

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**Complaint Intake Testing Inspection June 2020**

Inspection # BI2020-0081

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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 Policies GH-2, *Internal Investigations* and GI-1, *Radio and Enforcement Communications Procedures* as they relate 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 by using 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 tests and audio record all telephone tests. Each testing vendor will adhere to these methodologies when conducting complaint intake testing for the Office.

**Compliance Objectives:**

- 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, *Radio and Enforcement Communications Procedures*

**Conditions:**

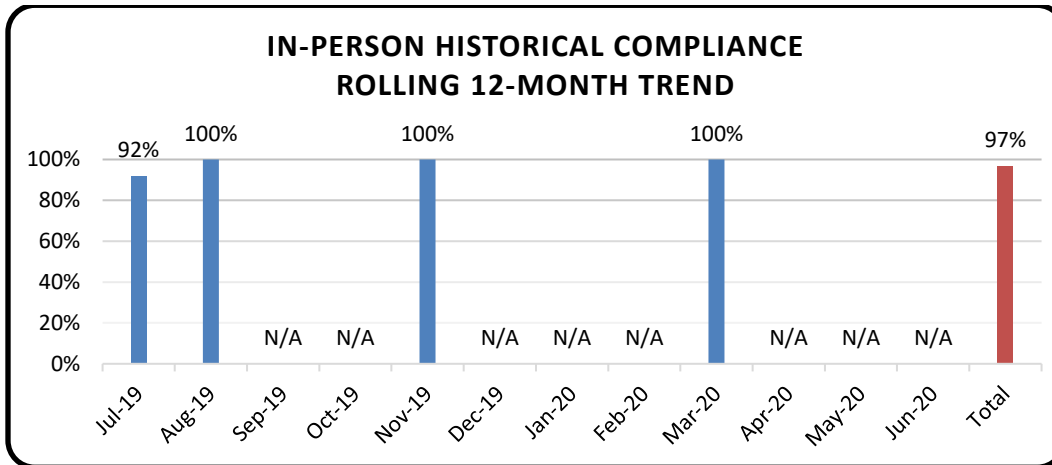
AIU began conducting the inspection of Complaint Intake Testing in January 2019 for tests performed during the month of December 2018. The following charts illustrate rolling 12-month histories of compliance with Office Policy. "N/A" indicates a particular type of test was not performed during that month.

The Complaint Intake Testing vendors conducted four tests during the month of June 2020; all four were conducted by telephone. AIU inspected all four complaint intake tests. These tests are discussed in further detail under the applicable report sub-sections below.

**In-Person Testing**

There were no In-Person Complaint Intake Tests conducted during the month of June 2020.

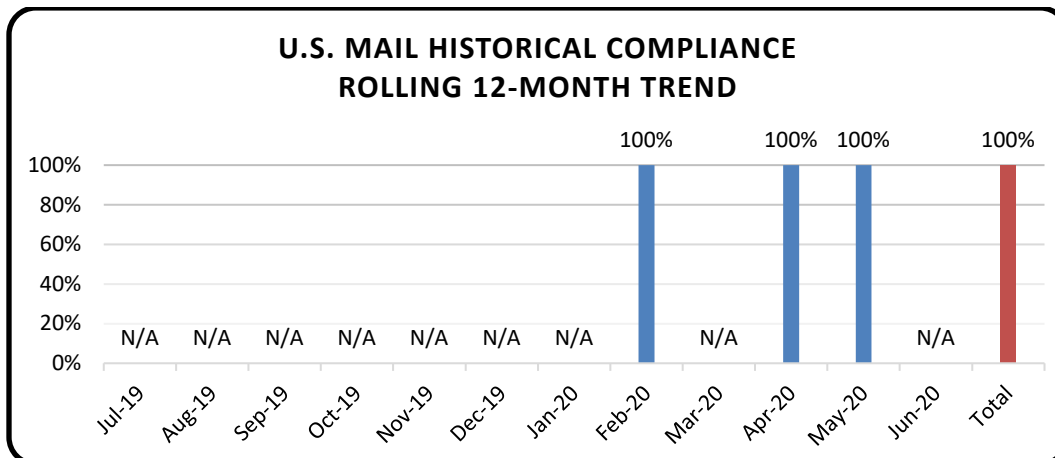
Below is a rolling 12-month historical comparison of compliance for In-Person tests:



**Testing by U.S. Mail**

There were no Complaint Intake Tests conducted by U.S. Mail during the month of June 2020.

