

**Maricopa County Sheriff's Office
Paul Penzone, Sheriff**

COURT IMPLEMENTATION DIVISION

2017 ANNUAL COMPLIANCE REPORT



JULY 1, 2016 – JUNE 30, 2017

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Executive Summary

This Annual Report assesses the Maricopa County Sheriff's Office (MCSO) level of compliance with Judge Snow's *Supplemental Permanent Injunction/Judgment Order* (Doc. 606) of October 2, 2013; as amended the "Court Order." The reporting period for this annual report covers July 1, 2016 through June 30, 2017. This report is unique in that it covers Sheriff Arpaio's last six months as Sheriff and Sheriff Penzone's first six months as Sheriff. This Annual Report is submitted to comply with the Court's Order, paragraph 12.

To ensure compliance with the Court's Orders, MCSO established a skilled Court Implementation Division (CID), established policies, procedures, and directives, and created the Bureau of Internal Oversight (BIO) that conducts internal inspections and audits to further ensure compliance measures are met.

MCSO acquired and implemented hardware and software technology that is used to collect traffic stop data and data needed for the Early Identification System (EIS). This technology, along with inspections and audits performed by the BIO, helps MCSO conduct quality assurance activities. In the future, when the Monitor is no longer involved in verifying compliance, BIO will continue audits and inspections to assure the ongoing compliance with the reforms in the Orders.

MCSO promulgated all Office Policies and Procedures related to Patrol Operations and completed the comprehensive instruction required in each of these substantive areas. MCSO also increased the number of supervisors and their roles and responsibilities as leaders.

In November 2016, Maricopa County voters elected Paul Penzone as their Sheriff and it is important to convey a few points:

- Sheriff Penzone has made it clear that he does not view this as an adversarial process and MCSO will continue to work collaboratively with the Monitor, ACLU, and DOJ. The Sheriff himself has taken an active role in the compliance process as well as the site visits that have occurred since he took office.
- Sheriff Penzone has made structural changes at MCSO that emphasize his positions on prioritizing compliance and integrity within the organization. He has brought in a new Chief Deputy, created a Chief of Staff and Special Counsel Position to assist with legal compliance in-house, created an executive chief position over compliance, hired a new executive chief of enforcement and split the patrol function into two so there is better oversight. The PSB Commander was promoted to a Deputy Chief to highlight the importance of the role to the new administration. The Sheriff also brought in a new Community Relations team and Director for the Public Information Office.
- The changes included reassignment with increased oversight for individuals that were not performing or moving MCSO forward. The Sheriff has also removed from the organization individuals who had ethical challenges that could not be overcome in the new MCSO.
- Sheriff Penzone has already begun working on his initiatives to restore the trust with the community MCSO serves. Since taking office in January, the Sheriff and MCSO staff have attended over 250 meetings of neighborhood associations, faith-based groups, community organizations, activists and other civic groups.
- Several community advisory boards have been created at the direction of Sheriff Penzone. These community advisory boards will advise the Sheriff on important matters that affect the community as well as be a voice to and for the communities they represent. One of these boards is SPEAR –Sheriff Penzone's Executive Advisory Review. SPEAR is made up of diverse

community members from all across the County. The first item on the SPEAR agenda was a data driven analysis of Tent City to provide a recommendation to the Sheriff on whether it should remain open in its current state. There is a Hispanic Advisory Board that is made up of Dreamers, businesspeople, activists, educators and community leaders. The Sheriff has also formed an African American Advisory Board and an LGBTQ Advisory Board.

- Sheriff Penzone made a motion to take on the responsibility for planning, organizing, advertising, and hosting the Order mandated community meetings with the intention of improving community relations and repairing the damaged relationship between MCSO and the Plaintiff Class. In this same motion, the Sheriff requested the Community Advisory Board be expanded with appointments from MCSO and a joint appointment by MCSO and ACLU. On August 3, 2017, the Court granted MCSO's requests. While Sheriff Penzone and MCSO realize this will require hard work and will come with challenges, we are excited and humbled by this new responsibility and look forward to working directly with the affected community and the new CAB to obtain community input into Melendres-related compliance. The Sheriff and MCSO have already met with the new CAB and communicated their intent to have a productive and respectful relationship. MCSO will report more on these developments in the next annual report.

All MCSO employees read and acknowledged the Court's *Corrective Statement* of April 17, 2014, and all supervisors read and acknowledged the *Findings of Fact and Conclusions of Law* (Doc. 579) of May 24, 2013 and the *Supplemental Permanent Injunction/Judgment Order* (Doc. 606). In March 2015, the Court deemed MCSO in compliance, having met the requirements of the Court Order, and no longer obligated to report on compliance levels for the Court's *Corrective Statement* of April 17, 2014. On July 26, 2016 the Court issued the *Second Amended Second Supplemental Permanent Injunction/Judgement Order* (DOC1765). All MCSO employees read and acknowledged a briefing that explained the terms of the Order as well as relevant background information about the Court's May 13, 2016 Findings of Fact as required by Paragraph 273. The MCSO quarterly reports and the Monitor's quarterly reports are placed on the e-learning system to allow all employees access to the reports and employees at the rank of Lieutenant and above are required to read these reports. MCSO leadership made these reports required reading by Lieutenants and above because they want all leadership at MCSO to understand the importance of gaining compliance with the Order along with what steps need to be taken to achieve compliance in areas they may have influence.

During the July 2016 Monitor Site Visit, the Monitor Team provided MCSO with several ideas to increase the pace of compliance. MCSO implemented several of the Monitor's suggestions, including developing a Court Implementation Division ("CID") Liaison Program with the Patrol Districts, inviting sworn Captains to monthly compliance status meetings, and incorporating field personnel into meetings during the Monitor's quarterly site visits. All of these implemented changes have been positive and MCSO plans to continue these practices and expand them with the expectation that will help future gains in compliance.

In some respects, compliance under the Court's Orders requires complex technological change and advances. Accordingly, MCSO's Technology Bureau has the burden of developing technology based solutions to fulfill many of the requirements under the Court's Orders. The Technology Bureau juggles several technology projects simultaneously with regard to its efforts to assist MCSO to achieve its goal of full and effective compliance under the Court's Orders. Some of these projects require the retention and assistance of and software development by an outside technology vendor. The additions of entities and individuals usually delays any project. In this regard, MCSO's compliance efforts requiring technological changes and software development are no different. Like other aspects of the compliance process, the parties also participate in and provide their input regarding compliance efforts involving technology.

This annual report also encompasses the *Second Amended Second Supplemental Permanent Injunction/Judgment Order* (DOC1765) which was issued in July of 2016. This Supplemental Order added an additional 114 paragraphs to the 89 paragraphs from the *Supplemental Permanent Injunction/Judgment Order* (Doc. 606) that the MCSO is evaluated on. Overall, the Monitor gives MCSO a compliance rating on 202 paragraphs.

The Monitor assesses these paragraphs in two phases of compliance. Phase 1 compliance is assessed on “whether requisite policies and procedures have been developed and approved and agency personnel have received documented training on their content” (Monitor’s Twelfth Quarterly Report, p. 5). Phase 2 compliance is assessed by the Monitor when MCSO is “generally considered operational implementation” and the MCSO complies “more than 94% of the time or in more than 94% of the instances being reviewed” (Monitor’s Twelfth Quarterly Report, p. 5).

