



# **AZ POST**

## **INTEGRITY BULLETIN**

**Volume No. 103**

**April-June 2023**



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 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 2021-131. The Board accepted an administrative law judge's findings of fact and conclusions of law. An officer was dishonest, in the hiring process, in his applications, about his discharge from military service.

### **SUSPENSIONS:**

Case 2022-106. The Board accepted a proposed consent agreement for a twelve month (12) suspension. The officer had misused restricted databases including ACJIS and the South Eastern Arizona Management System (Spillman). He had pled guilty to one count of computer tampering- a misdemeanor.

Case 2022-212. The Board accepted a proposed consent agreement for a twelve month (12) suspension. The officer, who was driving his personal vehicle, purposefully distracted a DPS trooper who had conducted a traffic stop on a friend of the officer. The officer sped passed the traffic stop and returned and did it twice.

Case 2023-010. The Board accepted a proposed consent agreement for an eighteen month (18) suspension. The officer had responded to a group of individual's fighting in a parking lot. The officer used unreasonable force when he impact pushed a bystander knocking him down. This was the officers second out of policy use of force within two years.

Case 2022-123. The Board accepted a proposed consent agreement for an eighteen month (18) suspension. The officer was in a single vehicle, non-injury, car accident. Prior to the accident, he had been drinking and he had left police issued equipment in his car, when he walked away from the scene of the accident.

Case 2021-238. The Board accepted a proposed consent agreement for an eighteen month (18) suspension due to two separate incidents. In the first incident, the officer was in uniform and on duty, when he got into a fist fight with another uniformed officer in a parking garage. Prior to the fight, the officers had exchanged MDC messages about answering calls for service and beat integrity. In the second incident, the officer had been trespassed by hotel security while he was on vacation in Las Vegas. The officer disobeyed the trespass admonition and was detained by hotel security. No charges were filed.

**DENIAL OF CERTIFICATION:**

Case 2023-016. The Board accepted a proposed consent agreement for an eighteen month (18) denial of certification, after which date, the recruit maybe eligible to reapply. The recruit, while off duty, was arrested for extreme DUI with a BA of .151. He had struck an attenuator on State Route 143.

**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 #2020-035	Case #2023-052
Case #2020-186	Case #2022-155
Case #2022-186	Case #2022-160
Case #2023-026	Case #2022-222
Case #2023-037	Case #2023-083
Case #2023-042	Case #2023-091

**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.*

None.