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



**Testing by Telephone**

There were four Complaint Intake Tests conducted by Telephone during the month of June 2020.

**1. TEST #: 51**

**DISTRICT/DIVISION:** District 3

**TEST SCENARIO:** The tester called the MCSO general switchboard number (602-876-1000) on a Saturday to complain that she met a deputy on a hiking trail who was unstable and smelled of alcohol.

**ACTIONS TAKEN:** Dispatch personnel obtained information required by Policy GI-1, paragraph 12 and indicated that someone would contact the tester. Dispatch promptly e-mailed the on-duty supervisor and copied the Early Identification Unit. An hour later, the tester received a call from the on-duty supervisor in District 3 to obtain details about the complaint. Three days later, the tester received a phone call (since no other means of contact was provided by the tester) from PSB providing her with an IA number and the contact information for the assigned investigator.

**RESULTS:** No deficiencies were noted.

**TESTER COMMENTS:** *The officers I spoke with on the first two contacts were professional, patient, and understanding. As a "complaint", it was not an intimidating experience to initiate the complaint.*

**BIO FOLLOW-UP:** None required.

## 2. TEST #: 52

**DISTRICT/DIVISION:** Sheriff's Office Headquarters

**TEST SCENARIO:** The tester called a number at the downtown headquarters of the MCSO to file a complaint about a deputy possibly targeting Hispanic drivers.

**ACTIONS TAKEN:** The employee who received the phone call was assigned to Operation Command. She asked for the tester's name and phone number so she could have the Professional Standards Bureau (PSB) call the tester back and added that PSB would be the one to investigate the allegation. Policy GH-2, *Internal Investigations*, allows PSB to "... accept any external complaint directly from a complainant."

Approximately 25 minutes after the tester's phone call, an employee assigned to PSB called the tester to obtain details about her complaint. After interviewing the tester about the complaint, the PSB employee explained that an investigation would be conducted and gave her cell phone number to the tester. Although the PSB employee asked for an e-mail address or some other way to contact the tester, the tester preferred to give only her phone number. When the tester's information was entered into BlueTeam, the tester's phone number was entered incorrectly by one digit. Therefore, PSB was not able to successfully contact the tester to provide her with the IA number and the name of the assigned investigator as required by Policy GH-2, *Internal Investigations*.

**RESULTS:** One deficiency was noted.

### **TESTER COMMENTS:**

- The tester indicated that during the initial call, she was "encouraged twice to fill out [the] website complaint form". The tester interpreted this as an attempt to "discourage, interfere with, or delay [her] from registering a complaint" (Policy GH-2, 2.B.1.a.).

**BIO RESPONSE:** BIO disagrees. The Operation Command employee asked for the tester's name and number so that PSB could contact her about her complaint (which PSB did) and offered information regarding the online complaint form. Bio considers the information provided regarding the online form as value added, not as a means of discouraging the intake of a complaint.

- The tester indicated that during the initial call she felt the "demeanor" of the person she interacted with was unprofessional because the employee "[d]idn't answer [the] phone properly; didn't know what PSB meant; pushed [her] to fill [the] on-line form."

**BIO RESPONSE:** BIO disagrees.

- The tester intended to call District 7 directly but misdialed by one digit and called the Special Assistant to the Sheriff at an unpublished number. Many employees in the office have a phone in their office with an assigned extension number. These are not public numbers and are used to communicate internally and for the employee to make outbound calls. When employees answer their office extension, it is a customary greeting to say one's name when starting the conversation.
- Although the employee could not tell the tester that the acronym "PSB" stood for "Professional Standards Bureau", she explained PSB was "Internal Affairs" and would be the entity conducting the investigation into the tester's complaint.
- The employee provided education regarding the online complaint form as another way the tester could file a complaint. The employee contacted PSB, who then called the tester.

- *On the initial two calls on June 11, 2020, I felt that both MCSO employees treated me seriously. But then there was no contact from MCSO.*

**BIO RESPONSE:** Once the complaint was taken and entered in the system, PSB was unable to contact the tester due to an input error when entering the tester's phone number.