The *Melendres* Court Order Compliance Chart (See Appendix A) was developed from compliance rate information provided in the Monitor’s Quarterly Reports covering the reporting period for the fiscal year of 2016 – 2017. The Monitor’s Thirteenth Quarterly Report is not due until after September 15th; therefore, the Court Order Compliance Chart does not include data from the second quarter of 2017. However, MCSO anticipates a considerable increase in Phase 1 and Phase 2 compliance based on the recent publication of several Order-related MCSO policies.

During this annual review period significant compliance progress has been made as demonstrated by the below tables taken from the Monitor’s 12th Quarterly Report depicting historical compliance rates:

MCSO’s Compliance with the Requirements of the First Order (October 2, 2013)												
	Report 1	Report 2	Report 3	Report 4	Report 5	Report 6	Report 7	Report 8	Report 9	Report 10	Report 11	Report 12
Phase 1	4%	10%	44%	40%	51%	57%	61%	60%	67%	60%	63%	79%
Phase 2	0%	0%	26%	25%	28%	37%	38%	39%	44%	49%	50%	57%

MCSO’s Compliance with the Requirements of the Second Order (July 20, 2016)												
	Report 1	Report 2	Report 3	Report 4	Report 5	Report 6	Report 7	Report 8	Report 9	Report 10	Report 11	Report 12
Phase 1	N/A									1%	10%	12%
Phase 2	N/A									43%	46%	60%

MCSO has dedicated unprecedented financial and personnel resources to advance the organization towards compliance. MCSO’s path to compliance is a truly collaborative effort among MCSO, the Monitor, and the attorneys representing the Plaintiffs and the DOJ, including technical assistance from the Monitor when requested and substantive suggestions from the parties. This may slow down the process, but MCSO appreciates the input from these groups.

MCSO is committed to achieving its goal of “Full and Effective Compliance” as the Court’s Order defines it. Compliance is a top priority for Sheriff Penzone because he believes gaining full and effective compliance with the Orders is also the fastest way to ensure MCSO is deploying and following the current best police practices.

Court Implementation and Document Production

MCSO took major steps to implement Section III of the Court Order. In October 2013, MCSO formed a division titled the Court Compliance and Implementation Division consistent with paragraph 9. In February 2015, MCSO changed the name of this division to the Court Implementation Division (CID). In August 2016, CID added 1 lieutenant and 2 sergeants to the division as a result of the issuance of the Second Supplemental Order. The CID is currently comprised of thirteen (13) MCSO personnel with interdisciplinary backgrounds and various ranks: 1 Captain, 2 lieutenants, 6 sergeants, 2 deputies, 1 management assistant, and 1 administrative assistant.

Captain Barry Roska was assigned to command CID and BIO (Bureau of Internal Oversight) on or about May 24, 2017. Lieutenant Ben Armer functions as the single point of contact with the Court, the Monitor, and the parties although MCSO's legal team and MCSO's upper Command Staff also communicate with the Monitor Team and parties as needed. CID coordinates site visits and other activities with each of the parties, as the Court Order requires. Members of CID work very closely with MCSO counsel and MCSO Command Staff to ensure that MCSO maintains a sustained effort to achieve its goal of full and effective compliance with the Court's Orders.

The CID enjoys and will continue to enjoy a positive working relationship with the Monitor and parties. CID is committed to its vital role in the reform process and reaching MCSO Command Staff's directive and sincere goal to be in full and effective compliance expeditiously.

The CID, with the Sheriff's approval, ensures the proper allocation of document production requests to the appropriate MCSO units to achieve full and effective compliance with the Court Order. Thus, the efforts to achieve compliance and to fulfill the Monitor's requests involve the efforts of MCSO divisions, bureaus, personnel and command staff, as well as personnel from the Maricopa County Attorney's Office Personnel. This shared effort and allocation of assignments are set for the in Table #1 immediately as follows.

Table #1	
MCSO Unit Assignments for Court Order	
Section	Unit Name
III. MCSO Implementation Unit and Internal Agency-Wide Assessment	<ul style="list-style-type: none"> • Court Implementation Division • Maricopa County Attorney's Office
IV. Monitor Review Process	<ul style="list-style-type: none"> • Court Implementation Division • Maricopa County Attorney's Office
V. Policies and Procedures	<ul style="list-style-type: none"> • Court Implementation Division • Human Resources Bureau, Compliance Division - Policy Section • Maricopa County Attorney's Office
VI. Pre-Planned Operations	<ul style="list-style-type: none"> • Court Implementation Division • Compliance Division – Policy Section • Detective and Investigations Bureau

VII. Training	<ul style="list-style-type: none"> • Court Implementation Division • Maricopa County Attorney’s Office • Training Division
VIII. Traffic Stop Documentation and Data Collection and Review (First Supplemental Order)	<ul style="list-style-type: none"> • Court Implementation Division • Bureau of Internal Oversight
IX. Early Identification System (EIS) (First Supplemental Order)	<ul style="list-style-type: none"> • Court Implementation Division • Bureau of Internal Oversight/Early Intervention Unit
X. Supervision and Evaluation of Officer Performance (First Supplemental Order)	<ul style="list-style-type: none"> • Court Implementation Division • Command Staff • Human Resources Bureau, Compliance Division and Personnel Services Division • Bureau of Internal Oversight/Early Intervention Unit • Enforcement Bureau • Maricopa County Attorney’s Office • Training Division
XI. Misconduct and Complaints (First Supplemental Order)	<ul style="list-style-type: none"> • Court Implementation Division • Command Staff • Professional Standards Bureau • Supervisors in each unit
XII. Community Engagement (First Supplemental Order)	<ul style="list-style-type: none"> • Court Implementation Division • Community Outreach Division

In response to paragraph 19 of the Court Order concerning review of existing Policy and Procedures, and paragraph 30 regarding timely submissions, the CID, working with the Human Resource Bureau’s Policy Section, reviewed MCSO Policies and Procedures. Please see the Annual Policy Assessment Section for further details.

The Court’s Order, Section IV directs submission of policies and appeals, and sets deadlines. Consistent with paragraph 14, MCSO responded expeditiously to all requests for documentation. Consistent with paragraph 15, MCSO completed resubmissions when requested (e.g., format changes to document requests, changes to training curriculum via the consultant, etc.). Additionally, as per paragraphs 16 and 31, MCSO promptly disseminated Office Policies and Procedures, and other documents following Monitor approval.

In an attempt to try and accelerate the pace of compliance, the Monitor circulated a draft policy and curriculum review proposal which was adopted. Under this protocol, the parties have established deadlines to provide their respective revisions to and voice any concerns with MCSO policies and training curricula at issue. The collaborative efforts of the parties and their respective, multiple attorneys, often decelerates the pace of compliance. MCSO has previously voiced its concern regarding such deceleration, as the perception is that any delay was solely MCSO’s responsibility, which is not the case.

The CID is responsible for facilitating data collection and document production. The CID responded to 20 combined document requests during this reporting period and produced over 1,250,000 pages of documents (see

Table #2). In addition to the Monitor document requests, CID facilitates the production of training material and policies and procedures to the Monitor for review and approval.

