

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



County Attorney/Justice Court Turndowns October 2018

Inspection # BI2018-0124

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 purpose of this inspection is to determine if cases turned down for prosecution by a prosecutorial agency or cases involving the dismissal of charges were due to an "irreversible error" by the investigator, as well as determining adherence to policy and law by Office personnel.

Irreversible errors may include but are not limited to the following: violations of an individual's civil rights, the incorrect charge or classification of the crime being charged, the untimely submittal of charge(s) resulting in exceeding the statute of limitations, or a case lacking a thorough and/or proper investigation. Additionally, any error or combination of errors occurring as a result of actions, or lack of due diligence on behalf of Office personnel, which once committed cannot be reversed and potentially factoring into or resulting in a case being turned down or charge(s) dismissed, will result in the determination that the case involved an "irreversible error".

The inspection will also identify any other perceived deficiencies which may fall outside the scope of the inspection, such as issues not deemed as irreversible errors but that the Inspector determines to be a potential violation of policy, law, or industry best practices/standards.

Perceived deficiencies determined by the Inspector that are outside of scope of the inspection will not affect the overall compliance rate of the inspection; however, will still result in the issuance of a BIO Action Form for the deficiency to be addressed by the employee's chain of command through the BIO Action Form process. If the noted deficiency has previously been addressed and documented by a supervisor, the corrective action taken shall be documented through the BIO Action Form process for tracking Inspection Report compliance.

Inspectors will utilize the "IAPro" program software to generate turndown dispositions entered into IAPro by the Early Intervention Unit (EIU) 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 by primarily utilizing the Records Division "FileBound" database 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 other potential violations of policy, law, or best practices
- 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/Booking, Citation, or Long-form)

Criteria:

MCSO Policy EA-11, *Arrest Procedures*

MCSO Policy CP-2, *Code of Conduct*

Briefing Board # 17-17; Policy change to GF-5, *Incident Report Guidelines*

MCSO Policy GF-5, *Incident Report Guidelines*

Melendres Order, Paragraph 75

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 October 2018 available in IAPro **(64 cases)** were reviewed.

There were approximately 131 criminal cases with charge(s) dismissed from the Maricopa County Justice Courts available in IAPro for that month. A random selection of 20 of these cases were also selected for review. A total of **(84 cases)** were reviewed for this inspection.

The primary focus of this inspection is on the identification of “irreversible errors.” During the inspection of the Superior Court and Justice Court turndowns, there was **no** irreversible error noted. This resulted in a **100%** compliance rate for October 2018.

There are **(21)** other perceived deficiencies that are outside the scope of “irreversible error” and will not be calculated into the compliance rate for this inspection.