**BIO FOLLOW-UP:** BIO followed up with PSB through the BIO Action Form process to address the one Policy GH-2 requirement that was not met.

### 3. TEST #: 53

**DISTRICT/DIVISION:** District 2

**TEST SCENARIO:** The tester called the MCSO to complain that she saw a deputy possibly asleep in his patrol vehicle.

**ACTIONS TAKEN:** The dispatcher who took the call documented the complaint information and contacted the on-duty supervisor in District 2, who was unable to speak to the tester at that time, so the dispatcher gave the contact information to the District 2 sergeant to call back. The dispatcher informed the tester she would receive a call from a District 2 sergeant regarding her complaint. Policy GI-1, *Radio and Enforcement Communications Procedures*, 12.C.1.a., requires that "Communications Divisions personnel shall then e-mail the complaint information to the on-duty supervisor of the district or division in which the complaint was directed." Policy GI-1, 12.C.1.b., further requires that "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 BlueTeam." These two requirements of Policy GI-1 were not done.

Approximately one hour later, the District 2 sergeant called the tester to gather details about the complaint. The call was recorded. The sergeant entered the complaint in the BlueTeam system and immediately forwarded the complaint to PSB. The following day, PSB called the tester and left a voicemail providing the IA number and the name and contact information of the assigned investigator as well as the phone number for PSB.

**RESULTS:** Two deficiencies were noted.

**TESTER COMMENTS:** *My complaint's IA# was given to me within 24 hours of my last contact. And I was give [sic] the phone # of the Professional Standards Bureau.*

**BIO FOLLOW-UP:** BIO followed up with the Communications Divisions through the BIO Action Form process to address the two Policy GI-1 requirements that were not met.

### 4. TEST #: 54

**DISTRICT/DIVISION:** District 6

**TEST SCENARIO:** The tester called to complain that she saw two deputies rudely yelling at a homeless man.

**ACTIONS TAKEN:** The first dispatcher who took the call began intake of the complaint but soon had to put the tester on hold to answer an emergency call. Less than seven minutes later, a second dispatcher spoke to the tester and documented the complaint information, contacted the on-duty supervisor in District 6, and forwarded the complaint information to the supervisor and the Early Identification Unit. In addition, the dispatcher informed the tester she would likely receive a call from a District 6 sergeant regarding her complaint.

Approximately 15 minutes later, the district sergeant called the tester to obtain details regarding the complaint. The call was recorded as required by Policy GH-2, *Internal Investigations*. The electronic file of the recorded call was too large to attach to the BlueTeam entry; it was determined that the complaint was a test before the PSB process for attaching the recording to the case file in IPro could be completed. PSB called the tester two days later to provide the IA number and the name and contact information of the assigned investigator. The tester provided only a phone number and declined to give an address; therefore, the update given to the tester was by telephone.

**RESULTS:** No deficiencies were noted.

**TESTER COMMENTS:** *While on hold for several minutes after speaking very briefly to the [first] dispatcher, the recording had a loud screeching sound that kept repeating; I almost hung up. When [the second dispatcher] spoke with me, he was much friendlier, understanding, and professional than the [first] dispatcher.*

**BIO RESPONSE:** Communications Division personnel answer non-emergency calls as soon as they are available to do so. If multiple 911 calls come in at the same time, non-emergency callers may be on hold for several minutes. Additionally, the tester indicated the first dispatcher was not as friendly, understanding, or professional as the second dispatcher. Bio found no misconduct with the first dispatcher's actions.

