

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Complaint Intake Testing Inspection July 2019

Inspection # BI2019-0109

The Bureau of Internal Oversight's (BIO) Audits and Inspections Unit (AIU) will conduct Complaint Intake Test inspections on a monthly basis. The purpose of this inspection is to determine employee compliance with Office Policy (GH-2, *Internal Investigations* and GI-1, *Radio and Enforcement Communications Procedures*) as it relates to the civilian complaint intake process. To ensure consistent inspections, the *Complaint Intake Testing Matrix* developed by the AIU will be utilized.

To achieve this, the AIU will conduct monthly inspections of the complaint intake tests completed by outside vendors selected by the MCSO for this purpose. These vendors are responsible for having testers file fictitious complaints either in person at MCSO facilities, by telephone, by mail, by e-mail or MCSO's website in order to determine if MCSO employees process the intake of complaints in accordance with MCSO policy.

Each vendor has been issued open Purchase Orders for the fiscal year which allows for a sufficient number of random and targeted tests to allow MCSO to assess the complaint intake process. Each vendor determines the number of tests they will conduct on a monthly basis and when and how they will conduct these tests. Additionally, each vendor has submitted testing methodologies and testing paperwork which has been approved by the AIU. These methodologies include the requirement to audio and video record all in-person testing and audio record all phone testing. Each testing vendor will adhere to these methodologies when conducting complaint intake testing for the Office.

Matrix Procedures:

- Are employees providing civilians with appropriate and accurate information about the complaint process?
- Are employees promptly notifying the Professional Standards Bureau (PSB) upon the receipt of a complaint?
- Are employees providing the PSB with accurate and complete information?
- Are employees attempting to discourage, interfere with, or delay civilians from registering a complaint?

Criteria:

MCSO Policy GH-2, *Internal Investigations*

MCSO Policy GI-1 (*Section 12*), *Radio and Enforcement Communications Procedures*:

12. Complaint or Service Complaint Handling:

- A. Communications Division personnel shall be properly trained to handle complaint intake from a member of the public, providing complaint materials and information, and the consequences for failing to take complaints.
- B. Communications Division personnel receiving complaint and service complaint calls from members of the public through the 9-1-1 phone line, shall instruct the caller to call Communication Division personnel back on a non-emergency phone line.
- C. Upon receiving the call back, Communications Division personnel shall document the information from the complainant to include: the complainant's name and contact information; location of the complaint occurrence; a report number and the name of the deputy, if known.
 1. Once the complaint information is obtained, Communications Division personnel shall immediately verbally contact the on-duty supervisor of the district or division in which the complaint was directed. This will allow the on-duty supervisor to immediately take action. This procedure applies to all complaints where contact is not restricted by business hours.

- a. Communications Division personnel shall then e-mail the complaint information to that on-duty supervisor of the district or division in which the complaint was directed. It shall be the responsibility of the on-duty supervisor to document the complaint into Blue Team.
 - b. Communications Division personnel shall copy the e-mail sent to the on-duty supervisor with the complaint information, to the Early Identification Unit at mcso.eis@mcso.maricopa.gov to ensure the complaints entry is entered into Blue Team.
2. Communications personnel receiving complaints shall ensure the maintenance of confidentiality. Communications personnel shall not divulge the name of any persons filing a complaint or provide complainant information to any employee other than the supervisor and/or PSB, or personnel authorized by Office command to properly process and investigate allegations of misconduct. However, at no time shall any individual who receives or handles a complaint, in any way attempt to dissuade a member of the public, from making the complaint or attempting to narrow the grounds of the complaint.
 3. Failure to report an act of misconduct shall be considered misconduct and may result in disciplinary or corrective action, up to and including dismissal from employment.

Conditions:

AIU began conducting the inspection of Complaint Intake Testing in January 2019 for tests performed during the month of December 2018. The following charts illustrate rolling 12-month histories of compliance with Office Policy. "N/A" indicates a particular type of testing was not performed during that month.

