

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



February 2018 County Attorney/Justice Court Turndowns

Inspection Report BI2018-0020

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 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 the use of these 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 County Attorney Turndown dispositions from the Maricopa County Superior Court for the month of February 2018 available in IPro (140 total cases) were reviewed. There were approximately 85 dismissals of criminal cases from the Maricopa County Justice Courts available in IPro for the month of February 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 February 2018.

Three cases which were turndowned for prosecution involved co-defendants on a case that was previously identified (BI2017-0136) and forwarded to PSB for review.

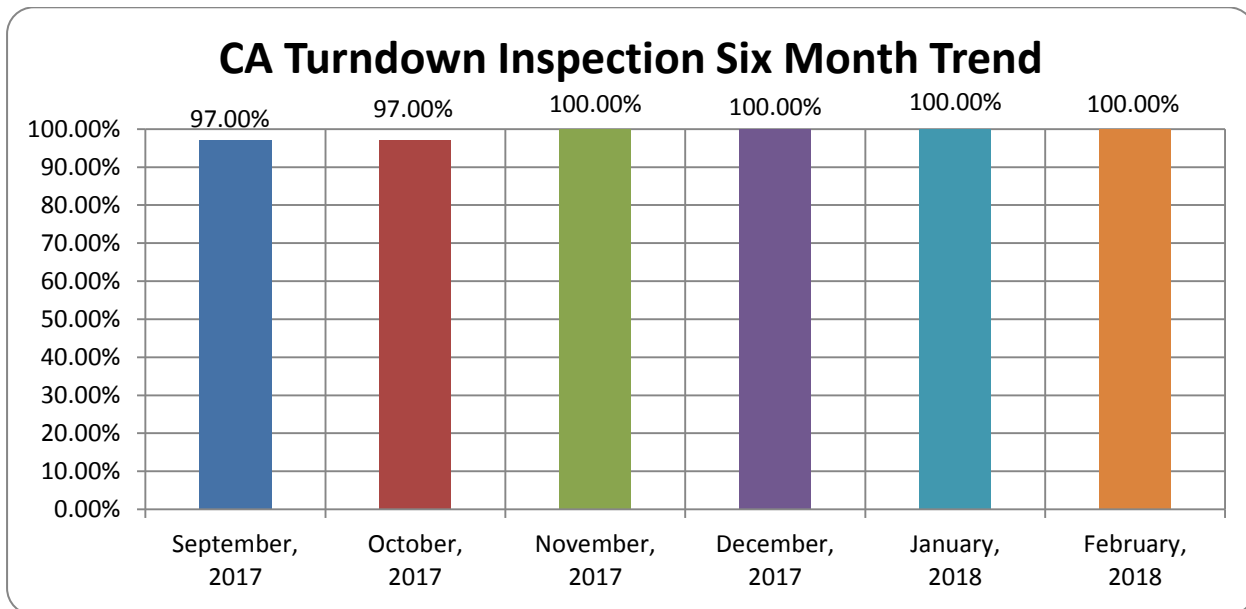
IR	CA Disposition	Booking	Citation	Submittal
IR17022900	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17028693	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17002625	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17004200	MCAOTN - 6109 - Self Defense/Mutual Combat			X
IR17034824	MCAOTN-6150-Inadquate evidence of domin/Control	X		
IR17019898	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16019673	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17032217	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17026493	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16027759	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17033195	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17032217	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17036276	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17001708	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16029015	MCAOTN - 6157 - Old case/stale			X
IR17024434	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16034721	MCAOTN - 6157 - Old case/stale		X	
IR17039175	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17034072	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17003129	MCAOTN - 6160 - Pre-file TASC - Successful completion MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17032334	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17020397	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17019875	MCAOTN - 6113 - No reasonable likelihood of conviction			X

IR17037154	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17037115	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17031921	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17036296	MCAOTN - 6128 - Double Jeopardy would result			X
IR17036296	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17031349	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR18003544	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR18000761	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17021706	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR15017293	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17038471	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17037235	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17024345	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17029564	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17027278	MCAOTN - 6104 - This case should be submitted to city prosecutor			X
IR17029736	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17034161	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
IR17031990	MCAOTN - 6109 - Self Defense/Mutual Combat			X
IR17031704	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17024908	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17018874	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17033750	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
IR17016210	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17014538	MCAOTN - 6109 - Self Defense/Mutual Combat			X
IR 17012482	MCAOTN - 6110 - Mens Rea			X
IR 17011843	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17024701	MCAOTN - 6104 - This case should be submitted to city prosecutor	X	X	X
IR13169446	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17038332	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17004700	MCAOTN - 6101 - Limited resources/offense does not warrant prosecution/extradition			X
IR17034896	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17031155	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16023869	MCAOTN - 6102 - Defendant sent in other case; no need to prosecute this matter			X
IR17033813	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17010994	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR18001552	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR18000194	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17028540	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17006376	MCAOTN - 6150 - Inadaquate evidence of Dominion/Control/Instrumentality			X
IR17016647	MCAOTN - 6109 - Self Defense/Mutual Combat	X		

