

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**January 2018 County Attorney/Justice Court Turndowns**

Inspection Report BI2018-0015

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) will conduct monthly County Attorney/Justice Court Disposition Inspections. The primary purpose for this inspection is to determine if there were any "irreversible errors". Irreversible errors can be defined as, but is not limited to the following; Lack of probable cause for an arrest/booking, unlawful search/seizure, excessive use of force, or other violations of constitutional/ civil rights.

Inspectors will utilize the "IAPro" program software to generate turndown dispositions entered into IAPro by the Early Intervention Unit (EIS) each month from the Superior Court and dismissals from the Justice Courts within the specific month to be inspected. The terms; "turndown" and "dismissals" are generic nomenclature (from the courts) and refer to a variety of court dispositions. No bias shall be implied or inferred as to the reason of the court disposition based on these generic terms.

These entries will be uniformly inspected utilizing the Records Division "FileBound" data base and a matrix developed by the AIU. Each complainant disposition inspected will be counted as one inspection. The following procedures, which are outlined in GF-5 and ED-3, will be used in the matrix:

**Matrix Procedures:**

- Determine if there were any "irreversible errors"
- Note what district/division from which the disposition originated
- Note the County Attorney disposition reason/type
- Note the Sheriff's Office method of charging (In-Custody, Citation, or Long-form)

**Criteria:**

Briefing Board # 17-17; Policy change to GF-5; INCIDENT REPORT GUIDELINES

MCSO Policy GF-5; INCIDENT REPORT GUIDELINES

MCSO Policy ED-3; REVIEW OF CASES DECLINED FOR PROSECUTION

MCSO Policy ED-3, Review of Cases Declined for Prosecution, provides a mechanism for command level review of the same cases involved in this inspection to identify/address minor issues and/or additional training issues/concerns that are outside the scope of this inspection.

**Conditions:**

All the County Attorney Turndown dispositions from the Maricopa County Superior Court for the month of January 2018 available in IAPro (196 total cases) were reviewed. There were approximately 104 dismissals of criminal cases from the Maricopa County Justice Courts available in IAPro for the month of January 2018. A random selection of 20 of those cases was also selected for review.

It should be noted that the focus of this inspection is on the identification of “irreversible errors.” During the inspection of the Superior Court and Justice Court turndowns; there were no irreversible errors noted. This resulted in a **100%** compliance rate for January 2018.

<b>IR</b>	<b>CA Disposition</b>	<b>Booking</b>	<b>Citation</b>	<b>Submittal</b>
2017-024473	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-013816	MCAOTN - 6113 - No reasonable likelihood of conviction		X	X
2016-013520	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-032287	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2016-025127	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-022200	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-001728	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-028383	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
2017-012472	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-024326	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-032301	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2017-020870	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-015542	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-016160	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2017-020330	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
2017-033691	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-009330	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
2017-011146	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-026378	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2016-022810	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17012702	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR17031941	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR17029487	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16035403	MCAOTN - 6117 - Victim/Witness credibility problems			X
IR17012127	MCAOTN - 6113 - No reasonable likelihood of conviction	X		

	conviction			
IR16018302	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17022436	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17012482	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17012966	MCAOTN - 6110 - Mens Rea MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR16021085	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17011758	MCAOTN - 6104 - This case should be submitted to city prosecutor			X
IR17006554	MCAOTN - 6113 - No reasonable likelihood of conviction			
IR17024654	MCAOTN - 6104 - This case should be submitted to city prosecutor			X
IR17009637	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17010023	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17025460	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16028940	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17019198	MCAOTN - 6150 - Inadaquate evidence of Dominion/Control/Instrumentality			X
IR17014321	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
2017-010149	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-026401	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-034384	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-012234	MCAOTN - 6102 - Defendant sented in other case; no need to prosecute this matter			X
2016-028700	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-023870	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-018929	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
2017-012765	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-012155	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-038468	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2017-024778	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-009084	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2016-019603	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-010049	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
2017-016844	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2016-026056	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-013426	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-018130	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-004131	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2013-146607	MCAOTN - 6157 - Old case/stale			X
2016-022784	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-009795	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-015671	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-028036	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2017-017009	MCAOTN - 6113 - No reasonable likelihood of conviction	X		