Table #2	
Document Production Requests	
Title	General Description
07/18/2016 Site Visit Request	Documents Requests as a result of the Site Visit
July Monthly Request	Monitor's Monthly Production Request
10/17/2016 Site Visit Request	Document Requests as a result of the Site Visit
August Monthly Request	Monitor's Monthly Production Request
October Quarterly Document Request	Document Request from Monitor needed for Quarterly Assessments
September Monthly Request	Monitor's Monthly Production Request
07/01/2016-09/30/2016	Various Misc. Requests
October Monthly Request	Monitor's Monthly Production Request
November Monthly Request	Monitor's Monthly Production Request
December Monthly Request	Monitor's Monthly Production Request
10/01/2016-12/31/2016	Various Misc. Requests
January Monthly Request	Monitor's Monthly Production Request
February Monthly Request	Monitor's Monthly Production Request
March Monthly Request	Monitor's Monthly Production Request
January Quarterly Request	Monitor's Quarterly Requests
January Site Visit Request	Monitor's Site Visit Request
Miscellaneous Requests	Various Miscellaneous Requests received between 01/01/2017 and 03/31/2017
April Monthly Request	Monitor's Monthly Production Request
May Monthly Request	Monitor's Monthly Production Request

June Monthly Request	Monitor's Monthly Production Request
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Inspections and Quality Assurance Audits

Consistent with the Melendres Order’s mandate to engage in periodic audits, on September 29, 2014, MCSO created the Bureau of Internal Oversight (BIO) to address Court Order compliance and to assist the Sheriff’s Office by providing timely and professional auditing, inspections, technical and review services. This includes the assessment of employee performance and misconduct, management functions, the promotion of integrity, economy, efficiency and effectiveness of Office programs, services and activities. The BIO inspections and audits allows MCSO to assess personnel are in compliance with the Orders and MCSO Policy.

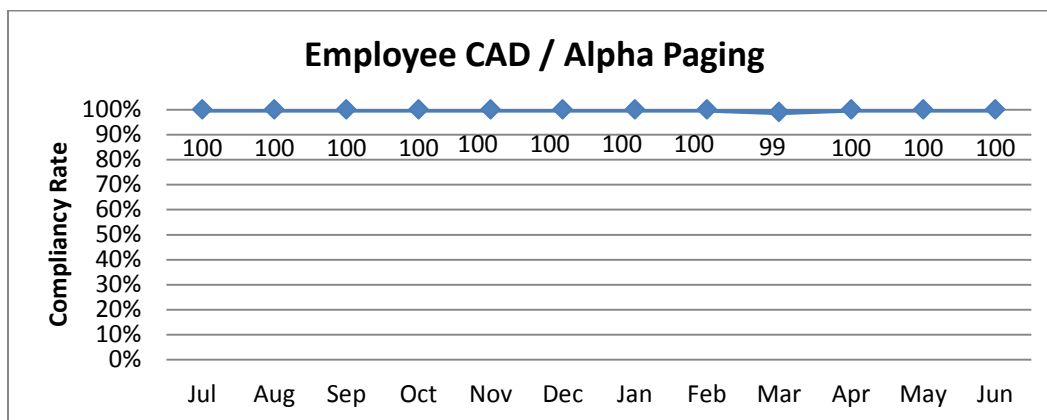
The BIO includes two MCSO units; the Audits and Inspections Unit (AIU) and the Early Intervention Unit (EIU). The BIO team is comprised of a combination of sworn, detention and civilian Sheriff’s Office staff.

The AIU’s primary function is to conduct audit and non-audit services for the Sheriff’s Office. The AIU conducts audits and routine compliance inspections on an ongoing basis. The purpose of the audits is to determine compliance with Office policy, promote proper supervision, and support compliance with the Melendres Orders.

The EIU is responsible for the implementation, maintenance, and operation of the Early Identification System (EIS) and for providing training and assistance to the EIS users. The unit conducts data analysis and where applicable, data input, and follow-up interventions to address problematic conduct and/or operating procedures.

One of the most important functions of the BIO is that it enables MCSO to audit and inspect MCSO and MCSO personnel to assure compliance with the Orders. During this annual review period, BIO completed the following inspections to verify compliance with the Order requirements and identify any deficiencies.

CAD/Alpha Paging Messaging Inspection: The CAD Messaging/Alpha Paging System inspection is to ensure that CAD and Alpha Paging Messaging system entries adhere to Office policy and those systems were not used by employees to discriminate or denigrate any persons, in compliance with the Melendres Court Order. The AIU conducts a CAD Messaging/Alpha Paging Inspection on a monthly basis by selecting a random sample of all CAD messages and Alpha Paging messages.

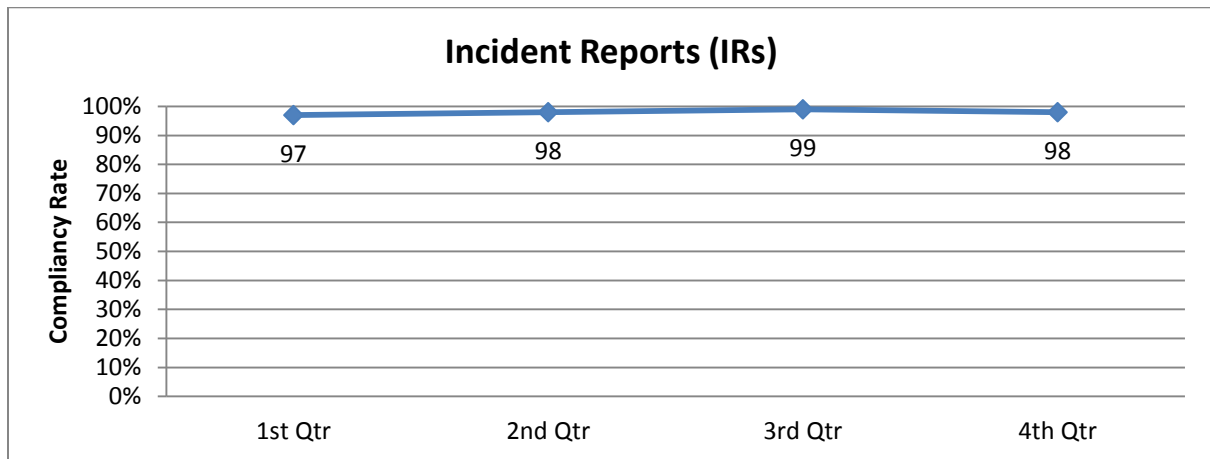


Administrative Investigations Inspection: The purpose of this inspection is to determine if the selected administrative investigation cases were conducted in compliance with Office policy and in support of the

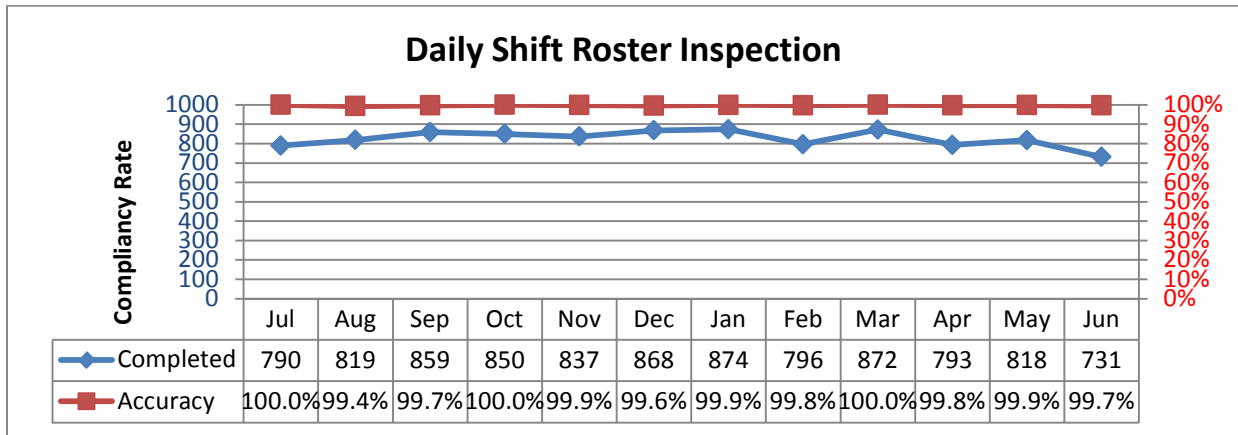
Melendres Order. For this inspection, a random sample of 25 closed cases from each month was reviewed. The inspection complies with MCSO Policies GH-2, *Internal Investigations* and GC-17, *Employee Disciplinary Procedure*, MCSO Policy GJ-26, *Sheriff's Reserve Deputy Program*, MCSO Policy GJ-27, *Sheriff's Posse Program* and is consistent with the Court Order paragraphs 33,102, and 104. This monthly inspection was discontinued in May of 2016. BIO now completes a semi-annual audit report regarding misconduct investigations as required by Paragraph 253. BIO completed and published the first Semi-Annual Public Report on Misconduct Investigations covering July 2016 – December 2016. The semi-annual audit indicated the following compliance rates:

