



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 April, May and June 2018, 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 #17-029. An officer claimed four hours of work time when he was actually only at work for less than two hours. He utilized a state vehicle (without permission) for personal use for 4-6 weeks. He also failed to notify his supervisor that he was handcuffed and detained for a short period of time as a result of a felony stop.

Case #17-028. An officer, on two separate occasions, was dishonest when being interviewed about his involvement in a verbal/physical altercation with his girlfriend.

Case #17-110. A trooper committed domestic violence assault and domestic violence disorderly conduct when he pushed his wife into a wall and engaged in a verbal/physical argument with her at their residence.

Case #17-175. A trooper tested positive for marijuana during a random drug test.

Case #15-126. An officer had contact and met with a confidential informant off duty and in his personal vehicle. He was less than truthful with investigators and also during a polygraph regarding his contact with the informant.

Case #18-015. A deputy was involved in a single vehicle accident and was not truthful when he informed investigators that he swerved into a construction zone to avoid being rear ended and that he had been wearing his seatbelt when the accident occurred; both statements were false.

SUSPENSIONS:

Case #16-194. An officer did not submit marijuana he collected into evidence. He used his cell phone to record himself driving Code 3 on numerous occasions and also while driving through inclement weather. While assisting another agency, he took photos of the drug evidence and the suspects and texted the photos to a friend, who is not in law enforcement. (1-year suspension)

DENIAL OF CERTIFICATION:

Case #17-160. An applicant participated in a burglary and criminal damage of a business; participated in the theft of a vehicle and illegally purchased and possessed marijuana in another state then transported it to Arizona and sold it.

VOLUNTARY RELINQUISHMENTS:

The Board accepted the following voluntary relinquishments of peace officer certification. Respondents, without admitting any allegations made against them, permanently relinquished their Arizona peace officer certifications.

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| Case #17-144 | Case #16-062 | Case #18-039 |
| Case #16-112 | Case #18-053 | Case #17-183 |
| Case #17-027 | Case #18-059 | Case #18-041 |
| Case #17-060 | Case #17-006 | Case #16-095 |
| Case #18-045 | Case #17-184 | Case #18-076 |
| Case #18-037 | Case #18-020 | |

NO ACTIONS:

On April 18, May 16 and June 20, 2018, 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 #16-193. An officer discovered that her boyfriend, also a police officer, was likely involved in illegal activity but delayed reporting it for several weeks.

Case #16-128. A captain provided false and/or misleading information regarding the existence of potential evidence to a monitor team that had been appointed by a U.S. District Judge to ensure compliance with orders from the court.