AIU reviewed three In-Person tests conducted during the month of July 2019. These tests are discussed in further detail under the applicable report sub-section below.

In-Person Testing

There were three In-Person Complaint Intake Tests conducted during the month of July 2019 (Tests 004, 005 and 006). The first test (Test 004) involved a civilian filing an external complaint in person at District 2 on 7/17/19, complaining that she observed a deputy parked in a handicapped space at a QT convenience store. The complainant said that the deputy emerged about ten minutes later carrying food and/or a beverage. The complaint was entered into BlueTeam the same day. The following day, PSB sent the complaint tester a written acknowledgement through both e-mail and U.S. Mail that included an IA number and the contact information for the assigned investigator. No deficiencies were noted.

The second test (Test 005) involved a civilian filing an external complaint in person at District 3 on 7/17/19, complaining that an individual claiming to be a deputy was at a bar exhibiting drunk and disorderly behavior — making threatening and homophobic statements. The complaint was entered into BlueTeam the same day. The following day, PSB sent the complaint tester a written acknowledgement through both e-mail and U.S. Mail that included an IA number and the contact information for the assigned investigator. No deficiencies were noted.

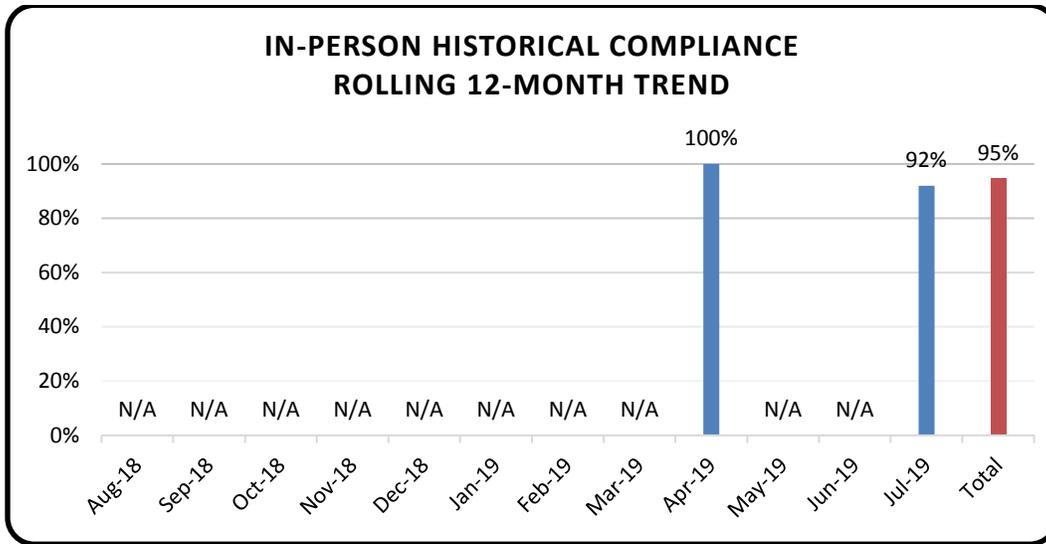
The third test (Test 006) involved a civilian filing an external complaint in person at District 4 on 7/31/19, complaining that three uniformed deputies were eating in a Denny's and were very loud and used profanity. In addition to making the other patrons uncomfortable, there were children present. The tester was given a Comment and Complaint Form to fill out at the time of making the complaint. However, the complaint was not immediately forwarded to an on-duty supervisor. The tester was advised that someone would contact her although there was no mention of an investigation taking place. The employee receiving the complaint put the completed Comment and Complaint Form on the

supervisor's desk where it was read the following day. The supervisor reviewed the applicable sections of Policy GH-2 *Internal Investigations* with the employee and documented the discussion in a BlueTeam Supervisor Note on 8/1/19.