- 96% compliance rate for PSB Investigations
- 96% compliance rate for Non Custody PSB Investigations
- 92% compliance rate for Non PSB Investigations

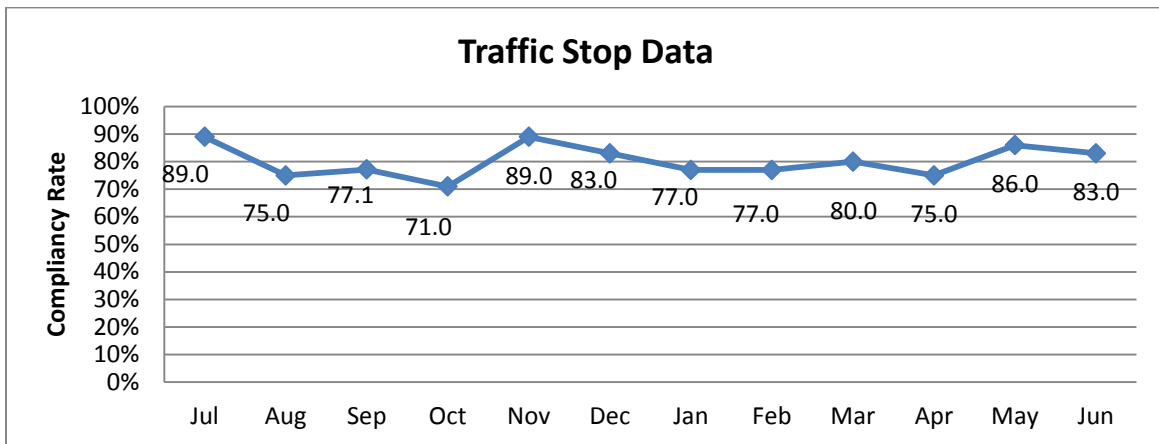
Quarterly Incident Report (IRs) Inspection: The Quarterly Incident Report Inspection ensures that IR's adhere to Office policy, federal and state laws, promotes proper supervision, and supports compliance with the Melendres Court Order. The AIU completes the IR inspection on a quarterly basis by taking a sample of IR's provided each month to the Court Implementation Division by the Monitor Team. IR's are uniformly inspected utilizing the AIU matrix.



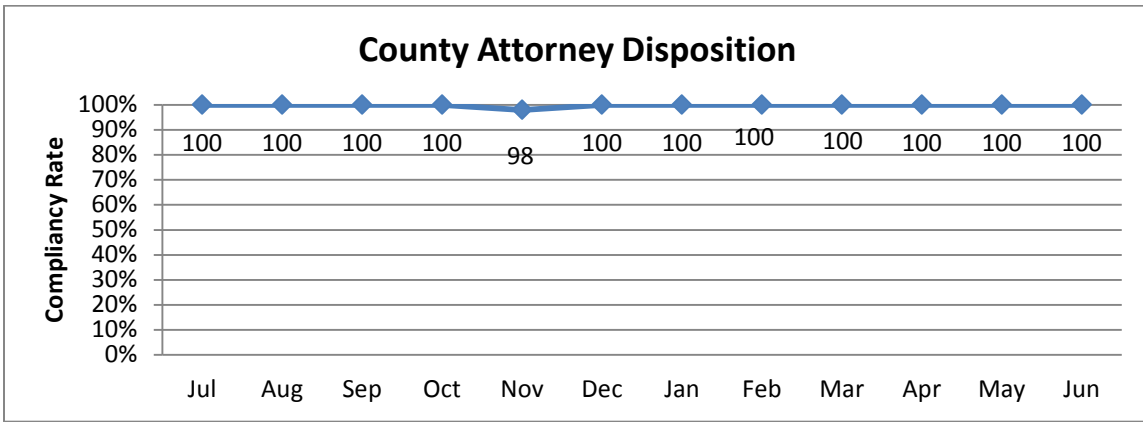
Daily Shift Roster Inspection-Patrol: The Patrol Shift Roster inspection is conducted to ensure consistency with MCSO Policy GB-2, Command Responsibility, and with Paragraphs 82, 84, and 86 of the Court's Order. This inspection is conducted by reviewing all Patrol Shift Rosters for the month inspected. The Sheriff's Office has continued to adhere to proper span of control for deputy to sergeant patrol squad ratios and has eliminated acting patrol supervisors.



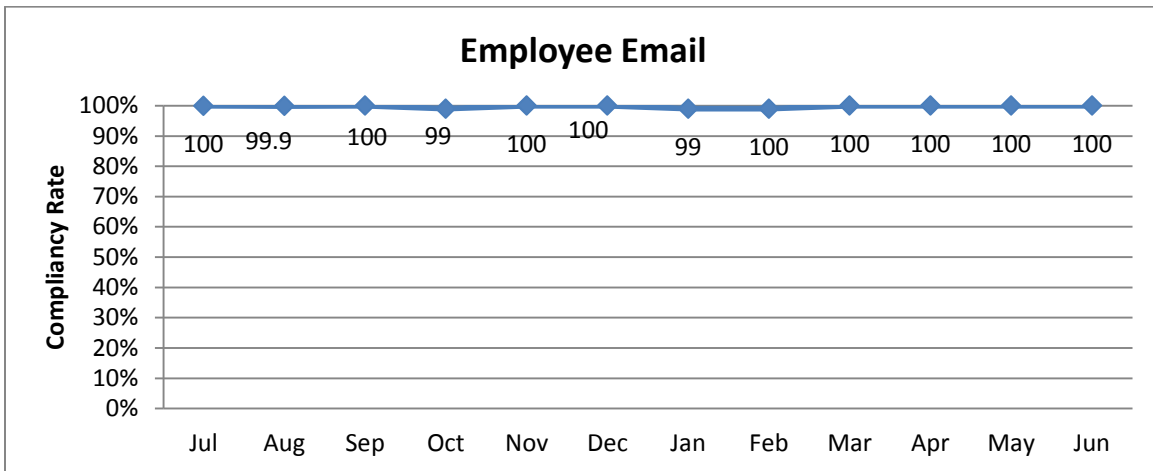
Traffic Stop Data Collection Inspection: The Traffic Stop Data Collection inspection reviews monthly traffic stop data to ensure compliance with Office policy and paragraphs 54-57 of the Court Order. This inspection is based on paragraph 64 of the Court’s Order and is conducted using the traffic stop data sample that is randomly chosen by the Monitor Team. This inspection ensures that MCSO: a) collected all traffic stop data to comply with MCSO Policy, EB-2, Traffic Stop Data Collection; b) accurately completed all forms associated to traffic stops; c) closed and validated all TraCS forms; and d) used the correct CAD codes and sub codes. With the implementation of body worn cameras, the AIU’s inspection matrix increased beyond the scope of the Melendres Court Order or Court Monitors, giving explanation for the decrease in compliance rates.



