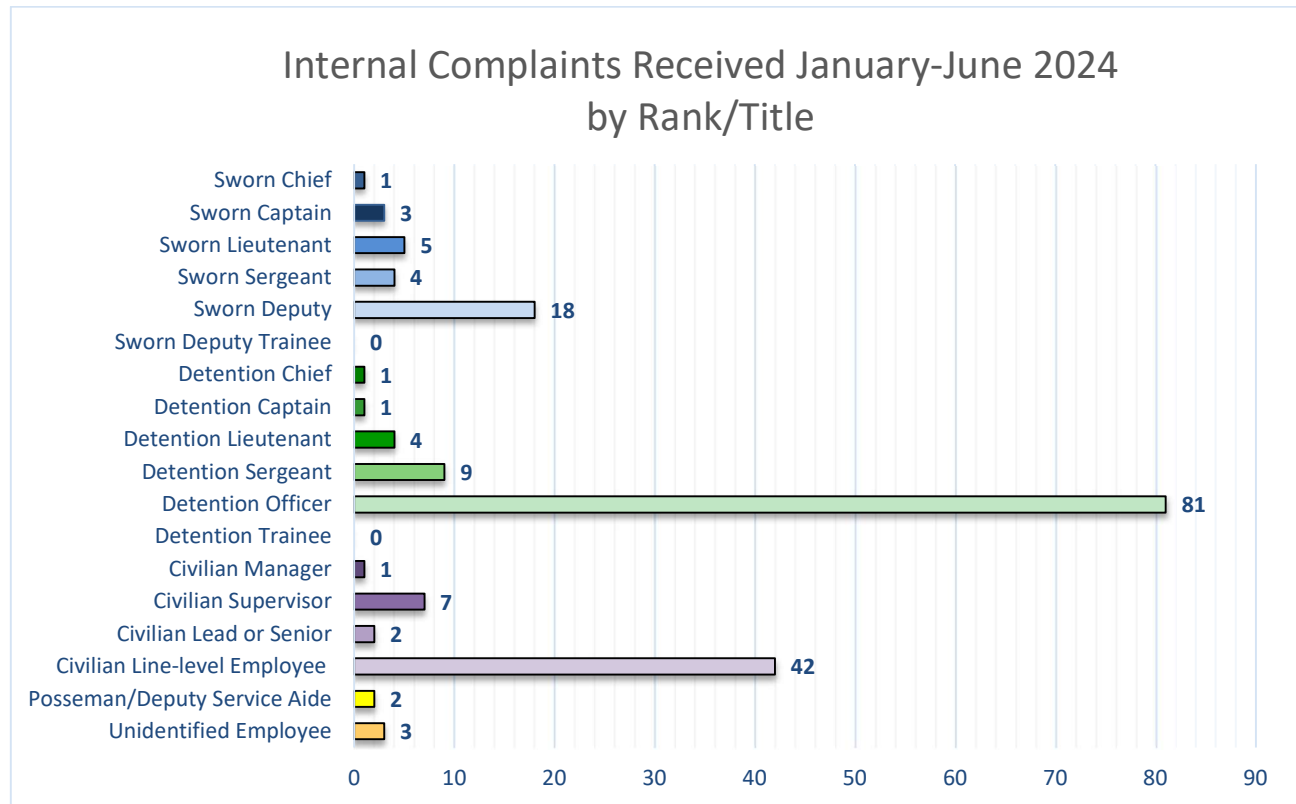


Figure 14: Rank of Principals in Internal Complaint Investigations January to June 2024.

The following pages consists of demographic information of MCSO employees that have been named the principal and complainant in internal complaint administrative investigations.⁴

It is important to note, from January 2024 through June 2024, the PSB initiated 6 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 IAPro system does not track demographic information of unknown and volunteer employees (i.e. Posse members and Reserve Deputies)

Principal Gender Demographic Information Internal Complaints

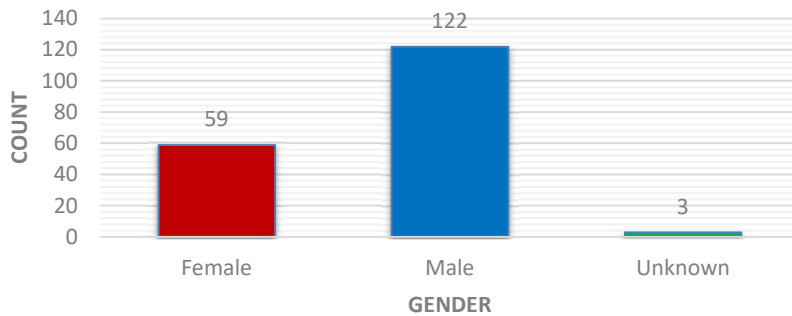


Figure 15 shows 122 identified male principals; approximately twice the number of identified female principals. There were three unknown employees identified as principals.

