



# *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 July, August, and September 2019, 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:**

Case #18-086. A supervisor, who was an evidence custodian for the Department, mishandled evidence, multiple times, by not sending it in for appropriate analysis. The supervisor also failed to conduct investigations, failed to write supplements, and failed to preserve evidence.

Case #18-157. An officer, while hunting, and while off duty, shot two turkeys, without a valid gaming permit. Then, the officer was less than truthful with a game and fish investigator about it.

Case #19-012. An officer was insubordinate when he failed to follow a supervisor's direction to attend trainings. Then, the officer was not truthful with his supervisor about not attending training.

### **SUSPENSIONS:**

Case #17-092. The Board adopted a consent agreement, which imposed a 320 hour suspension, on an officer whose use of force, during a felony arrest, was unreasonable.

Case #18-088. The Board adopted a consent agreement, which imposed an eighteen month suspension, on an officer, who while off duty, engaged in a verbal and physical altercation with his wife. The discipline included both concurrent and progressive suspension time.

Case #18-078. The Board adopted a consent agreement, which imposed a five month suspension, on an officer, who, while off duty, and during a traffic stop, was unlawfully in possession of a roommate's medical marijuana. The discipline was retroactive.

**DENIAL OF CERTIFICATION:**

Case #10-049. A recruit was at a party when two of his brothers engaged in a fight. The recruit was not truthful to academy staff after staff members became aware of the incident.

Case #18-136. A recruit, while off duty was arrested for unlawful flight from a pursuing law enforcement vehicle and for DUI.

**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 #18-160	Case #19-085	Case #18-064
Case #19-027	Case #19-048	Case #19-121
Case #16-150	Case #19-107	Case #19-113
Case #18-161	Case #19-121	Case #19-103

**NO ACTIONS:**

*At the July, August and September 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 #19-014. An officer intentionally failed to disclose background information, which was material, during his application process, and during the pre-test polygraph interview.