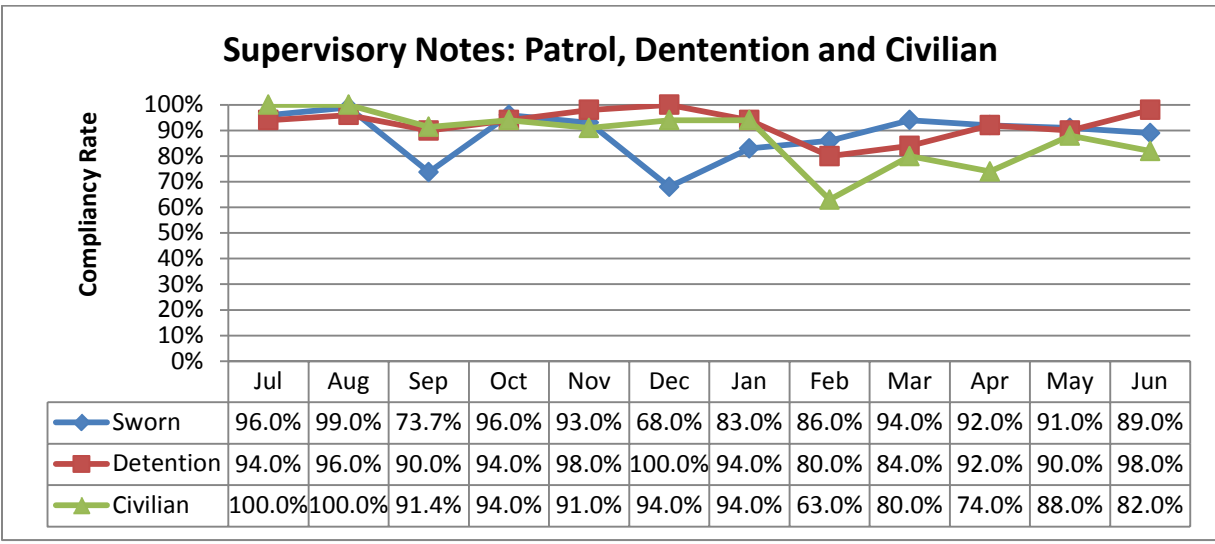
County Attorney Disposition Inspection: The County Attorney Dispositions Inspection is conducted to ensure that County Attorney turn downs are processed in compliance with Office policy and support compliance with the Melendres Court Order. To achieve this, inspectors utilized “IAPro” to generate all County Attorney turn downs processed for the respective month. The County Attorney turn downs are uniformly inspected utilizing the Records Division “FileBound” database and the AIU matrix developed in accordance with Policies GF-4 and ED-3, and Court Order Paragraph 75.



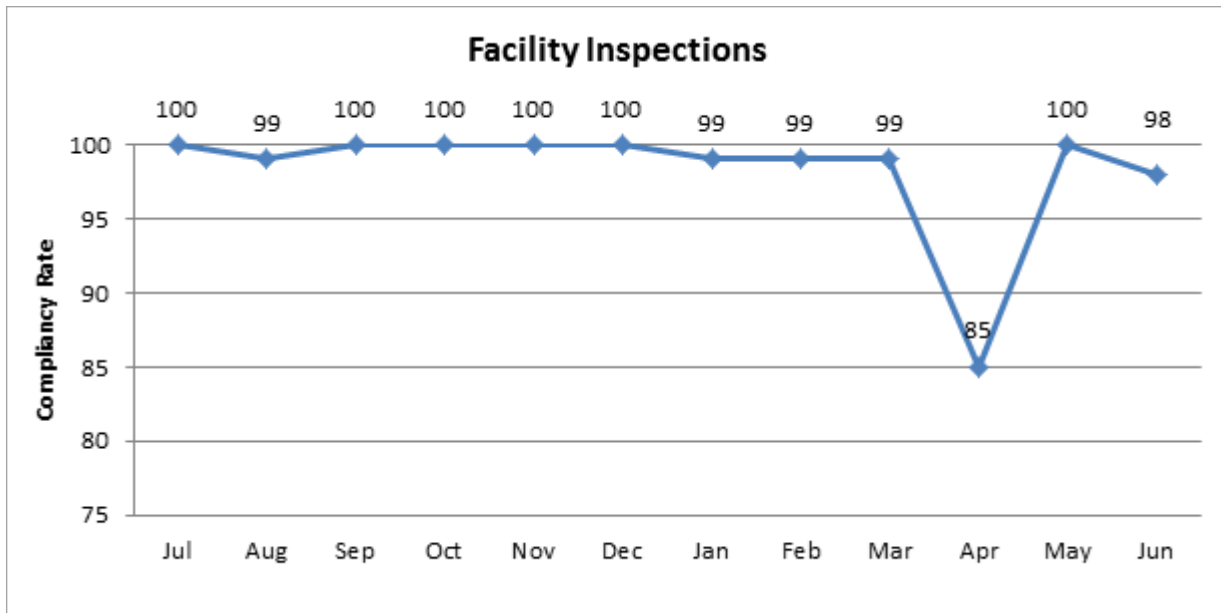
Employee Email Inspection: The Employee Email Inspection is conducted to ensure that employee email accounts are utilized in compliance with Office policy and that they support compliance with the Melendres Court Order. This inspection is conducted by reviewing a random sample of county email accounts for 35 Office employees during the month inspected, utilizing the AIU matrix. The inspection rates for e-mails have remained consistently high.



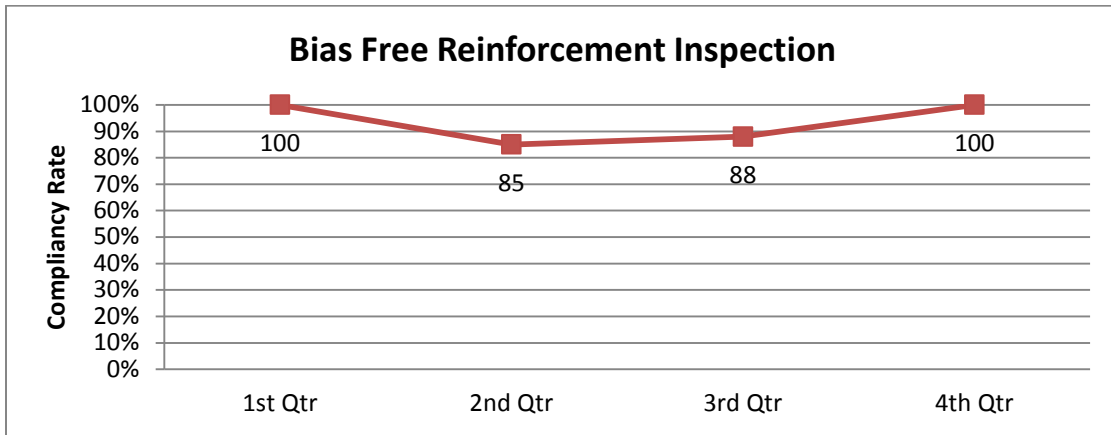
Supervisory Notes Inspection: The Supervisory Note Inspection is conducted on sworn, detention, and civilian personnel to ensure that the supervisor notes entered into the Blue Team application by supervisors are in compliance with Office policy and in support of the Melendres Court Order. This inspection is conducted by uniformly inspecting the supervisor note entries within the IAPro database for the random employees selected by the Monitor Team, by utilizing the matrix developed by the AIU in accordance with policies CP-8, EA-11, EB-1, and EB-2, GB-2, and GJ-35.



