

MARICOPA COUNTY SHERIFF'S OFFICE
Bureau of Internal Oversight
Audits and Inspections
#BI2016-0019

Inspection focus: Division level processing of
Property and Evidence

Date Inspection Started: February 15th, 2016

Date Completed: February 17th, 2016

Timeframe Inspected: January, 2016

Assigned Inspectors: Sergeant Mario Rodriguez #A9047
Ms. Angela Lolli #B2586
Lt. W. Cory Morrison #1509

I have reviewed this inspection report.

 #771

Captain Dave Munley
Division Commander
Audits and Inspections

February 18th, 2016
Date

 #1011

Deputy Chief Bill Knight
Bureau Commander
Bureau of Internal Oversight

February 18th, 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 #BI2016-0019 with a focus on the processing of property and evidence at the Division level.

Date: 02/16/2016

Summary:

Between February 16th 2016 and February 17th 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 Criminal Intelligence and Counter Terrorism Division.

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 January, 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 Criminal Intelligence and Counter Terrorism Division, which included physical inspections of the assigned work areas utilized by personnel. Furthermore, two (2) vehicles were inspected.

On February 8th 2016, an inspection location was requested and obtained from executive command personnel. It was determined an inspection of the workspaces utilized by the Criminal Intelligence and Counter Terrorism Division 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. February 16th 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 February 16th 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 Criminal Intelligence and Counter Terrorism Division, the inspection team was welcomed by personnel assigned to the division. 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 Intelligence and Counter Terrorism Division 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 division, 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.

The previously described methodology was also utilized to inspect vehicles operated by personnel within the division.

Additionally, one sergeant and one officer were selected and asked questions in an effort to better understand the manner in which property and evidence was processed by the division. 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 facility, on February 15th 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 January 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:

Criminal Intelligence and Counter Terrorism Division

Property Room

- There is not an area defined as a "property room" located within the portion of the facility utilized by personnel from this division.
 - It is worth noting, the Criminal Intelligence and Counter Terrorism Division operate out of a building managed by state law enforcement and consisting of personnel from numerous agencies.
 - No area was discovered that appeared to be utilized for the purpose of storing evidence.

Office space / Work areas

- This space consisted of work areas with offices, desks, etcetera, as well as shared areas and storage for equipment needed within the division.
 - 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 all spaces were accessed and inspected.
 - 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.

Criminal Intelligence and Counter Terrorism Division vehicles inspected

- Vehicle 311553: One item of evidence located (IR# 12-182495)
 - It is worth noting the item found consisted of cigarettes that had been marked for destruction by the MCSO Property Division. Personnel signed the item out and took possession in accordance with policy and the cigarettes are commonly used during negotiations as a tool to convince individuals to willingly exit a barricade situation. There was no identified policy violation.
- Vehicle 311248: No obvious items of evidence discovered

Multi division statistical information discovered during inspections:

• District One:	Impounded	474 items	6 Rejected
• District Two:	Impounded	259 items	6 Rejected
• District Three:	Impounded	394 items	8 Rejected
• District Four:	Impounded	93 items	4 Rejected
• District Six:	Impounded	226 items	2 Rejected
• District Seven:	Impounded	76 items	2 Rejected
• Lake Patrol:	Impounded	27 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:
 - Day of event.
 - I would ask my supervisor.
- (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:
 - None.
 - 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:
 - The division has no property room.
 - 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:
 - We do not have a holding facility, so if we process evidence we take it to the Property Division immediately.
 - I would ask my supervisor.
- (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 BI2016-0019 and contained in IA PRO

Individual specific areas of concern:

Items not located in the Criminal Intelligence and Counter Terrorism Division 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 Criminal Intelligence and Counter Terrorism Division.

Areas inspectors were unable to access:

- This was not applicable because all known areas located within the Criminal Intelligence and Counter Terrorism Division were accessible and inspected by the inspection team.

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

- Vehicle 311553: One item of evidence located (IR# 12-182495)
 - It is worth noting the item found consisted of cigarettes that had been marked for destruction by the MCSO Property Division. Personnel signed the item out and took possession in accordance with policy and the cigarettes are commonly used during negotiations as a tool to convince individuals to willingly exit a barricade situation.
 - There was no identified policy violation associated with the item listed above.

Other policy violations identified:

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