



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, and November 2021 public meetings. Each action is considered on its own facts and circumstances. ***Please note that there was no meeting in December 2021.***

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 20-143. A sergeant was dishonest with investigators after receiving a notice of investigation and Garrity admonitions. The sergeant claimed that a commander had thrown documents at her. However, video evidence showed clearly that the commander had placed documents on a desk.

Case 20-172. An officer failed to respond to calls for service, failed to submit charging documents, and failed to complete over fifteen police reports in a timely manner.

Case 20-167. An officer, while off duty and intoxicated, and at a party, groped another party goer and was disorderly.

Case 20-135. An officer failed to collect evidence during an investigation of a felony. The officer was then dishonest with investigators after receiving a notice of investigation and Garrity admonitions. .

Case 20-134. An officer failed to collect evidence during the investigation of a felony. The officer also failed to arrest a suspect with a felony warrant.

Case 20-037. An officer pled guilty to a felony. A certified copy of the judgment of the felony conviction was acquired and so the officer was revoked pursuant to POST Administrative Rule 109C.

Case 21-065. While off duty, an officer committed several offenses that included being disorderly, and driving while under the influence with a child passenger.

Case 21-043. While off duty, an officer surreptitiously photographed and recorded someone who was in the shower and without her knowledge.

Case 21-042. An officer was intoxicated while on duty, and while driving a patrol car.

Case 20-116. A field training officer, while training an officer in training, made inappropriate statements about gender, sexual orientation, race, and national origin.

Case 21-040. An officer failed to complete 13 departmental reports. He was also dishonest with his supervisor about maintenance of his duty weapon and his patrol car.

Case 21-072. A police corporal was dishonest with investigators after Garrity admonishments when he denied on-duty sexual contact. The corporal also was untruthful with his supervisor.

SUSPENSIONS:

Case 20-093. An officer failed to secure a prisoner's property. The officer left the prisoners wallet on the hood of his patrol car and lost it when he drove off. The officer made no attempt to look for the wallet once he discovered it missing. The Board accepted a proposed consent agreement for a 30-day suspension.

Case 19-188. An administrative law judge issued findings of fact and conclusions of law that an officer used excessive physical force during the arrest of an armed robbery suspect. The Board adopted the ALJ's decision and imposed a 40-hour suspension

Case 21-099. An officer had inappropriately accessed ACJIS. The Board accepted a proposed consent agreement for a twelve month suspension.

Case 20-194. An officer, while off duty, was arrested for Driving Under the Influence after being located asleep in the driver seat of his running vehicle. The Board accepted a proposed consent agreement for a twelve month suspension.

Case 20-138. An officer conducted an investigation into the activities of another officer without the knowledge or approval of his chain of command. The Board suspended his peace officer certification until lapse.

DENIAL OF CERTIFICATION:

None.

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 #16-143	Case #21-009	Case #21-159
Case #19-149	Case #19-084	Case #21-017	Case #20-119
Case #20-018	Case #19-098	Case #21-142	Case #20-168
Case #21-090	Case #19-252	Case #21-148	Case #21-088
Case #21-127	Case #20-132	Case #21-151	Case #21-093
Case #21-110	Case #21-158	Case #21-180	Case #21-185

NO ACTIONS:

At the September, October, and November 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. 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 21-022. An officer was investigated by his agency for suspected time theft of 69 hours. The agency sustained policy violations related to the completion of false time sheets, and the officer was terminated. Later on, prosecution was declined. The Board voted to take no action with agency discretion.

Case 20-131. During a traffic stop, a driver ignored officers' commands, and started to drive off. While still in the parking lot, the suspect vehicle, struck, and knocking down an officer who had reached into the car. As the suspect vehicle exited the parking lot, it collided with a citizen's car. An officer then shot the driver through the driver's door. The County attorney declined to prosecute the officer. The Board voted to take no action with agency discretion.

Case 21-063. A sergeant deployed his taser without providing a reasonable opportunity for the subject to voluntarily comply with his instruction. The Board took no action with agency discretion due to the agency previously disciplining the sergeant for his actions.

Case 21-028. The Board decided to resolve this case in the future. While there is information that an officer used or possessed illegal drugs/narcotics, engaged in a personal relationship with a person possibly involved in illegal activities, the evidence is incomplete.