For the three In-Person tests, it was determined that MCSO employee compliance with the applicable Office Policy (GH-2, *Internal Investigations*) was 92%, as illustrated in the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.	0	3	3	100%
Determine if the complaint was referred to the on-duty supervisor.	1	2	3	67%
If a supervisor was not available, verify that the employee obtained pertinent information and had a supervisor make contact with the complainant as soon as possible.	1	2	3	67%
Determine if original recordings and documents were attached to Blue Team or sent via interoffice mail to PSB.	0	3	3	100%
Verify that the complaint was entered into Blue Team or IAPro.	0	3	3	100%
Determine if the employee attempted to discourage, interfere or delay the complaint.	0	3	3	100%
If alleged conduct is of a criminal nature, determine if the chain of command was notified and if they notified PSB.	N/A	N/A	N/A	N/A
Verify that the complaint was audio and video recorded.	1	2	3	67%
Determine if the minimum amount of information was obtained (date, time, summary, location, name, contact info, witness info, supporting documents/evidence, involved employees, etc.).	0	3	3	100%
Determine if written acknowledgement was provided that the complaint was received, documented, forwarded for investigation and complainant would be contacted by a department representative.	0	3	3	100%
Determine if the complaint was promptly forwarded to PSB.	0	3	3	100%
Determine if the complaint notification was sent within 7 days, including IA# and investigator name and contact number.	0	3	3	100%
Determine if the employee reported accurate information in the complaint.	0	3	3	100%
Overall compliance for In-Person testing	3	33	36	92%

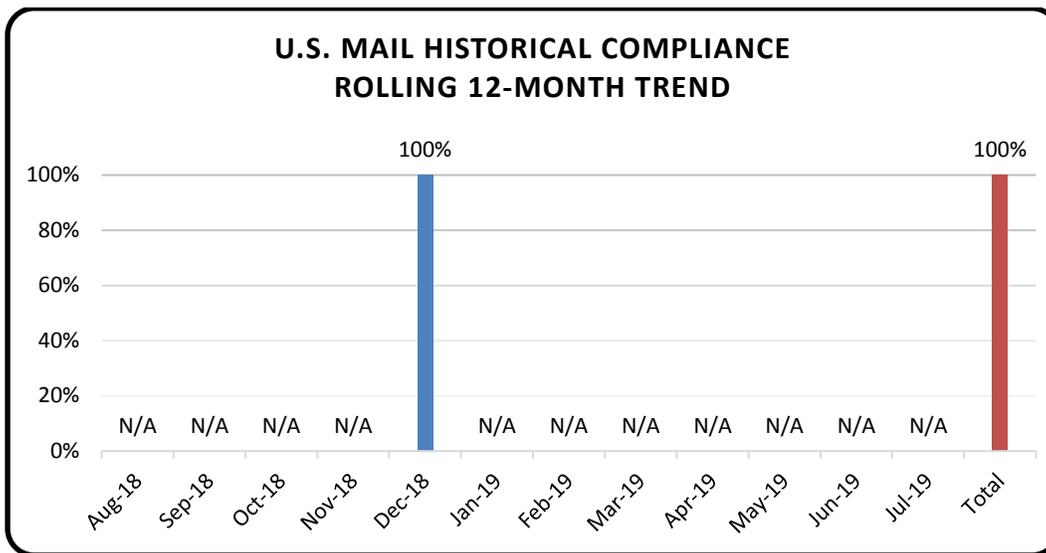
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



Testing by U.S. Mail

There were no Complaint Intake Tests conducted by U.S. Mail during the month of July 2019.