2016-031733	MCAOTN - 6160 - Pre-file TASC - Successful completion	X		
2017-004557	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-024522	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-003399	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-005195	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-019203	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-003139	MCAOTN - 6109 - Self Defense/Mutual Combat			X
2017-032174	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
2017-017001	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
2017-002391	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-003598	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2016-016132	MCAOTN - 6113 - No reasonable likelihood of conviction			X
2017-014405	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
2014-025946	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
2017-011173	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
IR15011806	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17015841	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR15026755	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR16035772	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17013424	MCAOTN - 6114 - No crime committed MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17013011	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		X
IR17008560	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17004354	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16010634	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16032866	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16033552	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16036050	MCAOTN - 6157 - Old case/stale			X
IR17025593	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17021153	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17031163	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR16032727	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17003869	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17008888	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17002190	MCAOTN - 6102 - Defendant sented in other case; no need to prosecute this matter	X		X
IR16032921	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17015451	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR2017031921	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17031748	MCAOTN - 6109 - Self Defense/Mutual Combat	X		X
IR17004928	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17020329	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X

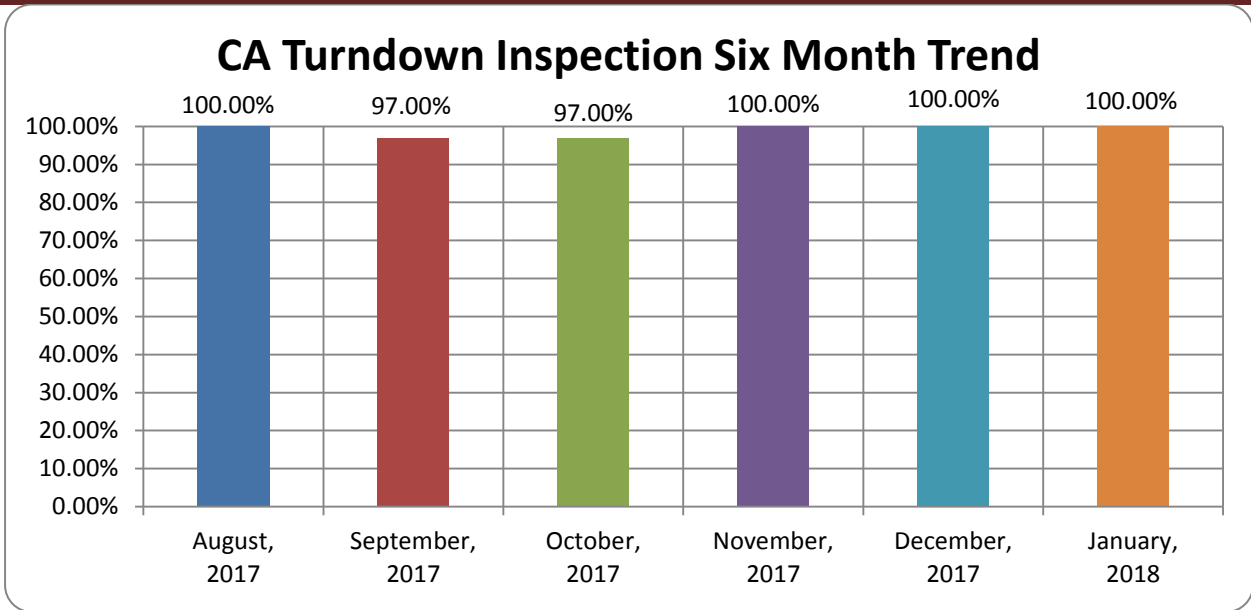
IR17009785	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17008421	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 17031908	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17016551	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17027408	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17012049	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
IR17002936	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17012381	MCAOTN - 6101 - Limited resources/offense does not warrant prosecution/extradition	X		X
IR17029474	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17009726	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16017030	MCAOTN - 6157 - Old case/stale	X	X	X
IR17007574	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17009764	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17011713	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17004942	MCAOTN - 6107 - Civil Matter, Not criminal			X
IR17016291	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17010779	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR14025503	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17023402	MCAOTN - 6113 - No reasonable likelihood of conviction	X	X	X
IR17031664	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
17006565	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17027404	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17017214	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17018081	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17034411	MCAOTN - 6104 - This case should be submitted to city prosecutor MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR16031602	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17032174	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17016076	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR 17025770	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17018704	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17019645	MCAOTN - 6113 - No reasonable likelihood of conviction			X
Ir16022626	MCAOTN - 6160 - Pre-file TASC - Successful completion			X
IR15005054	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17001408	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17010714	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR17022681	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16021563	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR20160025	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17030667	MCAOTN - 6113 - No reasonable likelihood of conviction	X	X	

