



AZ POST

QUARTERLY 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 April, May and June 2014, 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:

DISHONESTY

Cadet A submitted an essay to academy staff written by her daughter and represented it as her own work. Cadet A was terminated by her department and the POST Board denied certification.

Officer B instigated a bar fight. During criminal and administrative investigations, Officer B was not truthful regarding his involvement in the bar fight.

Officer C, while off-duty, issued a parking citation to a vehicle parked in a handicap designated space. The owner followed Officer C and called police. While following Officer C, the citizen was stopped and confronted by Officer C at gunpoint. Officer C was dishonest with investigating officers concerning the details associated with the issuance of the citation.

Officer D, while off-duty, was attending a social gathering at a friend's home when officers were called to the location concerning possible criminal damage. Officer D was dishonest with a responding supervisor, internal investigators, and the AZPOST Compliance Specialist concerning his attendance at the gathering.

Officer E, while off-duty, got into a dispute with his ex-spouse at her home. An officer was called to the scene to assist in facilitating Officer E picking up his belongings. Officer E made a threatening statement to the ex-spouse and was subsequently arrested for the offense. Officer E was dishonest when he denied to internal investigators that he made the threat.

Officer F, while being interviewed by criminal investigator's concerning his involvement and observations of an assault which occurred at a bar, was dishonest concerning the involvement of other off-duty officers who were also present.

Deputy G was dishonest with internal investigators concerning his contact with undercover officers conducting surveillance.

MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN OFFICE

Officer H assaulted a handcuffed prisoner who was confined in the rear passenger area of a police vehicle and submitted a police report which was false concerning his justification for the use of force.

Officer I conducted numerous unauthorized computer inquiries in the Arizona Criminal Justice Information System (ACJIS).

SUSPENSIONS:

- An officer disabled his patrol vehicle GPS and made misleading statements to his supervisor regarding his whereabouts to conceal a relationship with a sergeant's wife.

VOLUNTARY RELINQUISHMENTS:

The scenarios stated here reflect the allegations giving rise to the POST case, but the facts were not proven before the Board.

- A detective was absent from work without permission and did not utilize leave time on 11 occasions.
- A chief was dishonest and altered an email to mislead investigators.
- An officer committed theft prior to being certified and failed to disclose prior acts of dishonesty on his application.
- A sergeant failed to report an assault, hindering a police investigation.
- An officer had sexual relations while on-duty and was dishonest with internal investigators concerning these allegations.
- An officer failed to report or investigate the illegal sale of marijuana at a local club that claimed to be a medical marijuana dispensary.
- An officer committed assault during a domestic dispute with her spouse.
- An officer was found to be addicted to illegal narcotic drugs.
- An officer failed to properly investigate numerous criminal cases, impound evidence in a proper fashion, and falsified police reports to cover this up.
- An officer surreptitiously recorded fellow officers and then was dishonest with the Chief of Police when questioned about it.
- A deputy was dishonest with investigators during a criminal investigation.

MANDATORY REVOCATIONS: (felony convictions)

- An officer was convicted of child molestation, a class 2 felony.
- An officer was convicted of attempted child molestation, a class 3 felony.

NO ACTIONS:

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.

- A detective was sexually involved with a witness which required the prosecutor to renegotiate a plea deal to a lesser sentence.
- An officer failed to make probationary standards due to insubordination, inappropriate conduct with the public, tardiness and poor report writing.
- An officer was dispatched to a possible accident involving a motorcycle leaving the roadway at night. The officer drove past the area at about 80mph without any search lights on. The next morning the wrecked motorcycle was found by a passing motorist and the driver's body was found by responding officers.
- A police captain failed to notify his chain of command about an off-duty incident until after it was reported in the media.
- A tribal police officer failed to disclose information on BIA forms. As a result BIA rated him as "unfavorable suitability" and revoked his BIA peace officer certification.
- A chief was disciplined for leaving his weapon at the home of a subordinate. The chief admitted to having a relationship with the employee, and was subsequently advised to end the relationship. The chief continued the relationship in violation of the directive.
- A detective left his weapon in the bathroom of a convenience store. When he returned to retrieve it, it was gone.