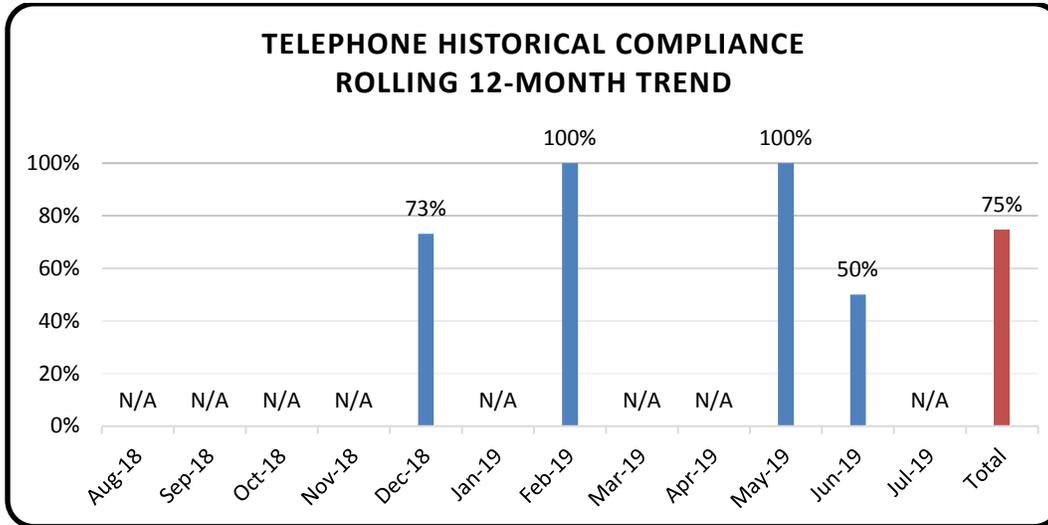
Below is a rolling 12-month historical comparison of compliance for tests conducted by U.S. Mail:



Testing by Telephone

There were no Complaint Intake Tests conducted by Telephone during the month of July 2019.

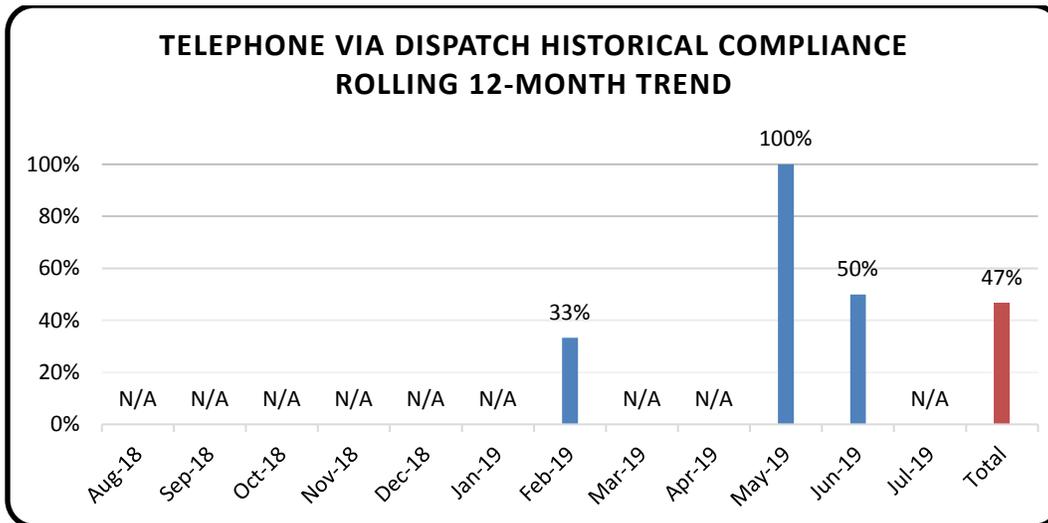
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone:



Testing by Telephone via Communications Division

There were no Complaint Intake Tests conducted by Telephone for the month of July 2019 that were initiated via the Communications Division.

