



AZ POST

INTEGRITY BULLETIN

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The Arizona Peace Officer Standards and Training Board (AZ POST) is mandated by the legislature to establish and enforce the physical, mental, and moral fitness standards for all peace officers in the state. The Board meets the charge to protect the public by overseeing the integrity of Arizona's law enforcement officers by reviewing cases and taking action against the certification of individuals who violate the AZ POST Rules. The following is a summary of the actions taken by the Arizona Peace Officer Standards and Training Board at its January, February and March 2019, public meetings. These actions are not precedent setting, in the sense that similar cases will end with the same result, because each case is considered on its individual facts and circumstances.

The Board publishes this bulletin to provide insight into the Board's position on various types of officer misconduct. As always, the Compliance Specialist for your agency is available to discuss any matter and to assist you with any questions you might have.

REVOCATIONS:

Case #17-151. A sergeant was the subject of four internal investigations by his department for 1) creating a fictitious social medial page and providing false, misleading or disparaging information about a fellow officer; 2) engaging in disorderly conduct by yelling profanities at his neighbors; 3) disregarding a direct order by driving a government vehicle out of town to conduct personal business; 4) violating department admonishments prohibiting him from discussing internal investigations by speaking about his internal affairs case to other employees.

Case #18-100. An officer operated a vehicle while under the influence of intoxicating liquor. He also provided false or misleading information to responding officers by stating he was not driving, when in fact he was.

Case #18-102. An officer facilitated a civil standby and allowed one of the occupants to remove property from a hotel room while the other occupant was not present. He was not truthful when he denied telling the hotel clerk to allow the one occupant entry into the room.

Case #18-104. An officer committed assault and disorderly conduct when he chest-bumped and struck a juvenile in the face. He was untruthful when he told responding officers that the juvenile had chest-bumped him.

Case #18-098. An officer backed his patrol vehicle into the back of another city employee's personal vehicle. He was less than truthful to investigators when he reported that he damaged his vehicle by backing into a plastic trash container.

Case #18-012. An officer was arrested for Domestic Violence when he assaulted his girlfriend while she sat in her vehicle.

Case #18-040. Mandatory revocation for felony conviction.

Case #18-087. Mandatory revocation for felony conviction.

Case #18-081. An officer had sexual intercourse with a female on several occasions while on-duty. He also sent sexually explicit photos of himself and was less than truthful with investigators when questioned about this.

Case #18-094. An officer was less than truthful with dispatch when he advised he was on-scene of a suicidal subject call for service. His patrol vehicle was located at his residence by a supervisor, which was in direct conflict with his statement that he was on-scene of a suicidal subject call that he had been dispatched to.

Case #18-125. An officer, on numerous occasions, using his personal computer, accessed and allowed a non-law enforcement person to view his agency's Axon body camera video for non-law enforcement purposes. He was not truthful when he informed investigators that he had accessed the Axon body camera videos to label them, when in fact the videos had previously been labeled.

Case #18-137. A corporal sexually abused a deputy during a party at his home by inappropriately touching her.

Case #18-116. An officer, while operating a marked police vehicle, failed to report that he was involved in a single vehicle accident that resulted in damage to the patrol vehicle. He was not truthful when he denied having been involved in the accident and denied knowledge of how the vehicle was damaged.

SUSPENSIONS:

Case #17-161. An officer used her work computer to access ACJIS information on two license plates for personal reasons. (1-year suspension)

Case #18-099. A trooper wrote numerous traffic citations and did not write any reference notes on these citations to refer to and had to rely on his memory to recall the events of the stop. This caused him to confuse the stops he made when he testified at a civil traffic hearing. (6-month suspension)

Case #16-152. An officer failed to provide truthful statements when he did not fully disclose information regarding a complaint of gender and racial bias and did not fully disclose information regarding a complaint of gender and racial bias. (3-year to lapse suspension)

Case #18-130. An officer committed plagiarism during the time he was enrolled in an Investigator Training Course and was not truthful when he denied submitting an assignment containing information he copied from another student. (12-month suspension)

DENIAL OF CERTIFICATION:

Case #18-119. An applicant was less than truthful on numerous AZPOST Statement of Personal History and Application Forms that he submitted to numerous agencies.

VOLUNTARY RELINQUISHMENTS:

The Board accepted the following voluntary relinquishments/denials of peace officer certification. Respondents, without admitting any allegations made against them, permanently relinquished their Arizona peace officer certifications.

Case #18-149
Case #18-165
Case #17-024
Case #18-032
Case #18-131

Case #18-162
Case #18-080
Case #18-049
Case #17-009

Case #18-016
Case #17-013
Case #18-112

NO ACTIONS:

On January 16, February 20 and March 20, 2019, the Board voted to close out the following cases without initiating a Complaint for disciplinary action. This is neither a finding that no misconduct occurred nor a comment that the Board condones the conduct. In fact, the Board's rules are very broad and all misconduct violates one or more of the disciplinary rules. The Board may choose not to initiate a Complaint in a case even though there is misconduct if, considering all the circumstances, including agency discipline, the conduct does not rise to the level requiring a formal administrative proceeding. In many of these cases, the Board makes a statement that the conduct is an important consideration for a future hiring agency. By not taking disciplinary action, the Board leaves the matter to the discretion of an agency head who may choose to consider the officer for appointment. The Board relies on and enforces the statutory requirement of A.R.S. §41-1828.01 that agencies share information about misconduct with each other, even in cases where the Board has chosen not to take additional independent disciplinary action. Additionally, in some of these cases, further information is necessary before a charging decision can be properly made.

Case #18-145. An officer was not truthful when he denied sharing more than one school work assignment with a fellow officer.

Case #18-093. Non-aggravating DUI.

Case #16-075. An officer, on two occasions, failed to disclose his illegal use of a prescription only medication, on his AZ POST Statement of Personal History and Application Form.

Case #14-145. An officer, after being lawfully asked by a sheriff's deputy for identification, left the scene of a domestic violence incident in which he was involved.

Case #16-106. An officer was dishonest with his supervisor when he stated a shoplifting report was completed, when in fact, it was not.

Case #16-156. An officer directed an individual to consume marijuana in lieu of going to jail.

Case #17-130. A sergeant used a racial slur during a conversation with an officer he was training by calling another officer a derogatory name.