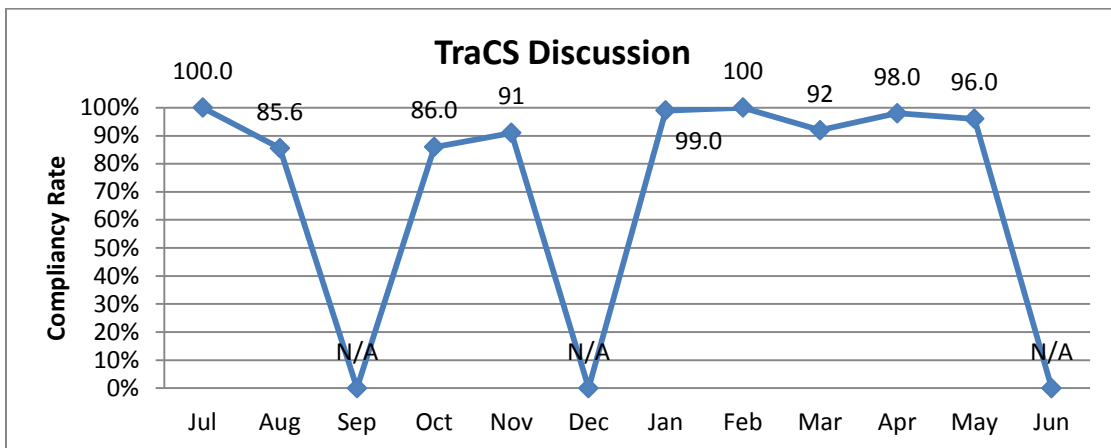
Facility / Property & Evidence Inspection: The Facility/Property & Evidence Inspections are conducted to ensure that MCSO facilities are operating within Office policy and that Property and Evidence is being properly secured and stored. Additionally, to ensure that facilities are not being used in any way that discriminates against or denigrates anyone.



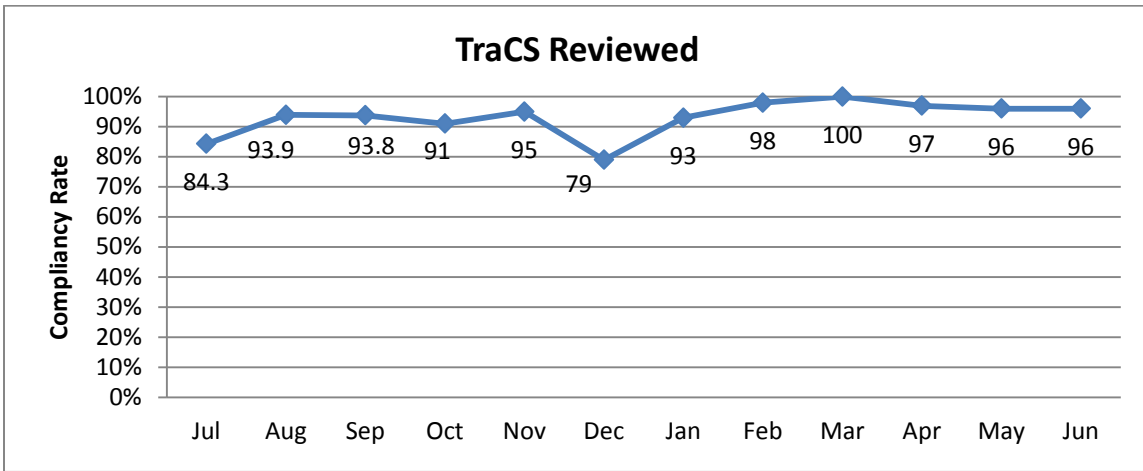
Quarterly Bias-Free Reinforcement Inspection: The Quarterly Bias-Free Reinforcement Inspection is conducted to ensure that detention and sworn supervisors have unequivocally reinforced to their subordinates that discriminatory policing is unacceptable, through documentation in Blue Team, in accordance with Office policy and the Court Order. To achieve this, the Monitor Team, through the Court Implementation Division, selects for review the Supervisor Notes and Briefing Note entries for 35 detention personnel and 35 sworn personnel on the first month of the quarter being inspected.



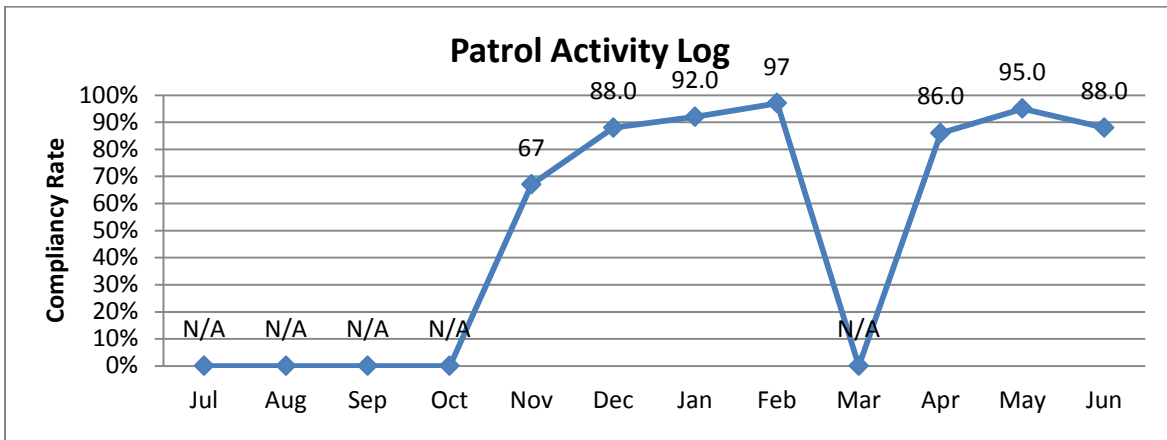
TraCS Discussion Inspection: The TraCS Discussion Inspection is completed to determine supervisory compliance with Office policy and the Court Order, as well as to promote proper supervision. This inspection is conducted using the TraCS System to review a sample of randomly selected employee traffic stops from each district, selected by the Monitor Team. The inspector uniformly inspects the information utilizing the AIU matrix, in accordance with the procedures outlined in policies EA-11, EB-1 and GB-2. It should be noted that a monthly TraCS Discussion Inspection was not completed in September 2016, December 2016, or June 2017.



TraCS Reviewed Inspection: The TraCS Reviewed Inspection is completed to determine supervisory compliance with Office policy and the Court Order, as well as to promote proper supervision. This inspection is conducted using the TraCS System to review a sample of randomly selected employee traffic stops from each district, selected by the Monitor Team. The inspector uniformly inspects the information utilizing the AIU matrix, in accordance with the procedures outlined in policies EA-11, EB-1 and MCSO Administrative Broadcast Number 16-56.