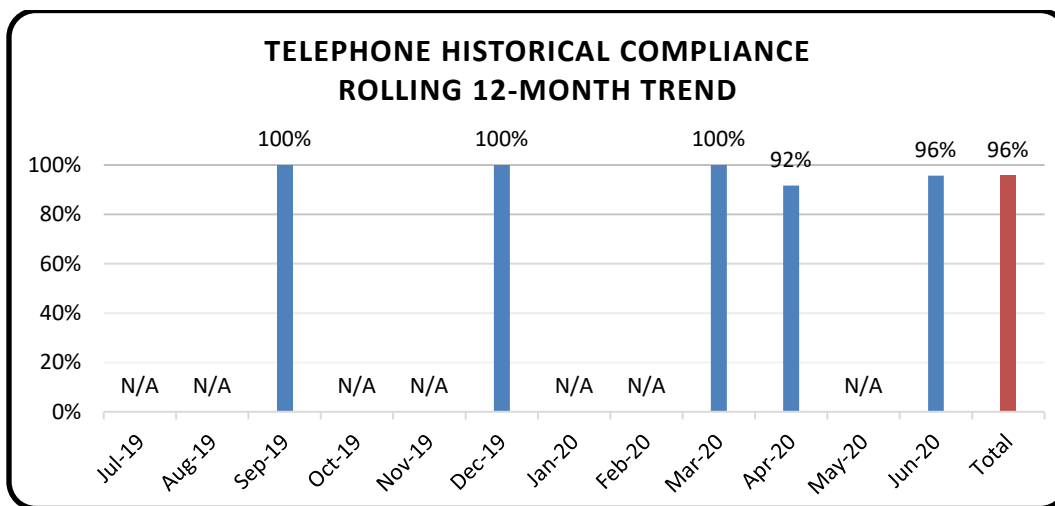
It was determined that MCSO employee compliance with the applicable Office Policy (GH-2, *Internal Investigations*) was 98%, as illustrated by the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the complaint was accepted.	0	4	4	100%
Determine if the complaint was taken in a courteous manner.	0	4	4	100%
If the complainant did not speak, read, or write in English, or was deaf or hard of hearing, determine if the complaint was accepted.	N/A	N/A	N/A	N/A
Determine if the complaint was referred to the on-duty supervisor.	0	4	4	100%
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.	N/A	N/A	N/A	N/A
Determine if original recordings and documents were attached to BlueTeam or sent via interoffice mail to PSB.	0	3	3*	100%
Verify that complaint was entered into BlueTeam or IAPro.	0	4	4	100%
Determine if the employee attempted to discourage, interfere or delay complaint.	0	4	4	100%
If alleged conduct is of a criminal nature, determine that the chain of command was notified, who then notified PSB.	N/A	N/A	N/A	N/A
Verify that the complaint was audio and/or video recorded.	0	4	4	100%
Determine if the following minimum amount of information was obtained: <ul style="list-style-type: none"> <li>• Complainant's name</li> <li>• Complainant's contact information</li> <li>• Location of the complaint occurrence</li> <li>• Report number and deputy name, if known</li> </ul>	0	4	4	100%

Determine if verbal or written acknowledgement was provided that the complaint was received, documented, forwarded for investigation and that complainant would be contacted by a department representative.	0	4	4	100%
Determine if the complaint was immediately forwarded to PSB.	0	4	4	100%
Determine if the complaint notification was sent within 7 days including IA# and investigator name and contact number.	1	3	4	75%
Determine if the employee reported accurate information in the complaint.	0	4	4	100%
<b>Overall compliance for testing conducted by Telephone</b>	<b>1</b>	<b>46</b>	<b>47</b>	<b>98%</b>

\*Note: This inspection point does not apply to Test #54; the file was too large and the PSB file attaching process was stopped upon determining the complaint was a test.

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



**Testing by Telephone via Communications Division**

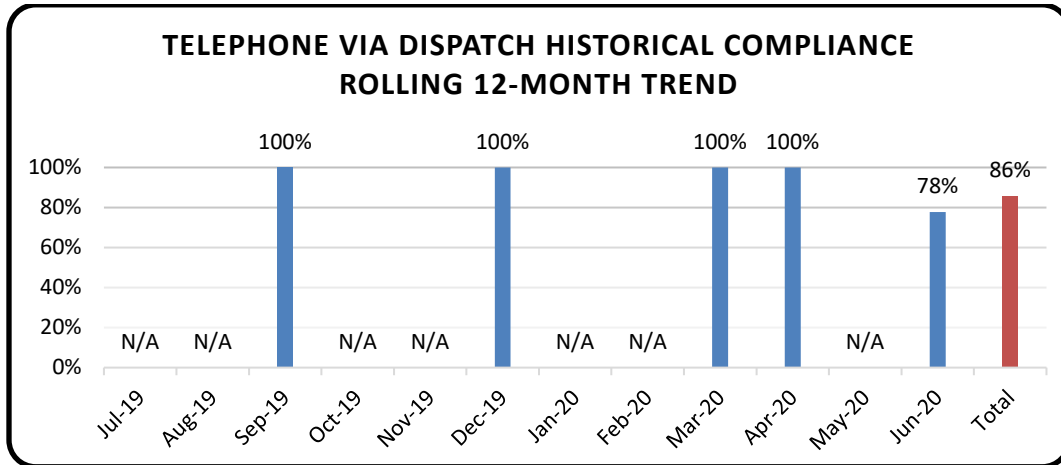
There were three Complaint Intake Tests conducted by Telephone via the Communications Division for the month of June 2020 (see above section “Testing by Telephone” Tests #51, #53, and #54).