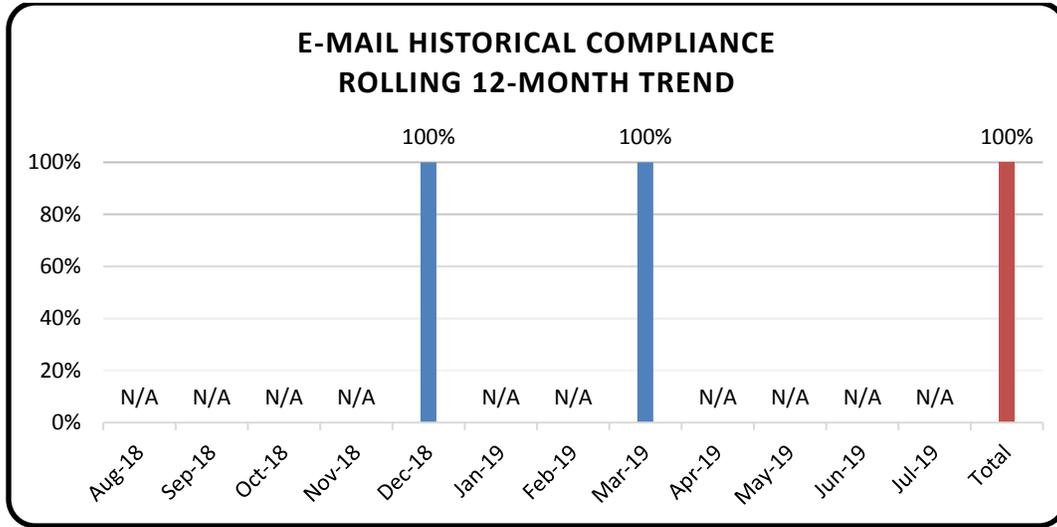
Below is a rolling 12-month historical comparison of compliance for tests received via Communications Division:



Testing by E-Mail

There were no Complaint Intake Tests conducted by E-mail during the month of July 2019.

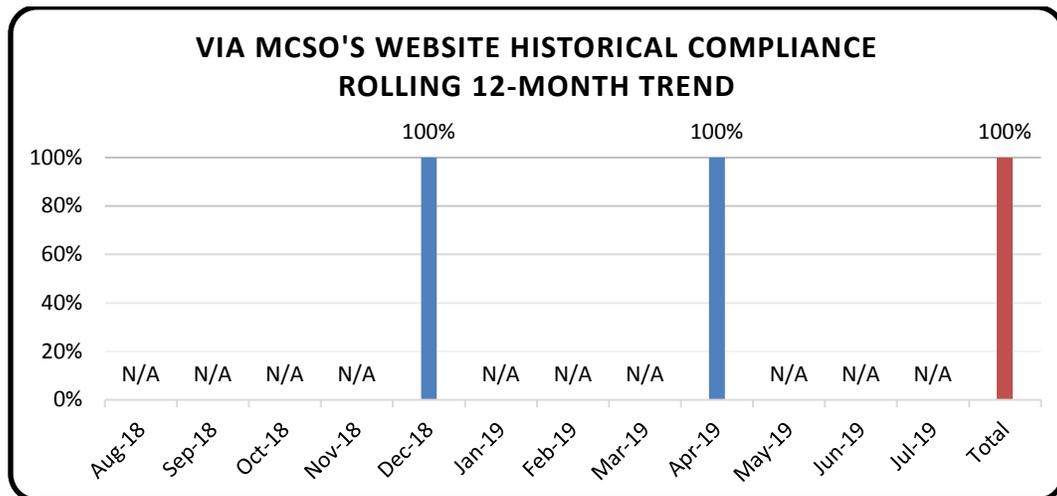
Below is a rolling 12-month historical comparison of compliance for tests conducted by E-mail:



Testing by MCSO’s Website

There were no Complaint Intake Tests conducted during the month of July 2019 using the Office’s website.