Principal Race Demographic Information Internal Complaints

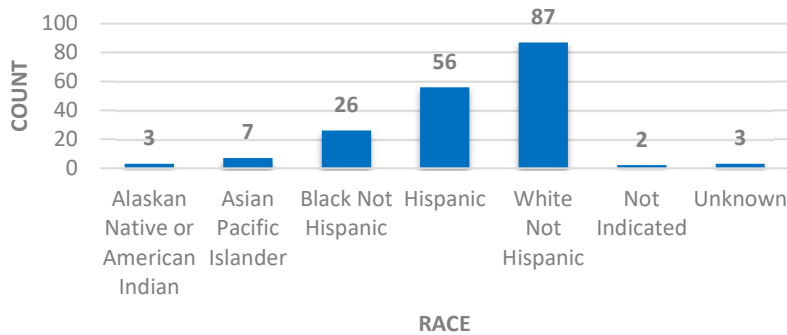


Figure 16 depicts 87 identified White (Not Hispanic) employees named as the principal in Internal Complaint Investigations; approximately 43% of the 184 employees.

Principal Age Demographic Information Internal Complaints

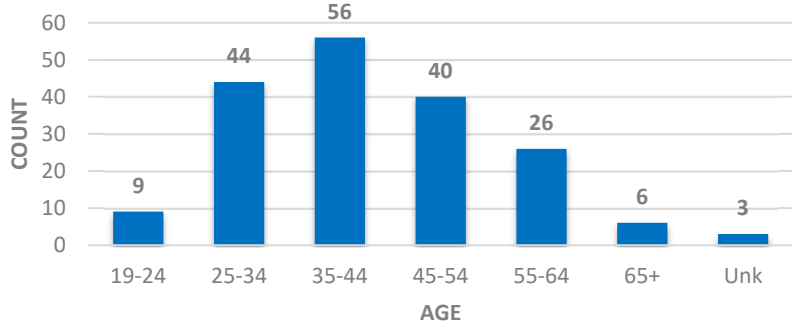


Figure 17 shows known Internal Complaint Principals are commonly between the ages of 25-54, with 140 principals. The largest segment of principals was between the ages of 25-34. The average age of all known principals was 41 years old.

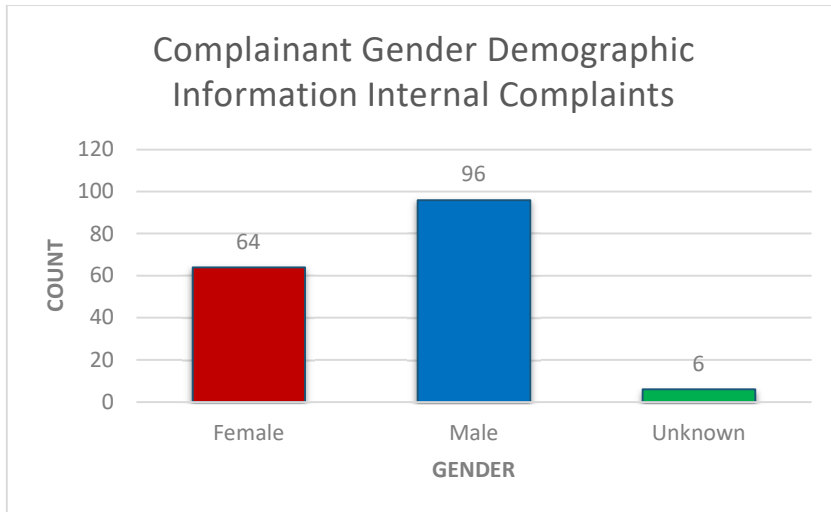


Figure 18 shows 96 identified male complainants, approximately 33% more than the number of the identified female complainants. Gender could not be identified for the 6 unknown complainants.