IR	C.A Allegation	Booking	Citation	Submittal
IR18013089	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18023325	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18009802	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18028330	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Yes	No	Yes
IR18019875	MCAOTN - 6116 - Victim/Witness reluctance/refusal to prosecute	No	No	Yes
IR18023652	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17018957	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR16031013	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17026474	MCAOTN - NF - Not Filed - Filed Other/Separate Charge MCAOTN - 5905 - Charge Consolidated w/another	No	No	Yes
IR18027719	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR16031174	MCAOTN - 6157 - Old case/stale	Yes	Yes	Yes
IR18028550	MCAOTN - 6128 - Double Jeopardy would result	Yes	No	Yes
IR18020588	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR17021140	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18013725	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17037627	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18025858	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18009283	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18025013	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18003683	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17005533	MCAOTN - 6160 - Pre-file TASC - Successful completion	No	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR17034216	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR17021206	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17037011	MCAOTN - 6160 - Pre-file TASC - Successful completion MCAOTN - 6104 - This case should be submitted to city prosecutor	No	No	Yes
IR18008298	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18020752	MCAOTN - 6101 - Limited resources/offense does not warrant prosecution/extradition MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18013529	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR1802250	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010153	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021479	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18025876	MCAOTN - 6104 - This case should be submitted to city prosecutor	Yes	No	Yes
IR18022953	MCAOTN - 6114 - No crime committed	No	No	Yes
IR18012299	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18009551	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18008364	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18025481	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18012788	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18014654	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17006426	MCAOTN - 6160 - Pre-file TASC - Successful completion	No	No	Yes
IR18025225	MCAOTN - 6109 - Self Defense/Mutual Combat	No	No	Yes
IR18012664	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR13000898	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18012930	MCAOTN - 6113 - No reasonable likelihood of conviction	No	Yes	Yes
IR18019673	MCAOTN - 6158 - To city prosecutor in accordance with office policy delegating C6F offense for local level prosecution	Yes	Yes	Yes
IR18025186	MCAOTN - 6151 - Inadequate evidence of Intent	Yes	No	Yes
IR17027662	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18010791	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18007452	MCAOTN - 6113 - No reasonable likelihood of conviction	No	Yes	Yes
IR18011161	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17006299	MCAOTN - 6000 - Submitted in Error	No	Yes	Yes
IR16025395	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18007344	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17022192	MCAOTN - 6104 - This case should be submitted to city prosecutor	No	No	Yes
IR18021403	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Yes	No	Yes
IR17022828	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021277	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010006	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18013556	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17026542	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	No
IR18016337	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR14019698	MCAOTN - 6157 - Old case/stale	No	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR17028706	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR18021019	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010531	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18015230	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18025791	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18016853	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18012195	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18022810	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18022204	MCAOTN - 6107 - Civil Matter, Not criminal	No	No	Yes
IR17015269	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021617	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	Yes
IR17037972	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Yes	No	No
IR18021252	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18007636	MCAOTN - 6114 - No crime committed	No	No	Yes
IR18013886	MCAOTN - 6108 - Defendant is a Juvenile	No	No	Yes
IR18010440	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18001317	MCAOTN - 6109 - Self Defense/Mutual Combat	No	No	Yes
IR17007307	MCAOTN - 6113 - No reasonable likelihood of conviction	No	Yes	Yes
IR18027374	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	Yes
IR18007048	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR18000086	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR17030669	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	Yes
IR17013891	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18028340	MCAOTN - 6109 - Self Defense/Mutual Combat MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18015111	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021601	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR16024706	MCAOTN - 6157 - Old case/stale	No	Yes	No
IR18028227	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	No
IR18022620	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17018957	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18029060	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR17028620	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18008466	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18015776	MCAOTN - 6148 - Inadequate evidence of Corroboration	No	No	Yes
IR18025241	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18017957	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17015851	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18000797	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17007948	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR17028978	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18027641	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6109 - Self Defense/Mutual Combat	No	No	Yes
IR18004635	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR18027780	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18012981	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18007859	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17032525	MCAOTN - 6160 - Pre-file TASC - Successful completion	No	No	Yes
IR18013493	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18012699	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18024272	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18026910	MCAOTN - 6148 - Inadequate evidence of Corroboration	No	No	Yes
IR18013190	MCAOTN - 6116 - Victim/Witness reluctance/refusal to prosecute	Yes	No	Yes
IR18027466	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17034216	MCAOTN - 6113 - No reasonable likelihood of conviction MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR17021206	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17037011	MCAOTN - 6160 - Pre-file TASC - Successful completion MCAOTN - 6104 - This case should be submitted to city prosecutor	No	No	Yes
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IR18020752	MCAOTN - 6101 - Limited resources/offense does not warrant prosecution/extradition MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18013529	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR1802250	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010153	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021479	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18025876	MCAOTN - 6104 - This case should be submitted to city prosecutor	Yes	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR18022953	MCAOTN - 6114 - No crime committed	No	No	Yes
IR18012299	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18009551	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18008364	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18025481	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18012788	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18014654	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17006426	MCAOTN - 6160 - Pre-file TASC - Successful completion	No	No	Yes
IR18025225	MCAOTN - 6109 - Self Defense/Mutual Combat	No	No	Yes
IR18012664	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR13000898	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18012930	MCAOTN - 6113 - No reasonable likelihood of conviction	No	Yes	Yes
IR18019673	MCAOTN - 6158 - To city prosecutor in accordance with office policy delegating C6F offense for local level prosecution	Yes	Yes	Yes
IR18025186	MCAOTN - 6151 - Inadequate evidence of Intent	Yes	No	Yes
IR17027662	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18010791	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18007452	MCAOTN - 6113 - No reasonable likelihood of conviction	No	Yes	Yes
IR18011161	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17006299	MCAOTN - 6000 - Submitted in Error	No	Yes	Yes
IR16025395	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18007344	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes

