



# **AZ POST**

## **INTEGRITY BULLETIN**

**Volume No. 99**  
**April-June, 2022**



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 2022 public meetings. Each action is considered on its own 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 2019-228. The Board accepted an administrative law judge's findings of fact and conclusions of law. An officer had converted a professional contact into a social relationship.

Case 2021-111. The respondent, who was driving his personal vehicle, failed to yield on a traffic stop. The respondent fled and during the pursuit, he failed to stop at several traffic lights and intersections.

Case 2021-216. An officer pled guilty to felony criminal damage. The felony stemmed from a car accident with injuries and an arrest for extreme DUI.

Case 2020-206. A trooper was dishonest to his field training officer and then to his patrol sergeant about mailing out a traffic citation.

Case 2021-005. On various shifts, a sergeant was under the influence of prescription medications and was then dishonest about it.

Case 2020-110. A trooper, who had been admonished, was dishonest during two separate interviews with professional standards. The trooper also attempted to convert, or did convert, several law enforcement contacts into personal relationships.

### **SUSPENSIONS:**

Case 2021-186. An officer conducted an ACJIS check for personal use. The Board accepted a consent agreement for a twelve month suspension.

Case 2020-158. An officer was involved in several instances of domestic violence which included physical injury. Prosecutions were declined in all instances. The Board accepted a consent agreement for suspension till lapse.

Case 2020-113. An officer failed to take appropriate action to render medical aid during a medical emergency of a subject who was under arrest. The Board accepted a consent agreement for a suspension to lapse of certification.

Case 2021-064. An officer's use of a pressure point control tactic was unreasonable. The Board accepted a consent agreement for a suspension time of 100 hours.

Case 2021-140. An officer, while off duty, was arrested for extreme DUI with a BA of .167. He was also uncooperative. The Board accepted a consent agreement for an eighteen month suspension.

Case 2020-121. A trooper, while working uniformed off duty, had sex in a parking lot. The Board imposed a twelve month suspension.

Case 2021-200. During a domestic argument, and while off duty, an officer pushed and shoved his young adult stepson. The officer pled guilty to one count of Disorderly Conduct/DV. The Board imposed an eighteen month suspension.

Case 2021-215. During a domestic argument, and while off duty, an officer was arrested for misdemeanor assault/domestic violence. The Board accepted a consent agreement for an eighteen month suspension.

Case 2021-194. A supervisor made inappropriate comments to a female subordinate and also inappropriately touched her. The Board accepted a consent agreement for a twelve month suspension.

Case 2021-145. An officer, while off duty, was arrested for extreme DUI with a BA of .154 and .166. The Board accepted a consent agreement for a twelve month suspension.

Case 2021-075. An officer, while off duty, was arrested for DUI and during the course of the investigation, he was rude, repeatedly identified himself as a police officer, and was uncooperative. The Board accepted a consent agreement for a twelve month suspension.

Case 2021-141. An officer was dishonest to his patrol sergeant about the handling of a call for service while on a check subject call. During the same work shift, the officer approached his sergeant and told his supervisor he had been dishonest. The Board accepted a consent agreement for a twelve month suspension.

Case 2020-111. An officer failed to take appropriate action to render medical aid during a medical emergency of a subject who was under arrest. The Board accepted a consent agreement for a suspension to lapse of certification.

Case 2020-112. An officer failed to take appropriate action to render medical aid during a medical emergency of a subject who was under arrest. The Board accepted a consent agreement for a suspension to lapse of certification.

Case 2021-083. An officer, while off duty, was involved in a car accident and was arrested for DUI and during the course of the investigation, he was disrespectful to the investigating police officers. The Board accepted a consent agreement for an eighteen month suspension.

Case 2021-114. A deputy was off duty when his department contacted him and asked him to intercede in a call for service. The deputy volunteered to do so, but aspects of the officer's decision making were unsafe. The Board accepted a consent agreement for a 30 day suspension.

Case 2021-094. In late 2016/2017, an officer had sex on duty with another officer. This went undetected and the officer retired. Shortly thereafter, in 2022, and while participating in a lateral hiring process, he disclosed this misconduct. The Board accepted a consent agreement for a six month suspension.

**DENIAL OF CERTIFICATION:**

Case 2021-230. A recruit engaged in a physical altercation while being removed from a bar. He was arrested for assault/disorderly conduct. His certification was permanently denied.

Case 2021-170. During a pre-academy ride-a-long, a recruit recorded, on his personal cell phone, an arrest. Initially, the recruit was dishonest about it with a patrol sergeant, but prior to the end of shift, the recruit told the sergeant the truth. The Board accepted an administrative law judge's findings of fact and conclusions of law and denied the recruit's peace officer certification for twelve months, after which date the recruit may reapply for certified status.

Case 2021-181. A recruit provided false or misleading statements to staff members at the academy about the extent of his prior military service. His certification was permanently denied.

**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.

|                |                |                |                |
|----------------|----------------|----------------|----------------|
| Case #2019-225 | Case #2021-241 | Case #2022-076 | Case #2022-061 |
| Case #2020-076 | Case #2022-009 | Case #2021-176 |                |
| Case #2021-058 | Case #2021-003 | Case #2021-229 |                |
| Case #2021-080 | Case #2021-117 | Case #2021-244 |                |
| Case #2021-165 | Case #2021-208 | Case #2022-008 |                |
| Case #2021-174 | Case #2022-029 | Case #2022-021 |                |
| Case #2021-086 | Case #2022-063 | Case #2022-038 |                |

**NO ACTIONS:**

*At the April, May, and June meetings, 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. 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 2021-231. It was alleged that an officer punched a suspect, who was handcuffed, in the face. The suspect had spit in the officer's face and the officer reacted by punching the suspect once in the face with a closed fist. The Board decided to take no action.

Case 2021-196. It was alleged that an officer was unprofessional with an individual during a traffic stop. The Board took no action with agency discretion.