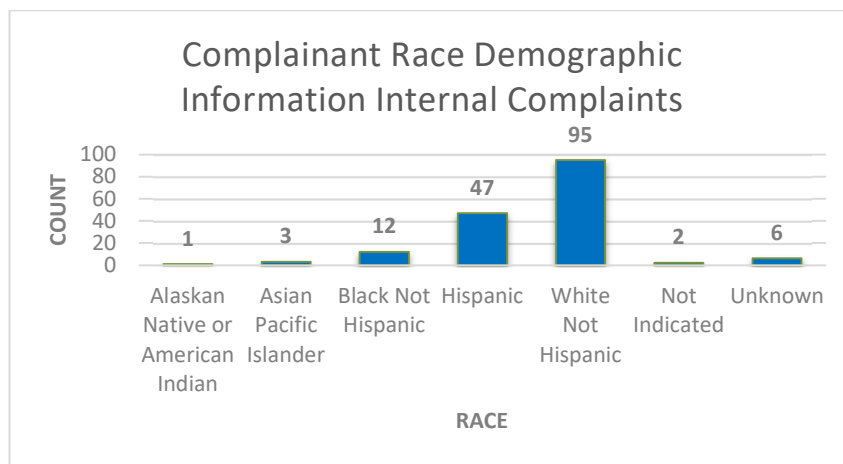


Figure 19 depicts 95 identified White (Not Hispanic) employees named as the complainant in Internal Complaint Investigations; approximately 57% of the 166 complainants. Race could not be identified for the eight complainants.

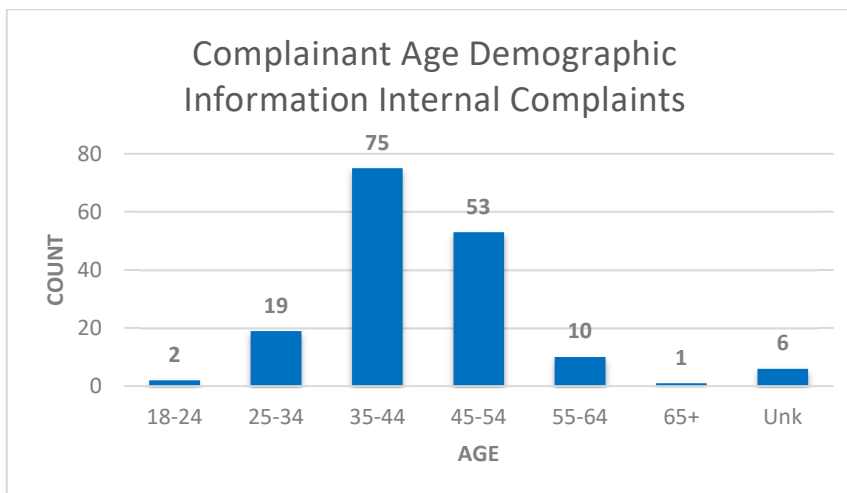


Figure 20 shows that known complainants in Internal Complaint cases are commonly between the ages of 35 and 54, which coincides with an average age of 42 years old. Age could not be identified for the 6 unknown complainants.

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

There were 262 alleged policy violations generated from internal complaints January 2024 through June 2024. Approximately 73% of the allegations were related to violations of conduct (e.g. employee relationships with other employees, failure to meet standards, etc.); this is a decrease in allegations from the last semi-annual reporting period but an increase in the percentage of complaints related to violations of code of conduct. Figure 21 depicts the allegation breakdown.⁵

