

MARICOPA COUNTY SHERIFF'S OFFICE
Bureau of Internal Oversight
Audits and Inspections
#BI2016-0033

Inspection focus: Division level processing of
Property and Evidence

Date Inspection Started: March 22nd, 2016

Date Completed: March 31st, 2016

Timeframe Inspected: February, 2016

Assigned Inspectors: Ms. Angela Lolli #B2586
Lt. W. Cory Morrison #1509

I have reviewed this inspection report.

 #771

Captain Dave Munley
Division Commander
Audits and Inspections

April 4th, 2016
Date

 #1011

Deputy Chief Bill Knight
Bureau Commander
Bureau of Internal Oversight

April 4th, 2016
Date

MARICOPA COUNTY SHERIFF'S OFFICE

Memorandum



Joseph M. Arpaio, Sheriff

To: Capt. D. Munley #777
Division Commander
Deputy Operations Audit/
Inspections Unit
Bureau of Internal Oversight

From: W.C. Morrison #1509
Lieutenant
Audits and Inspections Unit
Bureau of Internal Oversight

Subject: Summary of Findings Report for Inspection #BI2016-0033 with a focus on the processing of property and evidence at the Division level.

Date: 03/31/2016

Summary:

Between March 22nd 2016 and March 31st 2016, Ms. Angela Lolli #B2586 and Lt. W. Cory Morrison #1509 of the Bureau of Internal Oversight, Inspections and Audits Unit, conducted an inspection focused on the processing of property and evidence in the Professional Standards Bureau.

Authorities:

Maricopa County Sheriff's Office Policy GE-3, *Property Management*
Maricopa County Sheriff's Office policy GJ-4, *Evidence Control*

Procedures:

The inspection included collecting statistical data for the month of February, in the form of items impounded versus those rejected from each patrol division currently established as having a satellite property room onsite, where custodians from the Sheriff's Office Property and Evidence Division conduct regular pickups for relocation to the main property room. Additionally, a thorough inspection was conducted of the facility utilized by Sheriff's Office personnel in the Professional Standards Bureau, which included physical inspections of the assigned work areas utilized by personnel.

On March 15th 2016, an inspection location was requested and obtained from executive command personnel. It was determined an inspection of the workspaces utilized by the criminal side of the Professional Standards Bureau would be conducted and the previously approved, "Division Property Inspection Matrix" would be utilized to conduct the inspection and ensure consistency among inspectors within the facilities. It was deemed unnecessary to inspect the offices of administrative investigators assigned to the Professional Standards Bureau, because they would not have the same need to process or collect items of evidence. March 22nd 2016 was selected by the inspection team in an effort to work around the previously scheduled inspections and audit functions the team was involved in with other divisions.

On the morning of March 22nd 2016, inspectors utilized the computerized Property and Evidence database to acquire a report consisting of an itemized list of all impounded items reported to be located inside the division. The database report indicated the division did not have any property.

Upon arrival to the Professional Standards Bureau, the inspection team was welcomed by assigned personnel. After a quick explanation of the inspection process, the inspectors decided to remain in one team, and began the inspection of the office spaces assigned to personnel in the criminal side of the Professional Standards Bureau as well as any common areas that may be shared or utilized by division personnel. During this process, all workspaces assigned to individuals within the criminal section, or areas utilized by those individuals, were inspected. Each appropriate room within the building was accessed and an effort was made to locate obvious items of evidence that might require an explanation. An attempt was made to open each drawer, cabinet, box, locker, etcetera, so it could be inspected.

Additionally, one sergeant and one deputy were selected and asked questions in an effort to better understand the manner in which property and evidence was processed by personnel in the Professional Standards Bureau. To accomplish this, a series of five questions were asked uniformly and the answers were recorded in writing. The questions are listed within the previously mentioned matrix and are asked of personnel within every division visited during this inspection.

Lastly, in addition to the physical inspection of the specified section, on March 31st 2016, a list of all items placed into evidence at each patrol division's satellite location was obtained through the computerized Property Division database. Reports were generated to determine the number of items impounded, as well as the number of items rejected by the Property and Evidence custodian during the month of February 2016. The reports and listed information was saved and will be included in the "District Reports" section of this inspection to be utilized as part of the working papers generated for this written document.