IR	C.A Allegation	Booking	Citation	Submittal
IR17022192	MCAOTN - 6104 - This case should be submitted to city prosecutor	No	No	Yes
IR18021403	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Yes	No	Yes
IR17022828	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021277	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010006	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18013556	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17026542	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	No
IR18016337	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR14019698	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR17028706	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR18021019	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010531	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18015230	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18025791	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18016853	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18012195	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18022810	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18022204	MCAOTN - 6107 - Civil Matter, Not criminal	No	No	Yes
IR17015269	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021617	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	Yes
IR17037972	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Yes	No	No

IR	C.A Allegation	Booking	Citation	Submittal
IR18021252	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18007636	MCAOTN - 6114 - No crime committed	No	No	Yes
IR18013886	MCAOTN - 6108 - Defendant is a Juvenile	No	No	Yes
IR18010440	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18001317	MCAOTN - 6109 - Self Defense/Mutual Combat	No	No	Yes
IR17007307	MCAOTN - 6113 - No reasonable likelihood of conviction	No	Yes	Yes
IR18027374	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	Yes
IR18007048	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	No	No	Yes
IR18000086	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17030669	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	Yes	Yes
IR17013891	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18028340	MCAOTN - 6109 - Self Defense/Mutual Combat MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18015111	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021601	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR16024706	MCAOTN - 6157 - Old case/stale	No	Yes	No
IR18028227	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	No
IR18022620	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17018957	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18029284	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17012154	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18010298	MCAOTN - 6107 - Civil Matter, Not criminal	No	No	Yes

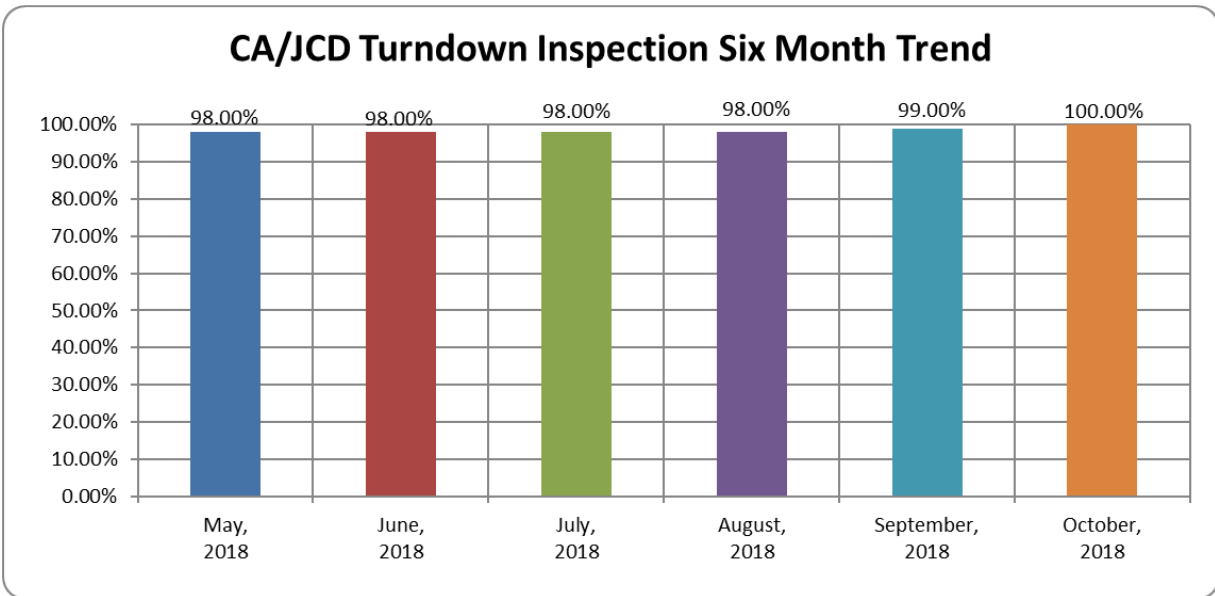
IR	C.A Allegation	Booking	Citation	Submittal
IR17039025	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18023943	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17030835	MCAOTN - 6157 - Old case/stale	No	No	Yes
IR18010005	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18013204	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17038192	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR17032914	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR18021192	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Yes	No	Yes
IR17032841	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18021192	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	Yes	No	Yes
IR17007167	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18028323	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18005092	MCAOTN - 6102 - Defendant sentenced in other case; no need to prosecute this matter	No	No	Yes
IR18030890	MCAOTN - 6113 - No reasonable likelihood of conviction	Yes	No	Yes
IR1828009	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18028628	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR18015247	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes
IR16013172	MCAOTN - 6113 - No reasonable likelihood of conviction	No	No	Yes