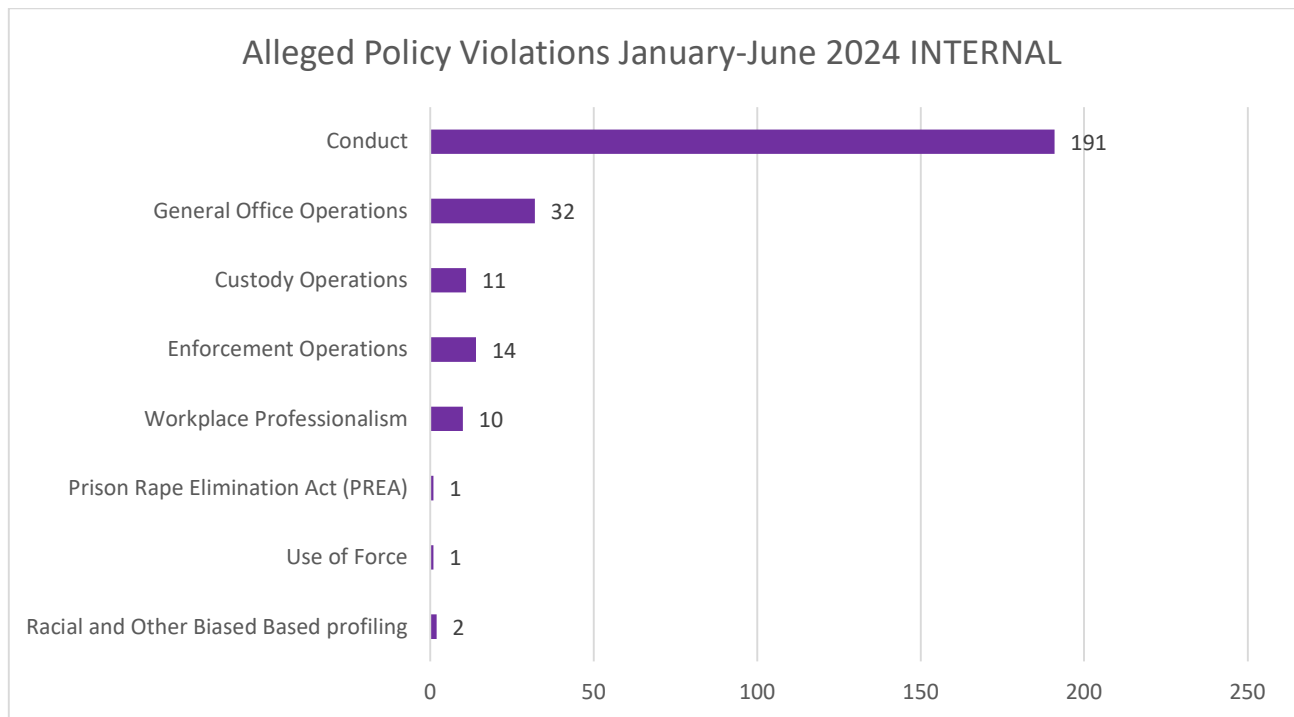


Figure 21: Alleged Policy Violations within Internal Complaint Investigations between January and June 2024

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

Enforcement Operations: Emergency and pursuit driving (3), incident report guidelines (2) and body-worn cameras (7), Office Coordination with Fire and Medical Personnel (1), Sheriff's Posse Program (1).

Custody Operations: Operations Journal & Logbooks (4), Inmate Supervision, Security Walks and Headcounts (4), DJ3 - Inmate Grievance Procedure (1), firearms (2).

General Office Operations: truthfulness (8), leave and absences (8), command responsibility (3), detention/civilian training (2), internal investigations (1), electronic communications and voice mail (1), Driving Under the Influence (1), Compensation and the ADP System (4), Collecting, Safeguarding and Disbursing Cash (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 January 1st, 2024, and June 30th, 2024, the PSB opened a total of 332 misconduct investigations⁷; 286 were assigned to the Professional Standards Bureau investigators, 19 were assigned to the Professional Standards Criminal Investigations Section, and 27 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.

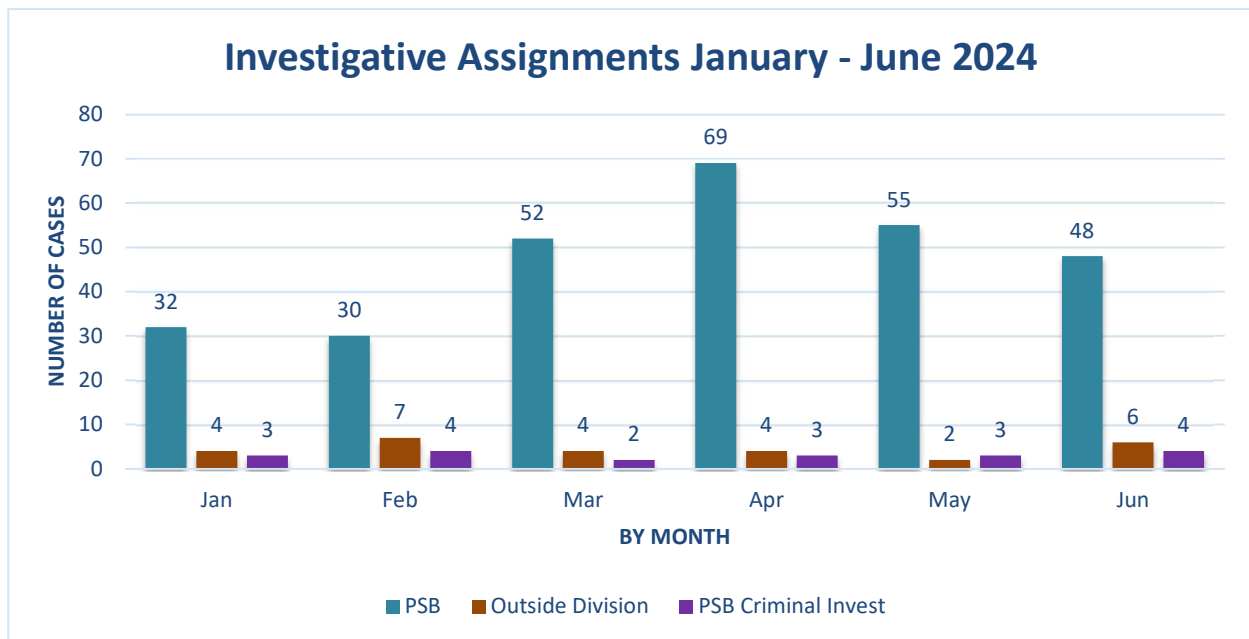


Figure 22: Investigation Assignment breakdown between PSB and Non-PSB Division

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.

