



# **AZ POST**

## **INTEGRITY BULLETIN**

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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 October, November and December 2017, public meetings. These actions are not precedent setting, in the sense that similar cases will end with the same result, because each case is considered on its individual 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 #15-150. An officer had sexual contact with a female domestic violence victim immediately following the investigation of the incident.

Case #15-153. An officer used his phone to surreptitiously record or photograph his 14-year old step-daughter while she was taking a shower. During a two-year period, he surreptitiously recorded, tape-recorded, digitally recorded or viewed images or recordings of female minors without their consent or knowledge.

Case #17-078. An officer had sexual relations with his girlfriend and two other women while on duty. He also provided false or misleading statements to investigators after Garrity.

Case #17-073. A captain rear-ended another vehicle and left the scene of the accident. He was also untruthful with both the criminal and internal affairs investigators regarding the details of the incident.

Case #17-053. A deputy tested positive for cocaine during a random drug test. He also tested positive for cocaine during a follow-up drug test.

Case #17-044. An officer sent an inappropriate and sexually explicit photograph to his 16-year old step-daughter, via text message.

### **SUSPENSIONS:**

Case #17-094. An officer on two separate occasions lost his temper, showed extreme anger and was aggressive to the individuals he was confronting. (1-year suspension)

Case #16-031. An officer admitted to drinking seven or eight beers while attending a hockey game and prior to driving back to Tucson from Phoenix and being stopped by DPS. (2-year suspension)

Case #16-051. An officer was involved in an argument with his wife and made inappropriate and potentially threatening comments to her verbally and via text messages. A female acquaintance also alleged that she had been assaulted by him during an argument. Charges were dismissed and/or declined. (18-month suspension)

Case #15-151. An officer admitted to receiving oral sex in his unmarked patrol vehicle at the conclusion of his shift. (1-year suspension)

Case #17-069. A deputy was less than truthful with his field training officer when asked if he obtained the date of birth from a reporting party on a call for service. (3-year suspension)

**DENIAL OF CERTIFICATION:**

Case #17-079. A recruit made a derogatory racial comment during an academy class.

Case #17-046. An applicant intentionally gave false statements to a detective during a background interview by denying he had sexual contact with a 17 year old female.

Case #17-021. A recruit cheated on a radio code quiz while attending an academy.

Case #17-067. A cadet falsely reported that she had been sexually assaulted by another cadet.

Case #17-075. A recruit gave intentionally dishonest or misleading statements to an academy staff member while being questioned about whether he copied another person's work and passed this work off as his own.

**VOLUNTARY RELINQUISHMENTS:**

The Board accepted the following voluntary relinquishments of peace officer certification. Respondents, without admitting any allegations made against them, permanently relinquished their Arizona peace officer certifications.

Case #15-118  
Case #17-120  
Case #17-127  
Case #16-054  
Case #17-118  
Case #17-124  
Case #17-107  
Case #16-155  
Case #17-076  
Case #15-143

Case #17-112  
Case #16-161  
Case #16-195  
Case #17-117  
Case #17-131  
Case # 15-182  
Case # 17-140  
Case # 17-149  
Case # 17-109

## **NO ACTIONS:**

*On October 18, November 15, and December 20, 2017, 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. In fact, the Board's rules are very broad and all misconduct violates one or more of the disciplinary rules. 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 #17-065. An officer attempted to convert an on-duty contact into a personal relationship.

Case #15-139. An officer displayed unprofessional conduct while law enforcement officers served a search warrant at the home of family members who lived out of state.

Case #17-096. An officer violated department policy by electronically accessing a police report for personal reasons and involving himself in a police matter in which he personally knew one of the persons involved.

Case #17-122. An officer failed to disclose to an agency background investigator that he had been accused of inappropriately exposing his genitals to a seven year old boy in November of 2016.

Case #17-139. A recruit wrote a memorandum stating she had been stopped for speeding in area where the speed limit was 65 and she was going ten over; which she knew was false and/or inaccurate. Her actual speed written on the warning was for 81 mph in a 65.

Case #17-095. An officer operated a motor vehicle while under the influence of intoxicating liquor; there were no aggravating factors.

Case #17-137. An officer failed to complete a thorough criminal investigation by not properly investigating and documenting a reported Aggravated Assault.

Case #17-090. A lieutenant engaged in a physical altercation while off-duty and attending a party hosted by a friend.

Case #17-148. A sergeant changed the date on a DUI report he submitted and also changed the date of supervisory review.