IR14013439	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 15012882	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17028899	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 15003437	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 17022179	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 15025073	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17036303	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17036243	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR15020261	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17013124	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)			X
IR17026493	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17002239	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17026569	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR18002325	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR18002651	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17023012	MCAOTN - 6113 - No reasonable likelihood of conviction		X	
IR17024033	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17017300	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17038626	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
IR18002089	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR18000002	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR 17037562	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17013301	MCAOTN - 6150 - Inadaquate evidence of Dominion/Control/Instrumentality	X		
IR17033321	MCAOTN - 6109 - Self Defense/Mutual Combat	X		
IR17029458	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17028969	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17034324	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17037159	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR16033337	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17027186	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17023246	MCAOTN - 6102 - Defendant sented in other case; no need to prosecute this matter	X		
IR 17028823	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR18000413	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17030249	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17035413	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17021473	MCAOTN - 6150 - Inadaquate evidence of Dominion/Control/Instrumentality	X		
IR16004693	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17034657	MCAOTN - 6150 - Inadaquate evidence of Dominion/Control/Instrumentality			X
IR17029553	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17031363	MCAOTN - 6109 - Self Defense/Mutual Combat			X

IR 17036356	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR17032736	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 17033426	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
IR17031908	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17020215	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR18001861	MCAOTN - 6110 - Mens Rea	X		X
IR17037372	MCAOTN - 6113 - No reasonable likelihood of conviction	X		X
IR18004341	MCAOTN - 6104 - This case should be submitted to city prosecutor	X		
IR16030615	MCAOTN - 6157 - Old case/stale MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17035764	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17010521	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR15028170	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17034639	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17035542	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17036349	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR18003856	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	X		
IR18004255	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17024178	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17020105	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6104 - This case should be submitted to city prosecutor			X
IR17004322	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR16026931	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR18004226	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17037263	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s) MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17004071	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17012908	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16015635	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17009925	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17029966	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR16034104	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17014665	MCAOTN - 6113 - No reasonable likelihood of conviction	X		
IR17032892	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17034031	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 17007464	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17010728	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17004323	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR17028330	MCAOTN - 6113 - No reasonable likelihood of conviction			X
IR 17008756	MCAOTN - 6113 - No reasonable likelihood of conviction			X

IR	Justice Court Disposition	Booking	Citation	Submittal
IR17039051	JCD - Dismissed on motion of court or defendant		x	
IR17017119	JCD - Dismissed on motion/request of prosecutor		x	
IR18002277	JCD - Dismissed on motion of court or defendant		x	
IR17026824	JCD - Dismissed on motion of court or defendant		x	
IR17024762	JCD - Dismissed on motion/request of prosecutor		x	
IR17024762	JCD - Dismissed on motion/request of prosecutor		x	
IR17033854	JCD - Dismissed on motion of court or defendant		x	
IR18002974	JCD - Dismissed on motion of court or defendant		x	
IR17037116	JCD - Dismissed on motion of court or defendant		x	
IR18001021	JCD - Dismissed on motion of court or defendant		x	
IR17024762	JCD - Dismissed on motion/request of prosecutor		x	
IR17024679	JCD - Dismissed on motion/request of prosecutor		x	
IR17025996	JCD - Dismissed on motion/request of prosecutor		x	
IR17032080	JCD - Dismissed on motion/request of prosecutor		x	
IR17015453	JCD - Dismissed on motion/request of prosecutor		x	
IR17037116	JCD - Dismissed on motion of court or defendant		x	
IR17004962	JCD - Dismissed on motion/request of prosecutor		x	
IR17018523	JCD - Dismissed on motion of court or defendant		x	
IR17030639	JCD - Dismissed on motion/request of prosecutor		x	
IR17015154	JCD - Dismissed on motion of court or defendant		x	



Date Inspection Started: March 14th, 2018
Date Completed: April 6th, 2018
Time frame Inspected: February 1st to 28th, 2018

Assigned Inspector: Sergeant Travis Glenn S1626
Assisting Inspector: Sergeant Blaine Allmon S1036
Assisting Inspector: Sergeant Stephen Palmer S1837
Assisting Inspector: Sergeant Dave Garland S0853
Assisting Inspector: Sergeant Sean Crosby S1584
Assisting Inspector: Sergeant Kevin Thomas S1470
Assisting Inspector: Sergeant Jeremy Blain S1361

I have reviewed this inspection report.

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

Date 4/09/2018