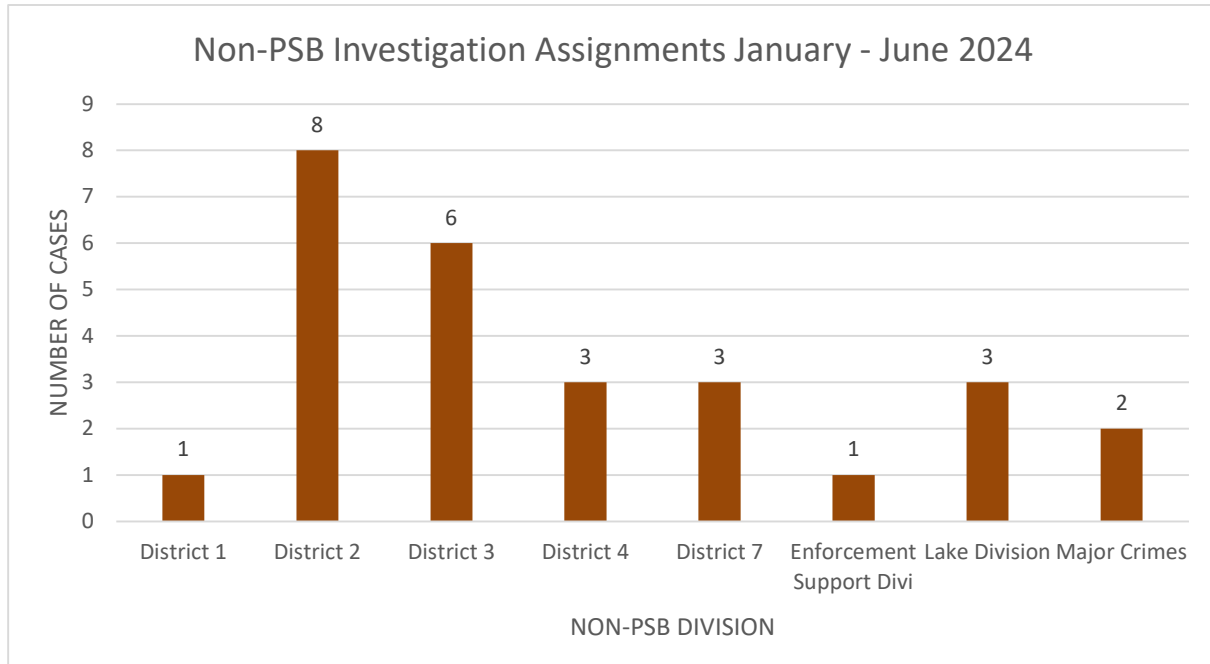


Figure 23: Non-PSB Division Assignment breakdown, by Division.

From January 2024 through June 2024, there were a total of 48 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 159 days and the median time was 59 days.⁸ The average time from investigator submission to the final decision regarding discipline or other final disposition was 252 days and the median was 208 days.

The average total completion time (initiation to final discipline decision) of district investigations was 410 days.

Of the 48 division cases, one case was returned for further investigation. After review by PSB, 4 division investigations were considered deficient due to conclusions not being supported by the evidence, or allegations needing to be adjusted. The remaining 43 cases did not require any revisions.

From January 2024 through June 2024, there were a total of 637 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 943 days. The median time was 817 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 69 days and the median was 28 days.

The average total completion time (initiation to final discipline decision) of PSB investigations was approximately 1012 days. The median total completion time was 901 days.

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.

Of the 637 PSB cases, there were zero cases returned due to the conclusions not being supported by the evidence or investigation.

F. Outcomes of Misconduct Investigations

A total of 685 administrative misconduct investigations were completed between January 2024 to June 2024; 202 completed investigations had sustained dispositions, 123 had not-sustained dispositions, 20 had exonerated dispositions, 116 had unfounded dispositions, and 213 cases had administrative closure dispositions. Additionally, there were 5 cases with dispositions of Expedited Resolution – Sustained, and 6 cases with PSB Directed Supervisor Intervention – Sustained dispositions. Figure 24 shows the number of outcomes as well as each section’s approximate percentage.