It was determined that MCSO employee compliance with the applicable Office Policy (GI-1, *Radio and Enforcement Communications Procedures*) was 78%, as illustrated in the table below:

Inspection Element	Not In Compliance	In Compliance	Total	Compliance Rate
Determine if the employee attempted to gather the complainant’s name and contact info, location of occurrence, report #, and name of deputy, if known.	0	3	3	100%
Determine if the employee immediately verbally contacted the on-duty division/district supervisor and e-mailed info to him/her.	1	2	3	67%

Determine if the employee e-mailed EIU.	1	2	3	67%
<b>Overall compliance for testing by Telephone via Communications Division</b>	<b>2</b>	<b>7</b>	<b>9</b>	<b>78%</b>

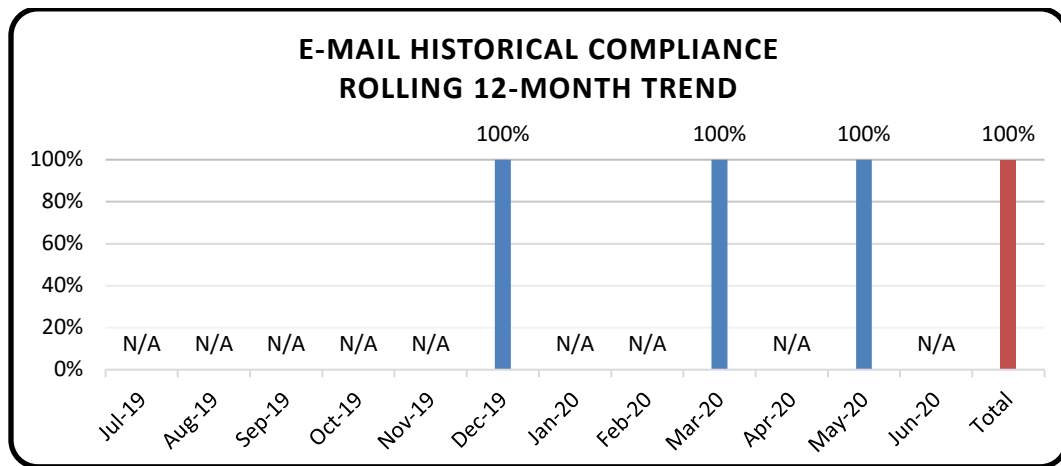
Below is a rolling 12-month historical comparison of compliance for tests conducted by Telephone via the Communications Division:



**Testing by E-Mail**

There were no Complaint Intake Tests conducted by E-mail during the month of June 2020.