Patrol Activity Log Inspection: The Patrol Activity Log Inspection is conducted to ensure compliance with Office policy and the Court Order, as well as promoting proper supervision. Patrol Activity Logs are uniformly inspected utilizing the AIU matrix, in accordance with procedures outlined in MCSO Administrative Broadcast Numbers 16-53 and 16-100.



In an effort to adequately provide the Public with current information about the audits and compliance inspections conducted by MCSO, updates are made to the BIO website on a routine basis to meet the requirements of the Court Order. All audits and compliance inspections, the current MCSO Bureau of Internal Oversight Policy; GH-4, the organizational chart, and BIO contact information can be found on the BIO website: <http://www.mcsobio.org>.

Annual Policy Assessment

The Policy Section of the MCSO is comprised of eight employees, who are responsible for reviewing and revising Office Policies. The Compliance Division Commander Tiffani Shaw oversees the Policy Section which consists of (1) section commander, (1) detention sergeant, (1) sworn sergeant, (1) detention officer, and (3) management analysts.

All Office Policies go through a six stage process during the review and revision period. These stages consist of review, staff, advance, approval, publication, and distribution. Each Office Policy goes through an extensive review. The policy database, policy files, and Office publications are reviewed for inclusion, if necessary, within the policy. In addition, input is received from other affected areas of the Office to include Office command personnel. In addition, each policy is reviewed for proper grammar, sentence structure, and formatting. Policies related to the Court's Order are subjected to additional review and approval by the Monitor Team. Once the policy has been finalized, approval is needed from the Policy Section chain of command, the Chief of Staff and the Chief Deputy.

Upon receipt of the Court Order, and consistent with Paragraph 18 requirements that MCSO deliver police services consistent with the Constitution, and the laws of the United States and Arizona, MCSO continually reviews its Office Policies and Procedures. In fulfillment of its duties and obligations under federal and Arizona law, MCSO is committed to ensuring equal protection under the law and bias-free policing. To ensure compliance with the Court Order, MCSO continues to comprehensively review all patrol operations policies and procedures, consistent with Paragraph 19 of the Court Order.

Consistent with the Court Order, Paragraph 31 requirements regarding MCSO personnel's receipt and comprehension of the policies and procedures, MCSO implemented the E-Policy system in January 2015. MCSO utilizes the system to distribute and require attestation of all *Briefing Boards* and published Office Policies. The E-Policy system memorializes and tracks employee compliance with the required reading of MCSO Office Policy and Procedures, employee acknowledgement that he or she understands the subject policies and procedures and employee expression of his or her agreement to abide by the requirements of the policies and procedures. MCSO provides the Critical, Detention, Enforcement, and General Policies via E-Policy as a resource for all MCSO personnel.

During this reporting period, the Policy Section reviewed, revised, and published thirty (30) Office Policies and one (1) operational manual relative to the Court Order. These Office Policies were reviewed and approved by the Monitor Team (See Table #3):

Table #3		
Dissemination of Court Order Related Policies		
Policy Number	Policy Name	Effective Date
CP-2	<i>Code of Conduct</i>	01/06/17
CP-3	<i>Workplace Professionalism: Discrimination and Harassment</i>	12/15/16
CP-5	<i>Truthfulness</i>	12/21/16

CP-11	<i>Anti-Retaliation</i>	12/01/16
EA-2	<i>Patrol Vehicles</i>	12/08/16
EA-3	<i>Non-Traffic Contact</i>	06/01/17
EA-5	<i>Enforcement Communications</i>	12/08/16
EB-7	<i>Traffic Control and Services</i>	12/08/16
GA-1	<i>Development of Written Orders</i>	11/03/16
GB-2	<i>Command Responsibility</i>	02/01/17
GC-7	<i>Transfer of Personnel</i>	05/17/17
GC-12	<i>Hiring and Promotional Procedures</i>	02/01/17
GC-13	<i>Awards</i>	08/27/16
GC-16	<i>Employee Grievance Procedures</i>	01/06/17
GC-17	<i>Employee Disciplinary Procedures</i>	05/18/17
GC-22	<i>Critical Incident Stress Management Program</i>	05/05/17
GE-4	<i>Use, Assignment, and Operations of Vehicles</i>	12/07/16
GF-1	<i>Criminal Justice Data Systems</i>	12/07/16
GF-5	<i>Incident Report Guidelines</i>	12/14/16
GG-1	<i>Peace Officer Training Administration</i>	05/17/17
GG-2	<i>Detention/Civilian Training Administration</i>	05/17/17
GH-2	<i>Internal Investigations</i>	05/18/17
GH-4	<i>Bureau of Internal Oversight</i>	12/14/16
GH-5	<i>Early Identification System (EIS)</i>	03/24/17

GI-1	<i>Radio Communications, Call Signs, and Phonetic Alphabet</i>	06/07/17
GI-4	<i>Calls for Service</i>	01/07/17
GI-5	<i>Voiance Language Services</i>	12/21/16
GJ-24	<i>Community Relations and Youth Programs</i>	01/07/17
GJ-35	<i>Body-Worn Cameras</i>	01/07/17
GM-1	<i>Electronic Communications and Voice Mail</i>	12/07/16
BWC	<i>Body-Worn Camera Program Operational Manual</i>	12/22/16

During this reporting period, the Policy Section has continued to review and revise the following Office Policies (See Table #4):

Table #4		
Order Related Policies Under Review/Revision		
Policy Number	Policy Name	Effective Date
DD-2	<i>Inmate Property Control</i>	12/02/05
EA-2	<i>Patrol Vehicles</i>	12/08/16
EA-3	<i>Non-Traffic Contact</i>	06/01/17
EA-5	<i>Enforcement Communications</i>	12/08/16
EA-8	<i>Domestic Violence</i>	11/19/15
EA-9	<i>Management of Special Events</i>	05/24/17
EA-10	<i>Hazardous Materials and Waste</i>	11/19/01
EA-11	<i>Arrest Procedures</i>	06/15/16
EA-20	<i>Missing Persons</i>	05/24/17

EB-1	<i>Traffic Enforcement, Violator Contacts, and Citation Issuance</i>	09/22/14
EB-2	<i>Traffic Stop Data Collection</i>	12/17/15
EB-7	<i>Traffic Control and Services</i>	12/08/16
ED-1	<i>Task Forces</i>	10/03/16
ED-2	<i>Covert Operations</i>	08/22/08
GA-1	<i>Development of Written Orders</i>	11/03/16
GB-2	<i>Command Responsibility</i>	02/01/17
GC-4	<i>Employee Performance Appraisals</i>	11/25/06
GC-7	<i>Transfer of Personnel</i>	05/17/17
GC-11	<i>Employee Probationary Periods</i>	12/07/16
GC-12	<i>Hiring and Promotional Procedures</i>	02/01/17
GC-16	<i>Employee Grievance Procedures</i>	01/06/17
GC-17	<i>Employee Disciplinary Procedures</i>	05/18/17
GC-22	<i>Critical Incident Stress Management Program</i>	05/05/17
GD-9	<i>Receipt of Litigation Notice or Subpoena</i>	04/01/14
GE-3	<i>Property Management</i>	09/15/14
GE-4	<i>Use, Assignment, and Operations of Vehicles</i>	12/07/16
GF-1	<i>Criminal Justice Data Systems</i>	12/07/16
GF-3	<i>Criminal History Record Information and Public Records</i>	12/14/16
GF-5	<i>Incident Report Guidelines</i>	12/14/16
GG-1	<i>Peace Officer Training Administration</i>	05/17/17