	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			
IR17013731	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17009380	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16024731	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17009062	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17013373	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17016563	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
IR17009594	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17021579	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17025682	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
IR16015025	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17013250	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 17019669	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17026510	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR15026028	MCAOTN - 6157 - Old case/stale			X
IR17007757	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17014501	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17026633	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17006500	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR1616020261	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR170011414	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17031748	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
IR17010854	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR201600054639	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR16007246	MCAOTN - 6160 - Pre-file TASC - Successful completion			X
IR17024360	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17032294	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
IR17004016	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16024298	MCAOTN - 6110 - Mens Rea			X
IR16022404	MCAOTN - 6113 - No reasonable likelihood of conviction		X	
IR17018811	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16021277	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17037609	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency		X	
IR16015840	MCAOTN - 6157 - Old case/stale			X
IR16035930	MCAOTN - 6160 - Pre-file TASC - Successful completion	X		
IR17003479	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17009263	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17001662	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17014555	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17004959	MCAOTN - 6113 - No reasonable likelihood of conviction	X		no

IR17017321	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16025869	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR12230827	MCAOTN - 6160 - Pre-file TASC - Successful completion			
IR16029030	MCAOTN - 6160 - Pre-file TASC - Successful completion			X
IR027315	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR16028810	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17018363	MCAOTN - 6150 - Inadaquate evidence of Dominion/Control/Instrumentality	X		
IR17025108	MCAOTN - 6104 - This case should be submitted to city prosecutor			X
IR 13140408	MCAOTN - 6109 - Self Defense/Mutual Combat			X
IR16015640	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17017120	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17019525	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17028010	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16034039	MCAOTN - 6113 - No reasonable likelihood of conviction			X

IR	Justice Court Disposition	Booking	Citation	Submittal
2017-026080	JCD - Dismissed on motion/request of prosecutor		X	
2017-033726	JCD - Dismissed on motion of court or defendant		X	
2015-017705	JCD - Dismissed on motion/request of prosecutor		X	
2017-011214	JCD - Dismissed on motion of court or defendant		X	
2017-031164	JCD - Dismissed on motion/request of prosecutor		X	
2015-030508	JCD - Dismissed on motion/request of prosecutor		X	X
2017-033746	JCD - Dismissed on motion of court or defendant		X	
2017-037650	JCD - Dismissed on motion of court or defendant		X	
2017-018507	JCD - Dismissed on motion/request of prosecutor	X		
2017-033260	JCD - Dismissed on motion/request of prosecutor		X	
No IR	JCD - Dismissed on motion of court or defendant		X	
2017-033242	JCD - Dismissed on motion/request of prosecutor	X		
2016-032686	JCD - Dismissed on motion/request of prosecutor		X	
2017-025954	JCD - Dismissed on motion of court or defendant		X	
2017-033960	JCD - Dismissed on motion of court or defendant		X	
2017-033761	JCD - Dismissed on motion of court or defendant		X	
2016-013628	JCD - Dismissed on motion of court or defendant		X	
2017-038124	JCD - Dismissed on motion of court or defendant		X	
2017-029248	JCD - Dismissed on motion of court or defendant	X		
2017-034960	JCD - Dismissed on motion/request of prosecutor		X	





Date Inspection Started: February 13<sup>th</sup>, 2018  
 Date Completed: March 14<sup>th</sup>, 2018  
 Time frame Inspected: January 1<sup>st</sup> to 31<sup>st</sup>, 2018  
 Assigned Inspector: Sergeant Travis Glenn S1626  
 Assisting Inspector: Sergeant Blaine Allmon S1036  
 Assisting Inspector: Sergeant Kelly Bocardo S1775  
 Assisting Inspector: Sergeant Dave Gardner S1608

I have reviewed this inspection report.

*Larry Kratzer S1520*  
 Lieutenant L. Kratzer S1520  
 Commander, Audits & Inspections Unit  
 Bureau of Internal Oversight

Date 03/14/2018