



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 January, February, March, and April 2021 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 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 19-215. An officer used unreasonable force when he kicked, and OC sprayed, a handcuffed prisoner in a sally port.

Case 20-126. A patrol officer failed to properly complete criminal investigations and failed to make necessary reports. The officer failed to complete forty-one reports and he failed to communicate with the prosecutor's office.

Case 20-133. On four occasions, an officer left her department issued firearm unattended. This pattern of misplacing department issued equipment included when a child found the officer's duty weapon in a movie theater bathroom stall.

Case 20-153. An officer, struck another officer several times in the face, and head, with a closed fist. This occurred while the two were on duty.

Case 20-005. An officer failed to call out a pursuit. The officer drove at speeds greater than 90 miles per hour, turned on emergency lights for 20 plus seconds, disregarded traffic control devices, and also attempted a fast follow. An innocent motorist died when the fleeing driver ran a red light and struck a minivan. Subsequently, the officer was dishonest.

Case 20-077. Two times an officer was dishonest with investigators. On both occasions, the officer had received Garrity admonitions.

Case 20-078. An officer was dishonest with investigators after receiving a notice of investigation and Garrity admonitions. The officer was dishonest during a second post-Garrity interview.

SUSPENSIONS:

Case 18-031. A sergeant, failed to properly supervise an investigation and did not provide any direction. The Board accepted a consent agreement for a six month suspension.

Case 20-032. An officer, while off duty, assaulted an individual, by punching him in the face and head. The Board accepted a consent agreement for a twelve month suspension.

Case 20-022. An officer, while off duty, was arrested for, and subsequently, pled guilty to, extreme impaired driving. The Board suspended the officer’s certification for a period of twelve months.

Case 20-160. An officer, was arrested for, and subsequently pled guilty to, extreme impaired driving. He had been off duty when he caused a single vehicle accident by striking a tree. The Board suspended the officer’s certification for a period of eighteen months.

DENIAL OF CERTIFICATION:

None in this quarter.

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 #20-193 | Case #19-198 | Case #20-094 | Case#20-136 |
| Case #20-035 | Case #16-141 | Case #21-012 | Case#16-140 |
| Case #20-198 | Case #18-151 | Case #21-025 | Case #21-046 |
| Case #18-142 | Case #19-248 | Case #18-155 | Case #20-182 |
| Case #21-016 | Case #21-049 | Case #20-190 | |

NO ACTIONS:

At the January, February, March and April 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 19-235. During an investigation into an unrelated matter, it was discovered that sexual activity occurred on at least two occasions while on-duty between 2013 and 2014. The Board voted to take no action.

Case 20-056. It was alleged that a commander was less than truthful during an internal affairs investigation; specifically when he told an investigator he was unaware of anyone who was directly offended by comments made during an operations meeting. The Board voted to take no action.

Case 20-215. During a new hire audit, it was discovered that an officer admitted to sexual activity in 2014, while on duty and in a state vehicle. The Board voted to take no action with agency discretion.