IR#	MC#	JCD Allegation	Booking	Citation
IR18006723	MC18052474	JCD - Dismissed on motion of court or defendant	No	Yes
IR17013594	MC17112786	JCD - Dismissed on motion/request of prosecutor	Yes	No
IR18018164	MC18137092	JCD - Dismissed on motion/request of prosecutor	No	Yes
IR18008708	MC18068431	JCD - Dismissed on motion/request of prosecutor	Yes	Yes
IR18016870	MC18128355	JCD - Dismissed on motion/request of prosecutor	No	Yes
IR17038733	MC17313867	JCD - Dismissed on motion/request of prosecutor	Yes	Yes
IR18017503	MC18132984	JCD - Dismissed on motion/request of prosecutor	Yes	Yes
IR18020368	MC18153338	JCD - Dismissed on motion/request of prosecutor	No	Yes
IR18022397	MC18168390	JCD - Dismissed on motion/request of prosecutor	Yes	Yes
IR18024531	MC18185478	JCD - Dismissed on motion of court or defendant	No	Yes
IR18023960	MC18180706	JCD - Dismissed on motion/request of prosecutor	Yes	Yes
IR18013306	MC18103421	JCD - Dismissed on motion/request of prosecutor	No	Yes
IR18017066	MC18129548	JCD - Dismissed on motion of court or defendant	No	Yes
IR18018720	MC18141006	JCD - Dismissed on motion of court or defendant	No	Yes
IR18016635	MC18126666	JCD - Dismissed on motion/request of prosecutor	Yes	No
IR18020325	MC18152923	JCD - Dismissed on motion/request of prosecutor	Yes	No
IR18016316	MC18124126	JCD - Dismissed on motion/request of prosecutor	No	Yes
IR18027390	MC18207171	JCD - Dismissed on motion/request of prosecutor	No	Yes
IR18013328	MC18103648	JCD - Dismissed on motion of court or defendant	No	Yes
IR18021788	MC18166136	JCD - Dismissed on motion/request of prosecutor	No	Yes

IR#	Allegation	Booking	Citation	Submittal
IR18016255	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No
IR18023927	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No
IR18024520	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18025971	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18014229	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No
IR18019128	JCD - Dismissed on motion/request of prosecutor -	Yes	Yes	No
IR18022426	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR17022334	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No

IR18026037	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18019568	JCD - Dismissed on motion/request of prosecutor -	Yes	Yes	Yes
IR18017447	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No
IR18021698	JCD - Dismissed on motion/request of prosecutor -	Yes	Yes	No
IR18007610	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No
IR18028519	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18019868	JCD - Dismissed on motion/request of prosecutor -	Yes	Yes	No
IR18025446	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18016318	JCD - Dismissed on motion/request of prosecutor -	No	Yes	No
IR18027389	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18021025	JCD - Dismissed on motion of court or defendant -	No	Yes	No
IR18025959	JCD - Dismissed on motion of court or defendant -	No	Yes	No

Overall Compliance Rate for CA/JCD Turndown Inspections



Non- Compliance Deficiencies

District I:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5041-District I	Redacted	Redacted	10.19.18	Redacted	Redacted	Redacted

Deficiency

1. No property receipt for the knife seized as evidence (per policy GE-3.3. D).
2. No property inventory sheet for the seized knife attached to the report (per policy GE-3).
3. Case clearance report marked "Unfounded" and not "Exceptionally Cleared" (per policy GJ-6).

Inspector Observation: Assisting deputy documents in his supplement that he was not able to interview either suspect due to them speaking Spanish, yet later in his supplement he documents that he arrests suspect two and later reads her Miranda and conducts an interview.

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5041-District I	Redacted	Redacted	8.15.18	Redacted	Redacted	Redacted

Deficiency

1. No signature on property receipt and 'Signature Not Obtained' box not checked on property receipt as noted to complete in TraCS.