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

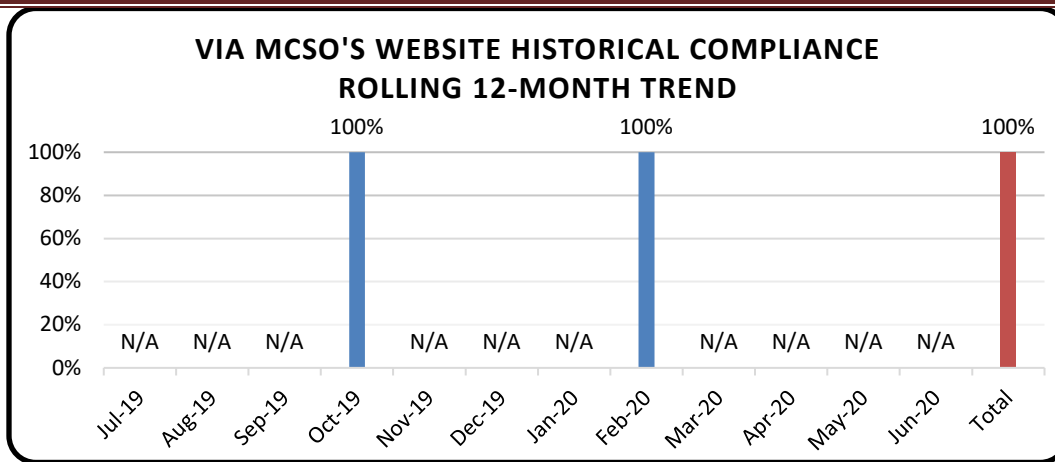


**Testing Online via MCSO's Website**

There were no Complaint Intake Tests conducted during the month of June 2020 using the Office's website.