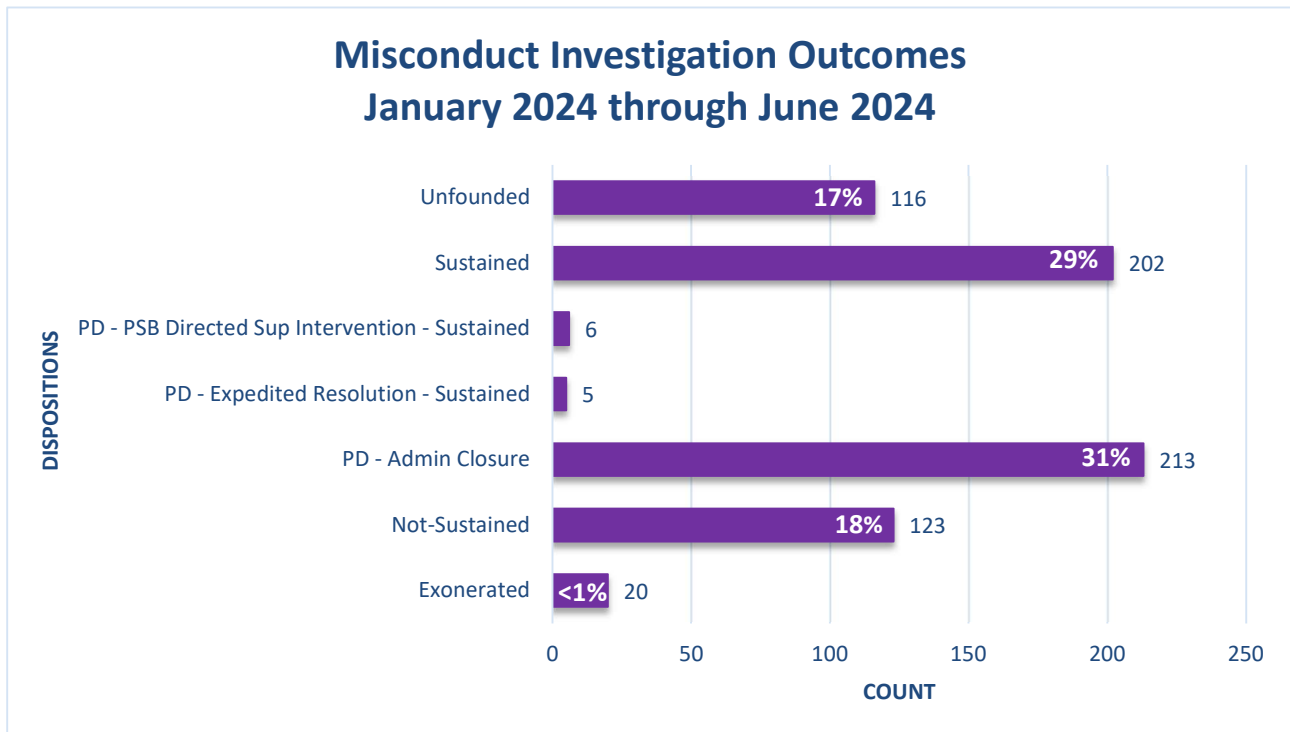


Figure 24: Misconduct Investigation Outcomes from July to December 2023.

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 202 sustained misconduct investigations closed from January 2024 through June 2024.

The following is a breakdown of the disciplinary and non-disciplinary actions for the 202 closed sustained cases¹⁰: 54 non-disciplinary (coaching) actions; 71 written reprimands; 30 suspensions; 0 demotions; 6 terminations; 5 resignations in lieu of termination; and 0 probationary releases. 56

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 January 1, 2024, through June 30, 2024, there was one case where the findings were changed after a Pre-Determination Hearing (PDH.) The initial finding of one of the allegations for the principal in this case was 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 January 2024 through June 2024, there were no cases in which the Maricopa County Merit System Council altered or overturned the Findings of an investigation. One case was 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 period. The paragraphs below are based on a rolling annual timeframe and NOT a six-month time period.

In the previous 12 months (July 1st, 2023, through June 30th, 2024), 58 employees were listed as the subject of more than two misconduct investigations, out of a total of 223 investigations. The 58 employees have been broken down and categorized by their most serious discipline. Of the 58 employees, 10 received major discipline, and 15 received minor discipline¹¹. 8 received non-discipline coaching. 6 separated from MCSO prior to discipline being determined. 54 employees have ongoing active investigations¹².

There were 12 employees, from July 1st, 2023, through June 30th, 2024, that have had more than one sustained allegation that resulted in **minor** discipline. Those 12 employees had a combined total of 21 sustained allegations. In that same timeframe, 22 employees had more than one sustained allegation that resulted in **serious** discipline. Nine employees with more than one sustained allegation retired before the discipline could be determined. There were 130 sustained allegations between the 37 employees.

Between July 1st, 2023, through June 30th, 2024, five employees were the subject of criminal prosecutions, resulting in ten charges being filed.



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 first quarter (January 2024 through March 2024) and for the second quarter (April 2024 through June 2024).

