

MARICOPA COUNTY SHERIFF'S OFFICE
Bureau of Internal Oversight
Audits and Inspections
#BI2016-0029

Inspection focus: Employee E-Mails
Date Inspection Started: March 1, 2016
Date Completed: March 22, 2016
Timeframe Inspected: February 2016
Assigned Inspector: Sgt. M. Rodriguez A9047

I have reviewed this inspection report.

A handwritten signature in black ink, appearing to read "D. Munley", followed by the number "#777".

Captain Dave Munley
Division Commander
Audits and Inspections

03/28/2016

Date

A handwritten signature in black ink, appearing to read "Bill Knight", followed by the number "#1011".

Deputy Chief Bill Knight
Bureau Commander
Bureau of Internal Oversight

03/28/2016

Date

MARICOPA COUNTY SHERIFF'S OFFICE

Memorandum



Joseph M. Arpaio, Sheriff

To: Captain D. Munley S0777
Division Commander
Audits and Inspections Unit
Bureau of Internal Oversight

From: Sergeant M. Rodriguez A9047
Audits and Inspections Unit
Bureau of Internal Oversight

Subject: Summary of Findings Report
Inspection #BI2016-0029 with a focus on Employee
E-mail Accounts - February 2016

Date: 3/28/16

Summary:

Between March 1st and March 22nd of 2016, the Bureau of Internal Oversight (BIO), Inspections and Audits Unit (IAU) conducted an inspection of employee e-mails sent and received during the month of February 2016. The purpose for the inspection was to determine if e-mail accounts were being used in compliance with Office policies and in support of the Melendres Order.

Authorities:

MCSO Policy CP-2, *Code of Conduct*
MCSO Policy CP-8, *Preventing Racial and Other Biased-Based Profiling*
MCSO Policy GM-1, *Electronic Communications and Voice Mail*
MCSO Policy GH-4, *Bureau of Internal Oversight*
Melendres Order (Paragraph 23)

Procedure:

An Excel spreadsheet was initially obtained from the MCSO Human Resources Bureau which contained the names of all the current Office Employees for the month of February 2016. The list had 3421 names. Utilizing the obtained list, each employee name was individually numbered from one to 3421.

Utilizing a randomizing program (www.Randomizer.org), one percent (1%) of the 3421 employees were selected as the sample for inspection. A randomized total of 34 employees were identified to have their e-mail accounts inspected. The list of selected employees was forwarded to the Maricopa County Office of Enterprise and Technology (MCOET) to obtain a copy of the e-mail accounts for each selected employee. Once the e-mail accounts for the selected employees were received, the updated "*E-mail Inspection Matrix*" was utilized to ensure consistent inspection of each individual e-mail account.

This Inspection found:

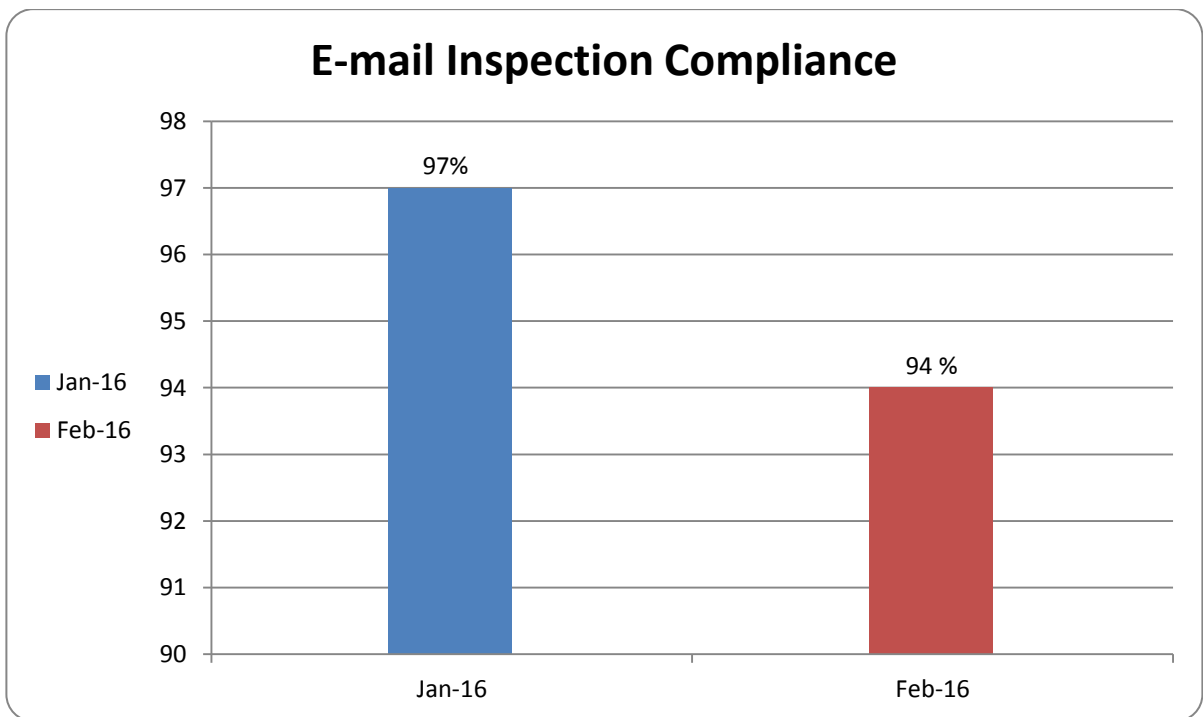
The 34 email accounts totaled 16,073 e-mails; however, only 6,349 e-mails were reviewed due to the elimination of normal MCSO business related e-mails such as; training announcements, administrative broadcasts, system generated e-mails, and e-mails from professional organizations. During the inspection of the original randomly selected 34 MCSO Employee E-mail accounts, 4 additional employees were found to have sent e-mails that were not in compliance with policy.