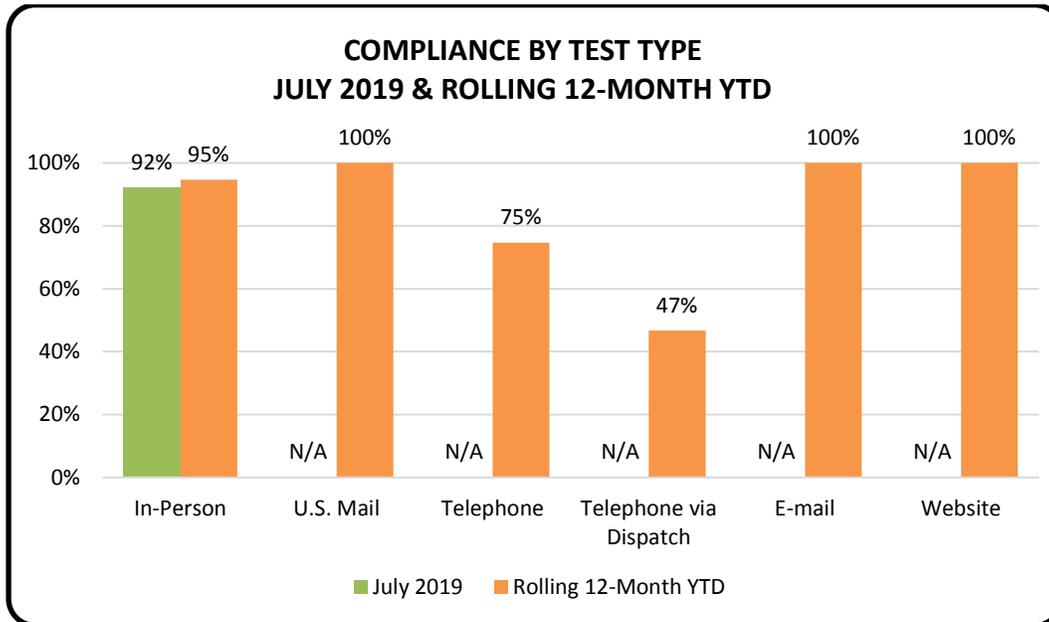
Below is a rolling 12-month historical comparison of compliance for filing a complaint online:



Overall Compliance for July 2019:

Compliance Rate by Method of Test July 2019	Compliance Rate
Tests conducted In Person	92%
Tests conducted by U.S. Mail	N/A
Tests conducted by Telephone	N/A
Tests conducted via Dispatch	N/A
Tests conducted via E-mail	N/A
Tests conducted via filing a complaint Online	N/A
Overall Compliance for all Complaint Intake Tests Inspected – July 2019	92%

Below is a chart illustrating compliance rate by type of test conducted for the month of July 2019 as compared with the corresponding year-to-date compliance rate.

