



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 May, June, and August 2020 public meetings. (There was no meeting in July.) 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 own 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 #19-222. An officer was dishonest while answering pre-polygraph questions and post polygraph questions during the hiring process.

Case #19-196. An officer, while off duty, committed theft/shoplifting on several occasions and computer tampering.

Case #19-211. While at a bar, an off duty officer drank another bar patrons alcohol and was then dishonest about it after provided Garrity admonishments.

Case #19-146. While off duty, an officer was dishonest, on two occasions, to an Arizona Game and Fish Department officer.

Case #18-101. An officer was dishonest, in the hiring process, on a personal history form.

Case # 19-092. An officer had multiple acts of sex on duty, in uniform, in a marked patrol vehicle.

Case #19-219. An officer did not submit reports for prosecution or complete investigations timely. Subsequently, he was dishonest to a supervisor about it.

Case #19-202. An officer committed acts of domestic violence and was dishonest during an administrative investigation.

SUSPENSIONS:

Case #19-186. During an armed robbery in progress, a patrol supervisor did not properly supervise some of his patrol officers. The Board accepted a proposed consent agreement for a sixty hour suspension.

Case #19-212. While on duty, and in the public eye, an officer argued with her husband and this included some pushing and shoving. The Board accepted a proposed consent agreement for a six month suspension.

Case #19-021. The Board accepted a proposed consent agreement for an eighteen month suspension.

Case #19-185. A patrol supervisor, while escorting a prisoner, pushed him into a wall. In a separate incident, the supervisor shoved another prisoner to the ground. The Board accepted a proposed consent agreement for a two year suspension.

Case #18-109. While off duty, an officer, was arrested for driving while impaired. The Board accepted a proposed consent agreement for a twelve month suspension.

Case #19-231. An officer posted inappropriate Facebook posts. The Board accepted a proposed consent agreement for a one year suspension.

Case #19-182. An officer committed ACJIS violations. The Board accepted a proposed consent agreement for a fourteen month suspension.

DENIAL OF CERTIFICATION:

None in this quarter.

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 #19-036

Case #19-137

Case #19-216

Case #19-133

Case #19-197

Case #20-020

Case #19-187

Case #20-053

Case #20-068

Case #19-067

Case #19-038

Case #19-246

NO ACTIONS:

At the July, August and September meetings, 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 #18-067. The Board accepted an ALJ's Findings of Fact and Conclusions of Law and voted to take no further action. It had been alleged that an officer had been untruthful during an interview after provided with Garrity admonishments.

Case #19-221. The Board voted to reject a proposed consent agreement for three months suspension time for one time sex on duty and instead voted to close the case with no action.

Case #15-068 The Board granted the State's Motion for Reconsideration, to dismiss the 2016 complaint in this matter and take no further action.

Case #19-002. The Board granted the State's Motion for Reconsideration, to dismiss the 2019 complaint in this matter and take no further action.