First Quarter Assessment:

Divisions Receiving the Most Complaints

The PSB identified the patrol District 3 – Surprise, 4th Avenue Jail facility, and Central Food Services, as receiving the most complaints between January 1, 2024, and March 31, 2024.

The patrol District 3 – Surprise received 12 complaints resulting in misconduct investigations; three with alleged failure to follow Office procedures; three alleged mishandled investigations/calls for service; and three alleged rudeness associated with dismissing and/or demeaning behavior. The remaining three allegations did not follow a pattern or trend we could identify at this time.

The Central Food Services Division received 12 complaints resulting in misconduct investigations; six alleged failures to follow Office procedures; four with alleged time and attendance issues; and two with alleged conflicts between employees.

The 4th Avenue Jail facility received 10 complaints resulting in misconduct investigations; five with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and three with alleged failure to follow Office procedures. The remaining two allegations did not follow a pattern or trend that could be identified at this time.

Notable Patterns and Trends Identified within MCSO Divisions

Between January 1, 2024, and March 31, 2024, multiple divisions were not identified as having the most complaints; however, the PSB identified a pattern or trend of complaints received.

The Watkins Jail facility received 9 complaints resulting in misconduct investigations: four allegations of employees sleeping on-duty and two alleged conflicts between employees. The remaining three allegations did not follow a pattern or trend that could be identified at this time.

The Estrella Jail facility received 9 complaints resulting in misconduct investigations; five with alleged failure follow Office procedures. The remaining four allegations did not follow a pattern or trend that could be identified at this time.

The patrol District 1 – Mesa received 8 complaints resulting in misconduct investigations; three with alleged mishandled investigations/calls for service; and two with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats). The remaining three allegations did not follow a pattern or trend.

All Misconduct Allegations Categorized

There were 129 complaints received between January 1, 2024, and March 31, 2024. The Professional Standards Bureau identified 33 investigations alleging failure to follow Office procedures. There were 17 investigations with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions or gestures, and threats); 13 allegations of conflicts between employees; and 12 with alleged rudeness associated with dismissive or demeaning behavior.

The following allegation categories received 10 or less mentions each. There were 10 allegations of mishandled investigations/calls for service; 8 with alleged failure to act/take appropriate action; 8 allegations of time and attendance issues; 7 with alleged off/on duty crimes; and six with alleged workplace professionalism.

Although not high in numbers overall, the following are a list of notable categories of investigations: five allegations of unethical conduct; five allegations of employees sleeping on-duty; four with alleged inaccurate deputy reports; and four with alleged excessive use of force.

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 January 1, 2024, and March 31, 2024.

An employee was named in three investigations regarding allegations of failure to follow Office procedures.

An employee was named in two investigations regarding allegations of mishandled investigations/calls for service, specifically pertaining to vehicle collision investigations.

An employee was named in two investigations regarding allegations of sleeping while on-duty.

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

The PSB identified the Lower Buckeye Jail, 4th Avenue Jail, and Estrella Jail facilities as receiving the most complaints between April 1, 2024, and June 30, 2024.

The Lower Buckeye Jail facility received 18 complaints resulting in misconduct investigations; six with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); four with alleged failure to follow Office procedures; two with alleged conflicts between employees; and two allegations of failure to act/take appropriate action. The remaining four allegations did not follow a pattern or trend that could be identified at this time.

The 4th Avenue Jail facility received 16 complaints resulting in misconduct investigations; four with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); four with alleged failure to follow Office procedures; two with allegations of not keeping supervisors informed; and two with alleged time and attendance issues. The remaining four allegations did not follow a pattern or trend that could be identified at this time.

The Estrella Jail facility received 15 complaints resulting in misconduct investigations; eight with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and two with allegations of rudeness associated with dismissive or demeaning behavior. The remaining five allegations did not follow a pattern or trend that could be identified at this time.

Notable Patterns and Trends Identified within MCSO Divisions

Between April 1, 2024, and June 30, 2024, multiple divisions were not identified as having the most complaints; however, the PSB identified a pattern or trend of complaints received.

The Intake, Transfer and Release facility received 13 complaints resulting in misconduct investigations: three with alleged rudeness associated with dismissive or demeaning behavior; three alleged off/on duty crime; two with allegations of inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); and two with alleged failure to follow Office procedures. The remaining three allegations did not follow a pattern or trend that could be identified at this time.

The patrol District 3 - Surprise received 12 complaints resulting in misconduct investigations: four allegations of rudeness associated with dismissive or demeaning behavior; and two with alleged mishandled investigations/calls for service. The remaining six allegations did not follow a pattern or trend that could be identified at this time.