The inspection found that **94%**, or **32 of the 34 inspected e-mail accounts, were in compliance** with MCSO Policy GM-1, *Electronic Communications and Voice Mail* and MCSO Policy CP-2, *Code of Conduct* (does not include the 4 additional employees found not in compliance with policy during the inspection).

The following issues were noted:

- Detention Officer An E-mail in the sent folder included profane language: Policy GM-1, section 2.A.1 states in part “*Personnel shall refrain from using profane or offensive language or images in any aspect of their electronic communications...*” **The Bureau of Internal Oversight is forwarding a Memorandum of Concern through the respective Chain of Command to be addressed in accordance with MCSO Policy and Procedure.**

- Detention Lt. E-mails in the sent and receive folders included unprofessional content: Policy GM-1, section 2 states in part “*All electronic communications shall be professional in content...*” Policy CP-2, sections 5.D states “*Employees shall not demean persons or act disparagingly against any individual regardless of age, nationality, religious beliefs, race, gender, culture, sexual orientation, gender orientation, veteran status, ancestry, or disability*” and Policy CP-2, section 5.E states “*Employees shall conduct themselves in a manner that will foster respect and cooperation among themselves and other members of the Office.*” **The Bureau of Internal Oversight is forwarding a Memorandum of Concern through the respective Chain of Command to be addressed in accordance with MCSO Policy and Procedure.**



Supplemental Permanent Injunction/Judgment Order, Paragraph 23:

Section V. **Policies and Procedures** of the October 2, 2013, “*Supplemental Permanent Injunction/Judgment Order*,” reads in part:

- a. Policies and Procedures to Ensure Bias-Free Policing*

Paragraph 23. "Within 30 days of the Effective Date, MCSO shall modify its Code of Conduct to prohibit MCSO Employees from utilizing County property, such as County e-mail, in a manner that discriminates against, or denigrates, anyone on the basis of race, color, or national origin."

Statistical information relevant to Order/Paragraph 23:

The results of this inspection found that **34** e-mail accounts, or **100% of the inspected accounts, were in compliance** with MCSO Policy CP-8, *Preventing Racial and Other Biased-Based Profiling*.

Additional Inspection Findings

During the review of the originally selected 34 Employee E-mail accounts, the additional below listed employees were found to have sent e-mails that may not be in compliance with MCSO Policy GM-1, *Electronic Communications and Voice Mail* and/or MCSO Policy CP-2, *Code of Conduct*.

- Detention Officer E-mails include a background theme: The employee's e-mails included the selected background theme "Expedition." Policy GM-1, section 3.A. states "*The use of background images and graphics in e-mail is prohibited.*"
- Civilian Employee E-mail includes a background theme: The employee's e-mail included the selected background theme "Sumi Painting." Policy GM-1, section 3.A. states "*The use of background images and graphics in e-mail is prohibited.*"
- Detention Sgt. E-mail includes a background theme: The employee's e-mail included the selected background theme "Industrial." Policy GM-1, section 3.A. states "*The use of background images and graphics in e-mail is prohibited.*"
- Detention Lt. E-mails sent were not professional in content: Policy GM-1, section 2 states in part "*All electronic communications shall be professional in content...*" Policy CP-2, sections 5.D states "*Employees shall not demean persons or act disparagingly against any individual regardless of age, nationality, religious beliefs, race, gender, culture, sexual orientation, gender orientation, veteran status, ancestry, or disability*" and Policy CP-2, section 5.E states "*Employees shall conduct themselves in a manner that will foster respect and cooperation among themselves and other members of the Office. **The Bureau of Internal Oversight is forwarding a Memorandum of Concern through the respective Chain of Command to be addressed in accordance with MCSO Policy and Procedure.***"

Recommendations:

1. It is recommended that supervisors continue to provide mentoring to employees and review MCSO Policies CP-2 and CP-8, specifically emphasizing the prohibition of employees from using county property, such as e-mail, in any manner that discriminates or denigrates anyone on the basis of race, color, national origin, age, religious beliefs, gender, culture, sexual orientation, veteran status, or disability. Continue to encourage and reinforce the need for employees to report any violations of Policy CP-2 or CP-8 immediately to a supervisor
2. It is recommended that supervisors continue to provide mentoring to employees and review MCSO Policy GM-1, specifically emphasizing the authorized/unauthorized contents of e-mails and provide informal Microsoft Outlook program training to employees so that they better manage their Microsoft Outlook e-

mail accounts, specifically in the areas of archiving/saving emails and emptying “Deleted Items” and “Junk Email” folders.

Action Required:

With the resulting 94% compliance, *Inspection #BI2016-0029* will require submittal of 6 BIO Action Form from the Detention Bureau regarding the deficiency described.

- The Action Form will be assigned a return date of thirty days after this inspection is published to Sheriff’s Office personnel.
- The MCSO Bureau of Internal Oversight will conduct future inspections of employee e-mail accounts within the next thirty days.

Notes:

All supporting documentation (working papers) is included in the inspection file number **BI2016-0029** and contained in IA Pro.