



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 September, October, November, and December 2020 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 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 #19-210. An officer accessed the Arizona Criminal Justice Information System database without a valid law enforcement purpose and also released sensitive law enforcement information to a third party.

Case #19-196. The Board voted to revoke an officer's certification. It had been alleged, in part, that an officer had been untruthful in a deposition, had not timely completed police reports, and had falsified police reports.

Case #18-113. The Board voted to accept an ALJ's Order and deem the acts and violations charged in the Board's notice of action as admitted. It had been alleged that an officer had been dishonest during an internal affairs interview.

SUSPENSIONS:

Case #19-181. A deputy sheriff, while off duty and during a family fight, brought discredit to his Department. The Board accepted a proposed consent agreement for a thirty hour suspension.

Case #19-130. While at work, an officer said statements to harm the agency's Deputy Director. The Board accepted a proposed consent agreement for a fifteen 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 #18-156

Case #18-123

Case #20-023

Case #20-075

Case #19-226

Case #20-021

Case #20-090

Case #20-069

Case #19-229

Case #20-058

Case#20-054

Case #20-171

Case #19-127

Case #20-038

Case#20-176

Case #20-164

Case #19-007

Case #18-122

Case #20-039

Case #20-123

Case #19-005

NO ACTIONS:

At the September, October, November and December 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 #19-090. The Board granted the States motion for reconsideration, to dismiss the 2019 complaint in this matter, and take no further action.

Case #19-115. The Board considered a consent agreement in which the Board could impose any sanction it deemed appropriate except for revocation. The parties stipulated that the officer had not reported a family member for committing criminal offenses. The Board voted to take no action.