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

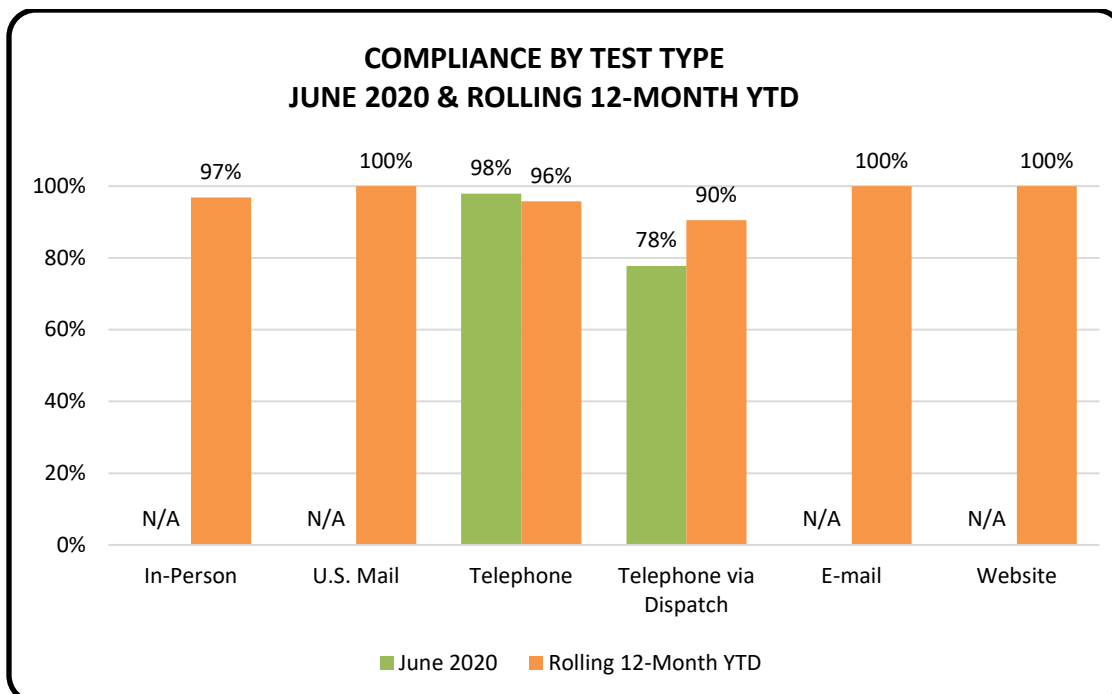




**Overall Compliance for June 2020:**

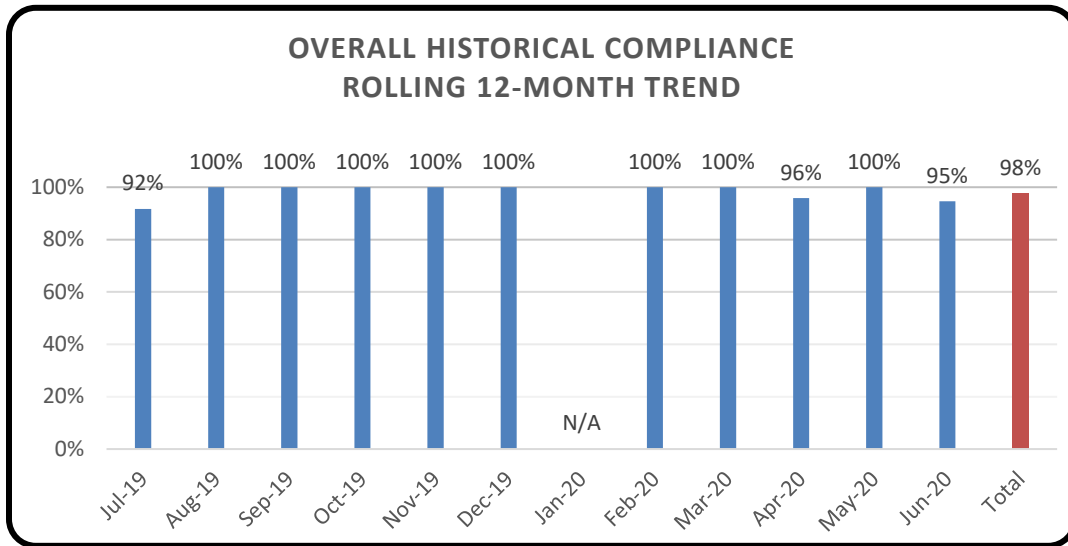
Compliance Rate by Method of Testing June 2020	Compliance Rate
Tests conducted In Person	N/A
Tests conducted by U.S. Mail	N/A
Tests conducted by Telephone	98%
Tests conducted via Dispatch	78%
Tests conducted via E-mail	N/A
Tests conducted by filing a complaint Online	N/A
<b>Overall Compliance for all Complaint Intake Tests Inspected – June 2020</b>	<b>95%</b>

Below is a chart illustrating compliance rate by type of test conducted for the month of June 2020 as compared with the corresponding year-to-date compliance rate:



**History of Overall Compliance:**

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



The following three deficiencies were noted during the inspection period:

**Professional Standards Bureau (1 BIO Action Form)**

District/Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
PSB	Employee	6/11/2020	IA2020-0296	Supervisor	Captain
<b>Deficiency</b>					
<p>The tester gave only a phone number as the way to contact her, although the PSB employee who interviewed the tester asked for her address and e-mail address. When the employee assigned to PSB entered the tester complainant’s phone number in BlueTeam, it was entered incorrectly (one digit off from the correct phone number). Therefore, PSB was unable to provide the tester with the IA number and name of the assigned investigator. Policy GH-2, <i>Internal Investigations</i>, 2.B.1.e., states in pertinent part, “Within seven days, the PSB shall provide a written update to the complainant which shall include the IA number and the name of the assigned investigator.”</p>					

## Communications Division (1 BIO Action Form)

District/ Division	Employee	Date of Event	IA Number	Current Supervisor	Current Commander
Communications	Employee	6/18/2020	IA2020-0312	Supervisor	Commander
<b>Deficiency</b>					
<ol style="list-style-type: none"> <li>The complaint information was not e-mailed to the on-duty supervisor of District 2. "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." (GI-1.12.C.1.a.)</li> <li>An e-mail with the complaint information was not sent to EIU. "Communications Division personnel shall copy the e-mail sent to the on-duty supervisor with the complaint information, to the Early Identification Unit at <a href="mailto:mcsos.eis@mcsos.maricopa.gov">mcsos.eis@mcsos.maricopa.gov</a> to ensure the complaints entry is entered into Blue Team." (GI-1.12.C.1.b.)</li> </ol>					

Unless noted above in the deficiency table, there were no prior BIO Action Forms similar in nature or supervisor notes addressing the deficiencies.

### Action Required:

With the resulting **95%** compliance rate for Inspection #BI2020-0081, **two BIO Action Forms** are requested.

Date Inspection Started: July 2, 2020  
 Date Completed: July 23, 2020  
 Timeframe Inspected: June 1<sup>st</sup> to June 30<sup>th</sup>, 2020  
 Assigned Inspector: Connie Phillips B3345

I have reviewed this inspection report.

*Lt. Todd Brice*

Lt. Todd Brice S1767  
 Commander, Audits and Inspections Unit  
 Bureau of Internal Oversight

8-10-20

Date