This Inspection found:

Professional Standards Bureau

Property Room

- There is not an area defined as a "property room" located within the portion of the facility utilized by personnel from the Professional Standards Bureau.

Office space / Work areas

- This space consisted of work areas with offices, desks, cubicles, etcetera, as well as shared common areas.
 - The inspection of the office portions of the workspace found no obvious items of evidence or anything that appeared as if it belonged in the Property Division.
 - In these areas a safe was located in office number 241, which was locked and inaccessible at the time of inspection.
 - Personnel advised none of them had ever had access to the safe.
 - It should be noted this is not a policy violation. All areas should be accessible to command personnel responsible for an area, but nothing in policy says a work area cannot have a safe or any other storage area capable of being secured. It is only noted due to the inspection team's inability to inspect it.
 - All other areas were accessible and inspected by the Bureau of Internal Oversight.
 - No obvious items of evidence or anything appearing as if it should have been impounded into the Property Division was discovered during this portion of the inspection.

Multi division statistical information discovered during inspections:

• District One:	Impounded	490 items	9 Rejected
• District Two:	Impounded	606 items	10 Rejected
• District Three:	Impounded	329 items	5 Rejected
• District Four:	Impounded	95 items	1 Rejected
• District Six:	Impounded	257 items	15 Rejected
• District Seven:	Impounded	60 items	0 Rejected
• Lake Patrol:	Impounded	35 items	0 Rejected

Summary of Interview Questions:

- (Question) – By policy, in what timetable do you need to enter items into the computerized property management database and impound the item into the division property room or downtown Property and Evidence?
 - (Answer) – The individuals answered in the following manner:
 - We don't seize evidence (individual assigned to administrative side).
 - Same day. We impound immediately.
- (Question) – In the past three months, approximately how many times have you seized an item that needed to go into property and impounded the item on a different shift than it was seized?
 - (Answer) – The individuals answered in the following manner:
 - I have not seized anything in the past three months.
 - Never.
- (Question) – If you secure an item in a locker in the division property room, and find yourself wanting to access that item, how do you go about that?
 - (Answer) – The individuals answered in the following manner:
 - We don't do that.
 - The question is not applicable to this division.
- (Question) – How many people have access to secured evidence once it is entered into property?
 - (Answer) – The individuals answered in the following manner:
 - The question is not applicable to this division.
 - The question is not applicable to this division.
- (Question) – What do you do with an item of evidence if all the division lockers are full?
 - (Answer) – The individuals answered in the following manner:
 - Not applicable to the division.
 - Not applicable to the division.

Recommendations:

- The current language in GE-3.2 (Property Management – Rules) and GJ-4.1 (Evidence Control – Custody of Evidence) should be reviewed with considerations made to revise. The policies do not allow for situations where investigative units may have hundreds of pieces of evidence to process, nor does it consider exigency. It is realistic to expect most personnel to process and impound property and evidence by the end of their shifts in most situations, but it is not realistic to expect all personnel can accomplish that task in every situation. If items are secured, and factors explained, supervisors could and likely should be given the authority to have some discretion in this matter, which would allow for a more realistic standard and expectation.
 - The Bureau of Internal Oversight has been advised this portion of policy is being rewritten and will include language specific to the suggested changes

Action Required:

- There will be no further action required. The inspection resulted in zero policy violations being identified.
- MCSO Bureau of Internal Oversight will conduct a follow-up Inspection in the near future.

Notes:

- All inspector notes, collected facility maps, and supporting documentation (working papers) is included in the Inspection file number BI2016-0033 and contained in IA PRO

Individual specific areas of concern:

Items not located in the Professional Standards Bureau property room that according to the computerized database should have been there:

- There was no “property room” located within the division and there were no items in the Property Division database indicating they were stored within the division. This section was not applicable.

Items located in property room that were not listed in computerized database:

- This area was not applicable because there is no designated “property room” located within the Professional Standards Bureau.

Areas inspectors were unable to access:

- One safe located in an office numbered 241 was secured and personnel assigned to the Professional Standards Bureau stated they did not have the combination and had never accessed the safe.
 - This is not a policy violation, simply an area they inspection team could not inspect due to a lack of access.

Items that appeared to be evidence or property and were located outside the property room:

- There were no items of evidence or anything else that appeared as if it belonged in the property room discovered during this inspection.

Other policy violations identified:

- There were no “other” policy violations identified during the inspection requiring documentation.