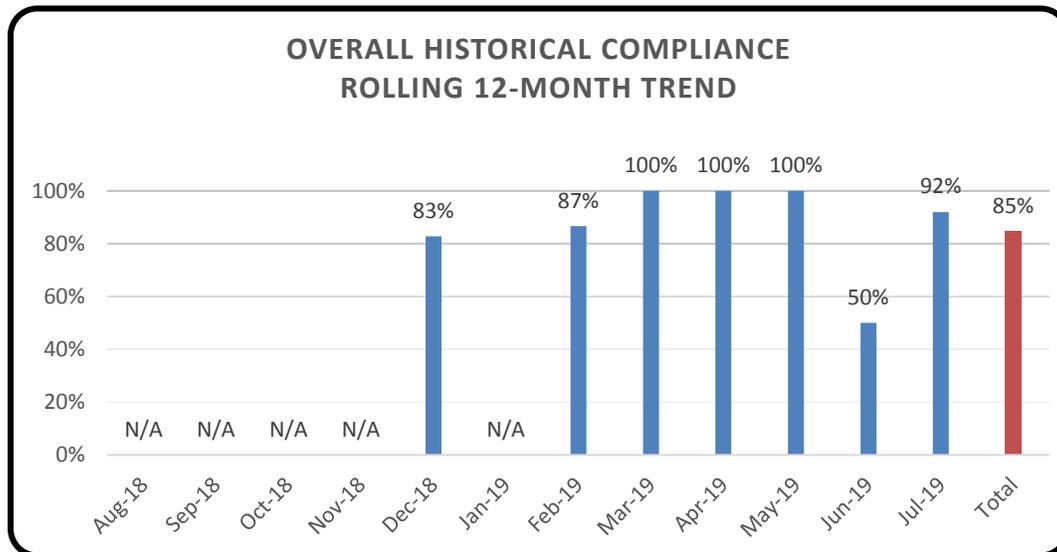


The following deficiencies were identified during the inspection process and require that a BIO Action Form be completed:

Deficiencies						
District/Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander	Related BAFs
District 4	Employee	7/31/2019	IA2019-0391	Lieutenant	Captain	None
Perceived Deficiency						
<ol style="list-style-type: none"> 1. The employee receiving the external in-person complaint did not refer the complaint to the on-duty supervisor. "Complaints received at the division by phone or in person shall be referred to the on-duty supervisor." (GH-2.2.B.1.a.(1)) 2. The employee receiving the complaint did not immediately forward the complaint information to a supervisor; there was no supervisor available on the premises at the time. The employee did, however, forward the Comment and Complaint Form to her supervisor, who reviewed it the following day. "Complaints shall normally be referred to a supervisor, but if this is not practical, the receiving employee shall obtain pertinent information about the complaint and then immediately forward the information to a supervisor." (GH-2.2.B.) 3. Although a BlueTeam entry was completed and routed to PSB, audio and video recordings were not attached since a supervisor was not notified timely and, as a result, no recordings were made. "Attach audio and video recording(s) and any related documents to the Blue Team entry." (GH-2.2.B.1.b.(1)(d)) 						

History of Overall Compliance:

Below is a rolling 12-month historical comparison of compliance for all Complaint Intake Testing:

**Recommendation:**

1. It is recommended that commanders continue to provide mentoring and guidance and review MCSO Policy GH-2 to ensure that the requirements for the intake of complaints are being followed, specifically Complaint Intake Procedures requirements listed in GH-2.2.
2. It is recommended that commanders continue to provide mentoring and guidance and review MCSO Policy GI-1, paragraph 12.C.1 to ensure that the requirements for the intake of complaints are being followed, specifically the requirements that:
 1. Once the complaint information is obtained, Communications Division personnel shall immediately verbally contact the on-duty supervisor of the district or division in which the complaint was directed. This will allow the on-duty supervisor to immediately take action. This procedure applies to all complaints where contact is not restricted by business hours.
 - a. Communications Division personnel shall then e-mail the complaint information to that on-duty supervisor of the district or division in which the complaint was directed. It shall be the responsibility of the on-duty supervisor to document the complaint into Blue Team.
 - b. Communications Division personnel shall copy the e-mail sent to the on-duty supervisor with the complaint information, to the Early Identification Unit to ensure the complaints entry is entered into Blue Team.

Action Required:

Although the compliance rate is 92% for the month of July, the deficiency has already been discussed with the employee and documented in BlueTeam; therefore, **no BIO Action Form** is requested.

Notes:

All supporting documentation (working papers) is included in the inspection file number *BI2019-0109* and contained within IAPro.

Date Inspection Started: July 25, 2019
Date Completed: August 2, 2019
Timeframe Inspected: July 1st to July 31st, 2019
Assigned Inspector: Connie Phillips B3345

I have reviewed this inspection report.

Lt. D. Reaulo S1678

Lt. Dominick Reaulo S1678
Commander, Audits & Inspections Unit
Bureau of Internal Oversight

9/4/2019

Date