The patrol District 2 - Avondale received 11 complaints resulting in misconduct investigations; three with alleged inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions, or gestures; and threats); two with alleged failure to act/take appropriate action; and two with allegations of rudeness associated with dismissive or demeaning behavior. The remaining four allegations did not follow a pattern or trend that could be identified at this time.

The patrol District 1 – Mesa received 11 complaints resulting in misconduct investigations; three with allegations of biased law enforcement action; and two with allegations of improper driving while engaged in pursuit. The remaining six allegations did not follow a pattern or trend.

All Misconduct Allegations Categorized

There were 184 complaints received between April 1, 2024, and June 30, 2024. The Professional Standards Bureau identified 38 investigations alleging inappropriate language/actions (use of profanity or vulgar language; sexual comments, actions or gestures, and threats). There were 37 investigations with alleged failure to follow Office procedures; 31 allegations of rudeness associated with dismissive or demeaning behavior; 20 with alleged conflicts between employees; 17 with allegations of failure to act/take appropriate action; and 11 with alleged mishandled investigations/calls for service.

The following allegation categories received 10 or less mentions each. There were nine allegations of off/on duty crime and seven with alleged biased law enforcement action.

Although not high in numbers overall, the following are a list of notable categories of investigations: five allegations of unethical conduct; five with alleged time and attendance issues; five with alleged workplace professionalism; four allegations of not keeping supervisors informed; and four allegations of employees sleeping on-duty.

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 April 1, 2024, and June 30, 2024.

An employee was named in six investigations regarding allegations of failure to follow Office procedures pertaining to improper medication handling.

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

An employee was named in three investigations regarding allegations of rudeness associated with dismissive or demeaning behavior.

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 reinstitution 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 6 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 slight decrease in the number of external complaints and internal complaints being initiated. The MCSO continues to identify allegations of misconduct regarding Code of Conduct Practices (e.g., unbecoming conduct and failure to meet standards) as the top issues resulting in the initiation of administrative misconduct investigations. The Professional Standards Bureau (PSB) continues to work with various entities within the organization with the goal of improving employee conduct office wide. The Professional Standards Bureau (PSB) did not identify a reason for the continued allegations of misconduct regarding Code of Conduct Practices during this review period. Although the PSB has attempted to collect complainant demographic information from voluntary complainant surveys as one piece to further evaluate patterns and trends, due to the low response, additional information could not be identified at this time.

The data analysis shows an average of 27 internal complaints were initiated and 28 external complaints were generated per month during this reporting period. This is a slight decrease from the prior reporting period.

From January 1, 2024, through June 30, 2024, the MCSO completed 685 investigations, demonstrating the concentrated focus and improvement, to resolve the number of open/pending misconduct investigations. This overall decrease in the number of open/pending misconduct investigations is attributed to a combination of the revised complaint intake policies that went into effect in the prior reporting period, 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, and the processes further implemented during this reporting period relative to the Court's Third Order pertaining to PSB Operations.

From January 1, 2024, through June 30, 2024, the MCSO completed 202 misconduct investigations that contained one or more sustained violations of MCSO Policy. This relates to approximately 29% of the investigations completed during this reporting period.

The PSB continues to track any cases with investigative concerns or corrections identified within division-investigated cases, and address through various mechanisms. While this reporting period saw a decrease in identified deficiencies with division level investigations, the quality of investigations submitted by District-level investigators still has room for improvement pertaining to investigative thoroughness, avoiding leading questions, and identifying proper findings.

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 implementation of all the new policies and

procedures being rolled out during this review period, the implications have yet to be determined and realized. This area will be further evaluated, analyzed, and assessed in future semi-annual reports.

From January 1, 2024, through June 30, 2024, the average total completion time of administrative investigations completed outside of PSB was 410 days and the median was 208 days. The average total completion time of administrative investigations completed within the PSB was 1012 days and the median was 901 days. While the median total case completion timeframe remains above the 180-day statutory guidelines (absent exceptions) of Arizona Revised Statutes 38-1110 and MCSO Policy GH-2, Internal Investigations, the upward trend during this reporting period is attributed to the growing emphasis on the completion of the oldest backlog cases combined with the implementation of the diversion process as directed by the Court's Third Order.

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. For the previous 12-month period, (July 1, 2023, through June 30, 2024), 58 employees were listed as the subject of more than two misconduct investigations, which is approximately 2% of all MCSO employees.

This report helps the Professional Standards Bureau and MCSO 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. While continued progress has been made during this reporting period relative to administrative investigations, there are still steps necessary to exceed the requirements of the Court's Orders and exceed the goal of implementing fully implementing robust, current, transparent, and lasting processes. The MCSO remains committed to improvement relative to the goals and objectives set forth in this report and beyond.