



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 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 #17-177. An officer failed to go back on duty after the on-duty supervisor ordered his squad to hold over. The officer was subsequently untruthful with the supervisor when he was asked why he hadn't returned to the field at the end of last shift. The officer was also untruthful in a Personnel Performance Record when he wrote that he had not been aware that his squad had been ordered to go back out into the field.

Case #18-134. An officer engaged in sexual relations while on duty on multiple occasions. The officer was subsequently untruthful with his chief and during his internal affairs investigation regarding his sexual activities while on duty.

Case #18-148. An officer submitted fifty-six (56) incident reports documenting that he had performed certain investigative functions when he had not actually done them. The officer was also untruthful with his supervisor when he claimed that he routinely performed said investigative functions.

Case #18-169. An officer possessed and used cocaine.

Case #18-114. An officer failed to conduct a timely, thorough and accurate investigation of a reported bus fire in which a local homeless man was later found deceased.

Case #19-030. An officer authored 11 criminal reports in which he omitted information and violated departmental policy pertaining to traffic stops and drug violations. He initiated traffic stops without any identifiable reasons for the stop, and conducted searches without reasonable suspicion of wrongdoing.

Case #18-144. An officer engaged in sexual relations while on duty on multiple occasions. The officer was subsequently untruthful during the internal affairs investigation regarding her sexual activities while on duty.

SUSPENSIONS:

Case #18-121. An off-duty officer was contacted by a local agency’s officer as she was seated in the driver’s seat of her motor vehicle. Her vehicle was stopped in a left-hand turn lane. She appeared to be slumped over the wheel of her vehicle and was unresponsive to the traffic light signal. A DUI investigation was conducted and the officer was subsequently arrested for Extreme DUI. (1-year suspension)

Case #18-158. An off-duty officer used his position as a police officer in an attempt to gain reentry into a drinking establishment after the establishment had closed. He provided false information to responding officers when he denied identifying himself as a police officer to gain reentry. (2-year suspension)

Case #18-168. An officer exhibited a pattern of neglect of duty, insubordination, policy violations, unacceptable conduct, citizen/customer complaints, and discourteous treatment of citizens, supervisors and employees. (3-month suspension)

DENIAL OF CERTIFICATION:

Case #18-150. A recruit was not truthful when he provided false information to his class RTO and Supervisor regarding why he failed to report as scheduled to an academy class.

Case #18-139. An applicant was untruthful on multiple application forms regarding his past marijuana use and his applications with other agencies.

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 #19-017 | Case #18-090 | Case #17-014 | Case #18-153 |
| Case #18-024 | Case #18-014 | Case #19-026 | Case #19-033 |
| Case #18-163 | Case #19-011 | | |

NO ACTIONS:

On April 17, May 15 and June 19, 2019, 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 #18-071. An officer failed to disclose previous incidents of domestic violence on an application and background interview forms while in the hiring process with an agency. Later, the officer, while off-duty, struck her live-in boyfriend in the face during an argument.

Case #19-032. An off-duty officer was the subject of a welfare check after becoming extremely intoxicated at the residence of a family member. The officer became verbally abusive to family members and responding officers, and threatened them with physical harm. He was also verbally abusive to hospital staff after having been transported.

Case #19-023. An academy recruit was not truthful when, he denied having assistance in preparing his physical condition shirts; and he informed his class sergeant that he had completed a written assignment when he had not.

Case #17-093. An officer authored an incident report wherein he failed to accurately document the level of force applied by himself and another officer during the arrest of a suspect.

Case #19-018. An officer authored a supplemental report and later testified in a preliminary hearing, falsely stating that he was the second officer to arrive on scene at a call for service.

Case #19-057. Non-aggravating DUI.