

**MARICOPA COUNTY SHERIFF'S OFFICE**  
**January 2017 County Attorney Dispositions**



**Audit and Inspections Unit**  
**Inspections Report**  
**County Attorney Dispositions**  
**Date: March 6, 2017**  
**Inspection #2017-0030**



**To:** Lt. R. Morris S1014  
Commander  
Audit and Inspections Unit

**From:** Sergeant T. Brice S1767  
Inspections Sergeant  
Audit and Inspections Unit

**Subject:** Inspection of County Attorney Dispositions  
BI #2017-0030

**Date:** March 6, 2017  
Review from 1-1-  
2017 to 1-31-2017

The Audit and Inspections Unit conducts monthly County Attorney Disposition Inspections. The purpose for these inspections on turndown Dispositions is to determine compliance with office policies, promote proper supervision, and support compliance with the Melendres Order. To achieve this, inspectors will utilize "IAPro" to generate all turndown dispositions from the superior court and dismissals from the Justice Courts within the specific month to be inspected. These entries will be uniformly inspected utilizing the Records Division "FileBound" data base and a matrix developed by the Bureau of Internal Oversight. The following procedures, which are outlined in GF-4 and ED-3, will be used in the matrix:

**Matrix Procedures:**

- Determine what district/division from which the complainant disposition originated
- Ensure the case was assigned a County Attorney administrative status
- Verify what the disposition is for i.e. further, turndown, or charges filed
- Determine if there were any irreversible errors
- Each complainant disposition inspected will be counted as one inspection

**Criteria:**

MELENDRES ORDER, PARAGRAPH 75: The EIS shall include a computerized relational database, which shall be used to collect, maintain, integrate, and retrieve:

- all arrests in which the arresting Deputy fails to articulate probable cause in the arrest report, or where an MCSO Supervisor, court or prosecutor later determines the arrest was not supported by probable cause to believe a crime had been committed, as required by law
- all arrests in which the individual was released from custody without formal charges being sought;

MCSO Policy GF-4.11.A.2.3.4 OFFICE REPORTS: 11.A.2. If the case report was forwarded to the County Attorney for prosecution consideration, the case file shall be maintained in a pending/open status. Upon return of the case from the County Attorney's Office, the case will be assigned an administrative case status, in accordance with the County Attorney's disposition, such as turndown, further, or complaint issued.

MCSO Policy ED-3.2.A.B.C REVIEW OF CASES DECLINED FOR PROSECUTION: 2. When the Office receives a turn down or notice of dismissal from the County Attorney's Office, the reason for the action should be reviewed by the commander, or his designee, from the division that submitted the case for prosecution.

- A. The commander, or his designee, shall be responsible for the review and dissemination of pertinent information surrounding turn downs or dismissals and will determine whether the investigation can be completed and resubmitted to the County Attorney's Office for reconsideration of charges.
- B. If the case was turned down or dismissed due to an irreversible error made by Office personnel, the commander, or his designee, will disseminate the information to the supervisor of the investigator who submitted the case.
- C. When an irreversible error is found as the reason the case was turned down or dismissed, the information may be forwarded to the Training Division Commander for inclusion in appropriate training outlines or bulletins in an effort to avoid similar errors in future cases.

**Conditions:**

The Inspector selected 100% of all County Attorney Turndown dispositions from the Superior Court and Dismissals from the Justice Courts for the month of January 2017. These entries from all divisions consisted of 35 turndowns from the Superior Court and 27 dismissals from the Justice Courts. There were no deficiencies found with the turndowns/dismissals. This resulted in a 100% compliance rate for January.

**C.A. Turndowns**

MC Number	C.A. Disposition # and Description	In Custody/Submittal
MC16343956	MCAOTN - 6109 - Self Defense/Mutual Combat	In custody
IR1974-017615	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC15246125	MCAOTN - 6102 - Defendant sentenced in other case; no need to prosecute this matter	Submittal
MC16103585	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC16192640	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR16030465	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16230234	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
IR16-029209	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16295723	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16293674	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC17009274	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody