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5041-District I	Redacted	Redacted	8.27.18	Redacted	Redacted	Redacted

Deficiency

1. No documentation in IR regarding seizure of suspended license as required per policy (GE-3. B.1.B), *Seizure and impoundment of Driver's License*. Deputy checks box on citation "in possession" regarding the driver's license but does not check the box "seized" when driver had a suspended license.

District II:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5042-District II	Redacted	Redacted	9.18.18	Redacted	Redacted	Redacted

Deficiency

1. No documentation that detective supervisor was notified (per policy EA-8.1. F.5. F) reference strangulation allegation.

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5042-District II	Redacted	Redacted	8.31.18	Redacted	Redacted	Redacted

Deficiency

1. Deputy noted he did not impound Louis Vuitton purse, Louis Vuitton watch and iPhone 6 during a possession of stolen property investigation because the suspect; claimed the items were hers. Report states that the deputy released the suspect to other PD for outstanding warrant and contacted another agency who reported that those items (in addition to several other that were impounded) were in fact stolen. No articulation in the report that the known stolen items were recovered by MCSO or any other agency. Inspector Observation- Deputy notes in report that suspect made statements claiming to know information about another person involved in the burglary of the items and she was not interviewed about her involvement in the possession of stolen items. Report lacks articulation of any further investigation from MCSO or any other involved agency follow-up.
2. No property receipt provided for items removed from the hotel room which had been in possession of the arrested subject (per GE-3.3. D).

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5042-District II	Redacted	Redacted	8.22.18	Redacted	Redacted	Redacted

Deficiency

1. Deputy mis-quotes Arizona Revised Statute stating; "Physical injury means the impairment of physical condition and includes any skin bruising." There is no documentation of circumstances likely to produce death or serious physical injury. The suspect and alleged victim both described the event as spanking/ discipline for misbehaving.
2. No documented interviews with the other children (witnesses), aged 12 and 10 per MCSO Policy (EA-8).

District III:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5043-District III	Redacted	Redacted	9.23.18	Redacted	Redacted	Redacted

Deficiency

1. Report lacks articulation for probable cause for the charge; Criminal Damage/Littering to Property, 13-1603. A.1.
2. Report states the suspect was detained with handcuffs during the investigation and, "a search of his person was conducted for officer safety reasons." No information in the report to articulate a Terry search (for officer safety reasons); however, a search incident to arrest may have been appropriate given the circumstances if the suspect was under arrest. Inspector Observation- The report notes a key to the residence was located in the suspect's pocket while conducting this search.

Inspector observation: Probable cause to show the suspect entered unlawfully and committed another felony by taking keys to a vehicle exists to support the burglary charge; but the lack of any corroboration and conflicting information regarding the alleged theft of \$400.00 should not be used.

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5043-District III	Redacted	Redacted	7.22.17	Redacted	Redacted	Redacted

Deficiency

1. Driver's license marked seized on citation, but no property receipt provided (per GE-3.3. D). Report has no mention of driver's license disposition. VSCF states no item seized (x2).

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5043-District III	Redacted	Redacted	10.29.17	Redacted	Redacted	Redacted

Deficiency

1. Inaccurate information. Face sheet lists "Canales, Q S2042" as being on scene, however he was no longer employed (as of 6/18/2017) by the Sheriff's Office at the time of call.

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5043-District III	Redacted	Redacted	9.23.18	Redacted	Redacted	Redacted

Deficiency

1. No property receipt for the marijuana seized from trashcan on their property (per policy GE-3.3. D) .

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5043-District III	Redacted	Redacted	5.03.18	Redacted	Redacted	Redacted

Deficiency

1. Crash report doesn't list any vehicle or driver in the vehicle one portion, only vehicle two is filled out.

District IV:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5044-District IV	Redacted	Redacted	12.15.17	Redacted	Redacted	Redacted

Deficiency

1. Reported date in original IR by Halliday S2026 is not consistent with reported date on synopsis or narrative.

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5044-District IV	Redacted	Redacted	7.01.18	Redacted	Redacted	Redacted
Deficiency						
1. No articulation in report as to why the three Adderall and one Hydrocodone pills found on suspect incident to arrest were impounded for destruction. If possession of property (pills) was lawful; should have been placed for safekeeping. if possession of property (pills) was unlawful; should have been listed as evidence and suspect charged if warranted.						
District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5044-District IV	Redacted	Redacted	9.22.17	Redacted	Redacted	Redacted
Deficiency						
1. Unable to locate any charging documents (submittal) in case file per MCSO Policy GF-5; report shall be forwarded to Records. Inspector Observation- Per supplement from Deputy Evans on 10/23/18, MCAO attorney acknowledged via email the case was filed in time by MCSO but MCAO failed to file charges within 1 year.						
District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5044-District IV	Redacted	Redacted	9.17.18	Redacted	Redacted	Redacted
Deficiency						
1. No documentation of ages or attempts to interview witnesses, Nicole's children per MCSO policy EA-8. 2. Victims were not interviewed separately per MCSO policy EA-8.						

