



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 October and November public meetings; there was no meeting in December. Each action 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 2023-097. An officer failed to properly conduct several felony investigations involving different victims of reported violence. The officer also failed to report his involvement in a private property vehicle collision resulting in damage to his patrol car. The officer was then dishonest about it to a police supervisor.

Case 2022-199. An officer, while driving his assigned police vehicle off duty, was involved in an at-fault vehicle collision. The officer, who was impaired, subsequently pled guilty to two counts of endangerment; both class 6 felonies.

SUSPENSIONS:

Case 2022-147. The Board accepted a proposed consent agreement for a twenty four month (24) suspension. The officer drove impaired, while off duty, and was arrested for extreme DUI. During the booking process, the officer became argumentative and was physically restrained by the arresting deputies.

Case 2023-095. The Board accepted a proposed consent agreement for a six month (6) suspension. The officer had resigned from his agency and then, during this period of time while he was unemployed, he worked several traffic control jobs. By law, since he no longer possessed an active certification, he was prohibited from performing the functions of a peace officer, which includes traffic control.

Case 2023-043. The Board accepted a proposed consent agreement for a twelve month (12) suspension. While off duty, the officer committed misdemeanor assault/domestic violence by pushing and striking a family member with an open backhand.

Case 2023-046. The Board suspended an officer for thirty-six (36) months. The officer had responded to a domestic violence strangulation report, and had used his personal cell phone to photograph a victim's injuries. The officer then failed to disclose and subsequently deleted photographs of the crime scene, the victim, and the suspect. The prosecutor, who was assigned the DV case, reported that the officer's actions called into

question the credibility of the police investigation and that this was a factor during plea drafting and trial preparation.

Case 2023-161. The Board accepted a proposed consent agreement for a twelve month (12) suspension. While in the lateral-hiring process, the officer disclosed that he had masturbated on duty.

Case 2023-078. The Board accepted a proposed consent agreement for a nine month (9) suspension. The officer, who was in uniform and was on duty, got into a fist fight with another uniformed officer in a parking garage. Prior to the fight, the two officers had exchanged MDC messages about answering calls for service and beat integrity.

Case 2022-196. The Board accepted a proposed consent agreement for a thirty six month (36) suspension. An officer, while off duty, had consumed at least fourteen alcoholic beverages, and had struck a parked car when he left the bar. The parties stipulated that due to his heavy intoxication, the officer had no recollection of hitting the parked car or his statements to police investigators who contacted him shortly thereafter.

DENIAL OF CERTIFICATION:

Case 2023-033. At final action, the Board adopted the findings of fact and conclusions of law and permanently denied peace officer certification.

Case 2023-119. The Board accepted a proposed consent agreement for an eighteen month (18) denial of certification, after which date, the recruit may be eligible to reapply. The recruit had entered into a deferred prosecution agreement for one count of disorderly conduct/domestic violence. While off duty, he had argued with his wife, and had thrown a suitcase against a wall and damaged it.

Case 2023-143. The Board accepted a proposed consent agreement for a twelve month (12) denial of certification, after which date, the recruit may be eligible to reapply. The recruit opened his notepad app after answering a 50 question test on an academy laptop. The recruit wanted to verify one of his answers and he did not change his answer.

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.

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| Case #2022-001 | Case #2023-088 |
| Case #2023-040 | Case #2023-105 |
| Case #2023-045 | Case #2023-191 |
| Case #2023-169 | Case #2023-194 |
| Case #2023-181 | |
| Case #2021-070 | |

NO ACTIONS:

At the 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 2023-170. The Board voted to take no action regarding an allegation that an officer used unreasonable force when he struck an individual during an arrest.

Case 2023-094. The Board voted to take no action regarding an allegation that an officer had failed to timely complete the main narratives in police reports.