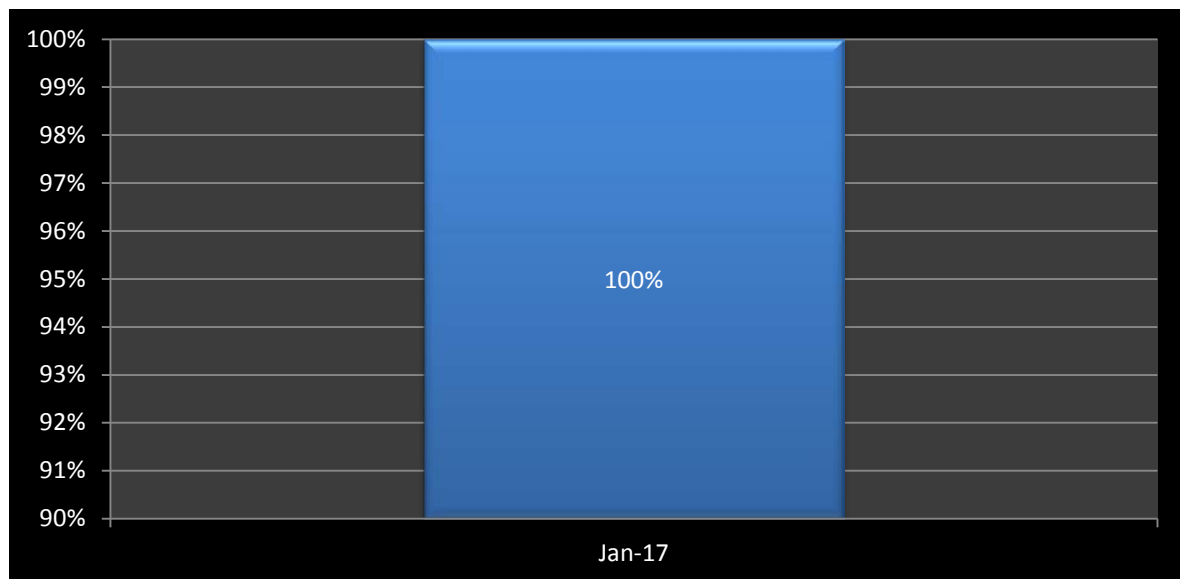
MC16193968	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16303315	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16072810	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
mc16152125	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
IR11-026055	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16301349	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16307919	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC17015419	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC17014128	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC16268590	MCAOTN - 6105 - This case should be referred to other criminal prosecuting agency	Submittal
MC17014432	MCAOTN - 6106 - This case should be used as an aid to prosecution of other case(s)	In custody
MC15280669	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC15131341	MCAOTN - 6160 - Pre-file TASC - Successful completion	Submittal
MC17016028	MCAOFN - 6122 - No Laboratory analysis MCAOTN - 6104 - This case should be submitted to city prosecutor	In custody
MC17017296	MCAOTN - 6104 - This case should be submitted to city prosecutor	In custody
MC17016562	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC17017483	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC17018093	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
IR16-033328	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC17017901	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC16339922	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody
MC16313071	MCAOTN - 6113 - No reasonable likelihood of conviction	In custody

MC16311195	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal
MC16309017	MCAOTN - 6113 - No reasonable likelihood of conviction	Submittal

**Justice Court Dismissals**

<b>MC Number</b>	<b>Dismissal</b>	<b>In Custody/Citation</b>
MC16156013	JCD - Dismissed on motion of court or defendant	Citation
MC16162129	JCD - Dismissed on motion/request of prosecutor	Citation
MC16259550	JCD - Dismissed on motion/request of prosecutor	Citation
MC16141792	JCD - Dismissed on motion/request of prosecutor	Citation
MC16024246	JCD - Dismissed on motion of court or defendant	Citation
MC16263176	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16196249	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16334239	JCD - Dismissed on motion of court or defendant	Citation
MC16288064	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16275556	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16329497	JCD - Dismissed on motion of court or defendant	Citation
MC16184110	JCD - Dismissed on motion/request of prosecutor	Citation
MC16175869	JCD - Dismissed on motion/request of prosecutor	Citation
MC16049104	JCD - Dismissed on motion of court or defendant	Citation
MC16192600	JCD - Dismissed on motion/request of prosecutor	Citation
MC16183200	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16117071	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16202476	JCD - Dismissed on motion/request of prosecutor	Citation
MC16058822	JCD - Dismissed on motion/request of prosecutor	Citation
MC16097721	JCD - Dismissed on motion/request of prosecutor	Citation
MC15175363	JCD - Dismissed on motion of court or defendant	Citation
MC15166020	JCD - Dismissed on motion of court or defendant	Citation
MC16272792	JCD - Dismissed on motion/request of prosecutor	Citation
MC16122045	JCD - Dismissed on motion/request of prosecutor	Citation
MC16149901	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16322608	JCD - Dismissed on motion/request of prosecutor	In Custody
MC16262859	JCD - Dismissed on motion/request of prosecutor	In Custody

### Overall Monthly Compliance County Attorney Dispositions 2017



**Recommendation:**

- We continue to recommend all incident reports involving arrests are reviewed by command staff to ensure probable cause has been established, as well as, continual communication through onsite mentoring in the necessity for documenting all cases submitted for prosecution utilizing the Case Tracking data base. Consequently, onsite mentoring should be documented in supervisory notes.

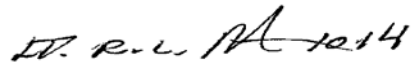
**Date Inspection Started:** February 13, 2017

**Date Completed:** March 6, 2017

**Timeframe Inspected:** January 1<sup>st</sup>, 2016 through January 31<sup>st</sup>, 2017

**Assigned Inspector(s):** Sergeant T. Brice S1767

I have reviewed this inspection report.



Lieutenant Rick Morris S1014  
Commander  
Audits and Inspections

March 6, 2017  
Date



Executive Chief Bill Knight  
Bureau Commander  
Bureau of Internal Oversight

March 6, 2017  
Date