District VI:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5056-Patrol District VI Queen Creek	Redacted	Redacted	8.12.18	Redacted	Redacted	Redacted
Deficiency						
1. Potential incomplete investigation. No interviews with children witnesses (no ages given, or reason not to interview them per MCSO Policy EA-8)						

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5056-Patrol District VI Queen Creek	Redacted	Redacted	10.09.17	Redacted	Redacted	Redacted
Deficiency						
<p>1. No property receipt for the vouchers that were seized as evidence from the suspect (per GE-3.3. D). Inspector Observation- Property receipt requirement was effective 10-03-17, which is just prior to the date of this case, 10-09-17, this case was 6 days after the property receipt requirement. Deputy states that he ran subject via JWI but then realized in middle of post Miranda questioning that subject was a juvy and had to then read juvy Miranda.</p> <p>**Inspector Observation: Employee resigned; no further required. **</p>						

Lake Patrol Division:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5046-Lake Division	Redacted	Redacted	8.25.18	Redacted	Redacted	Redacted
Deficiency						
<p>1. Inconsistent information in the report regarding disposition of property. Deputy notes that one of two backpacks were returned, and the other was impounded at District Four. Supplemental report states that all backpacks and purse were returned.</p> <p>2. Laptop computer left in vehicle (noted on tow sheet) but not impounded per policy EB-5.5. A.</p>						
District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5046-Lake Division	Redacted	Redacted	9.01.18	Redacted	Redacted	Redacted
Deficiency						
<p>1. Deputy did not tow the vehicle (per 28-3511, and MCSO policy).</p>						

Court Security Division:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
Court Services	Redacted	Redacted	7.11.18	Redacted	Redacted	Redacted
Deficiency						
<p>1. Form 4 missing all arresting officer information.</p>						

4th Avenue Jail:

District/Division	Case Agent	Serial #	Date of Event	IR#	Current Supervisor	Current Commander
5114-4Th Ave Jail	Redacted	Redacted	6.17.18	Redacted	Redacted	Redacted

Deficiency

1. Deputy did not interview victim and witness separately. "As I asked questions about what had occurred Roger and Nicole took turns answering what had gone on prior to Deputies arrival." Per MCSO Policy EA-8.
2. No signature on Juvenile Miranda. Juvenile Miranda not impounded.

Recommendations:

There were no irreversible errors in this October Inspection indicating diligence on behalf of Office personnel in overseeing and correcting potential errors which once committed cannot be reversed.

The number of other potential non-compliance deficiencies that have been routinely identified during the review of reports from this Inspection by BIO indicates that further review of reports by Case Agents and Supervisors is recommended prior to approval and submission of charges.

Some common issues noted include:

- No or weak articulation of probable cause for submitted charges
- Failure to provide property receipts when seizing owner property
- Weak or incomplete investigations resulting from not interviewing suspects, victims, and witnesses
- Inconsistent or inaccurate information provided in reports, supplements, and other forms

Supervisors are reminded that a supervisor’s approval of the report indicates their agreement that the report contains all of the necessary elements of the legal basis for the action or all of the elements of a reported crime, if applicable.

A total of **(21)** BIO Action Forms are requested from the affected divisions for the perceived deficiencies listed.

The form shall be completed utilizing Blue Team.

Date Inspection Started: November 6th, 2018
Date Completed: December 5th, 2018
Time frame Inspected: October 1st to October 31st, 2018

Assigned Inspector: Sergeant Robert Levy S1881
Assisting Inspector: Sergeant Travis Glenn S1626

I have reviewed this inspection report.

W.C. Morrison #1509
Capt. W. Cory Morrison S1509
Commander
Bureau of Internal Oversight

12/13/18
Date