GG-2	<i>Detention/Civilian Training Administration</i>	05/17/17
GH-2	<i>Internal Investigations</i>	05/18/17
GH-4	<i>Bureau of Internal Oversight</i>	12/14/16
GH-5	<i>Early Intervention System (EIS)</i>	03/24/17
GI-1	<i>Radio Communications, Call Signs, and Phonetic Alphabet</i>	06/07/17
GI-2	<i>Master Recording System</i>	11/21/12
GI-4	<i>Calls for Service</i>	01/07/17
GI-5	<i>Voiance Language Line Services</i>	12/21/16
GI-7	<i>Bias Free Tips and Information Processing (NEW POLICY)</i>	08/23/2017
GJ-2	<i>Critical Incident Investigations</i>	03/22/11
GJ-3	<i>Search and Seizure</i>	09/16/06
GJ-4	<i>Evidence Control</i>	09/15/14
GJ-9	<i>Restraint and Transportation of Prisoners and Inmates</i>	02/22/17
GJ-24	<i>Community Relations and Youth Programs</i>	01/07/17
GJ-25	<i>Canine Operations</i>	02/22/17
GJ-26	<i>Sheriff's Reserve Deputy Program</i>	05/25/12
GJ-27	<i>Sheriff's Posse Program</i>	04/04/14
GJ-29	<i>Independent Testing for DUI and OUI Arrests</i>	02/22/17
GJ-30	<i>TASER Conducted Electrical Weapon (CEW)</i>	09/05/14
GJ-33	<i>Significant Operations</i>	11/18/15
GJ-35	<i>Body-Worn Cameras</i>	01/07/17

GJ-36	<i>Use of Digital Recording Devices (NEW POLICY)</i>	Pending
GM-1	<i>Electronic Communications and Voicemail</i>	12/07/17

The Policy Section is in the process of researching, developing, and implementing one new Court Order related Office Policies (See Table #5):

Table #5		
New Court Order Related Policies		
Policy Number	Policy Name	Effective Date
GJ-36	<i>Use of Digital Recording Devices (NEW POLICY)</i>	Pending

The Briefing Board is an official informational publication used by MCSO to announce revised, time-sensitive changes to MCSO Office Policy. The *Briefing Board* has the same force and effect as written Office Policy. In May 2014 MCSO initiated the use of *Administrative Broadcasts* to announce non-policy related information. During this time period, the Policy Section published six (6) Court Order related *Briefing Boards* and thirty (30) Court Order related *Administrative Broadcasts*.

The following *Briefing Boards* were published during this reporting period (See Table #6):

Table #6		
MCSO Briefing Boards		
B.B. #	Subject	Date Issued
BB 16-25	Policy Change: Policy EB-1, Traffic Enforcement, Violator Contacts, and Citation Issuance	07/20/16
BB 17-07	Special Briefing Board-Information Every Employee Needs to Know	02/07/17
BB 17-08	Immediate Policy Change GI-1, Radio Communications, Call Signs, and Phonetic Alphabet	02/13/17
BB 17-09	Immediate Policy Attachment updates EA-5, Enforcement Communication	02/13/17
BB 17-17	Immediate Policy Change GF-5, Incident Report Guidelines	04/04/17
BB 17-18	Immediate Policy Update GH-4, Bureau Of Internal Oversight	04/04/17

Further explanation of the *Briefing Boards* published during this reporting period:

MCSO *Briefing Board* 16-25, published on July 20, 2016 and noted in Table #3 above, announced an immediate Office Policy change to Policy EB-1, Traffic Enforcement, Violator Contacts, and Citation Issuance.

This publication advised deputies when contacting members of the public related to traffic violations, that all violators shall have license and warrant checks performed on them.

MCSO *Briefing Board 17-07*, published on February 7, 2017, announced important information every employee needs to be aware of. This is an annual reminder to all employees of the importance to adhere to specific critical or important Office Policies and Procedures.

MCSO *Briefing Board 17-08*, published on February 13, 2017, announced a policy change to Office Policy GI-1, *Radio Communications, Call Signs, and Phonetic Alphabet*, affecting a change in the call signs within the policy.

MCSO *Briefing Board 17-09*, published on February 13, 2017, announced updates to Office Policy EA-5, *Enforcement Communication Attachments A&B*.

MCSO *Briefing Board 17-17*, published on April 4, 2017, announced a policy change to Office Policy GF-5, *Incident Report Guidelines*, affecting sections 1.F. and 7.A.4.

MCSO *Briefing Board 17-18*, published on April 4, 2017, announced a policy update to Office Policy GH-4, *Bureau of Internal Oversight*, affecting the BIO Action Form definition and sections 10.A. and E.1.-3.

The following MCSO *Administrative Broadcasts* were published during this reporting period (See Table #7):

Table #7		
MCSO <i>Administrative Broadcasts</i>		
A.B. #	Subject	Date Issued
AB 16-70	Daily Activity Patrol Logs	07/20/16
AB 16-84	External and Internal Complaints in EI Pro	08/24/16
AB 16-85	Review of Body-Worn Camera Video During an Administrative Investigation	08/24/16
AB 16-89	EIS Data Validation Entries	08/30/16
AB 16-97	TraCS Update	08/27/16
AB 16-100	Patrol Activity Logs Phase 2	10/17/16
AB 16-113	EI Pro Software Update 2.1.1	11/07/16
AB 16-114	TraCS Update	11/07/16
AB 16-117	TraCS Upgrade	11/15/16
AB 16-119	TraCS Update	11/28/16

AB 16-120	Complaint and Comment Form Update	11/28/16
AB 16-124	EIS Added Allegations	12/07/16
AB 16-126	TraCS Update	12/08/16
AB 16-132	TraCS Update	12/29/16
AB 17-05	Early Identification System Update Information	01/13/17
AB 17-08	Early Identification System (EIS) Additional Information Available	01/20/17
AB 17-11	TraCs Update – Technical in Nature	01/24/17
AB 17-18	Early Identification System (EIS) Allegation Label Update	02/02/17
AB 17-19	Early Identification System (EIS) Additional Information Available	02/02/17
AB 17-23	Service Codes, Type Codes and Shift Identifier Updates	02/13/17
AB 17-34	Impounding Vehicles Into Evidence	03/16/17
AB 17-48	Supervisory Review of Patrol Activity Logs	04/06/17
AB 17-57	TraCS Update	04/26/17
AB 17-64	TraCS Update	05/03/17
AB 17-67	TraCS Update	05/16/17
AB 17-72	EIS Update	05/24/17
AB 17-73	TraCS Update	05/25/17
AB 17-77	TraCS Update	05/31/17
AB 17-80	TraCS Update	06/07/17
AB 17-89	TraCS Update	06/21/17

Further explanation of the MCSO *Administrative Broadcasts* published during this reporting period:

MCSO *Administrative Broadcast* 16-70, published on July 20, 2016, announced an update to the Daily Activity Patrol Logs. This publication advised deputies to use the Out of Service Code sheet throughout their shift when not assigned to an event.

MCSO *Administrative Broadcast* 16-84, published August 24, 2016, announced to all employees that completed/closed external and internal complaint information is viewable within the EI Pro Application.

MCSO *Administrative Broadcast* 16-85, published August 24, 2016, announced to all sworn supervisors conducting administrative investigations, in which a Body-Worn Camera video was reviewed as evidence, needs to be properly labeled and downloaded to a DVD/CD.

MCSO *Administrative Broadcast* 16-89, published on August 30, 2016, announced to all sworn supervisors how to properly address possible data entry errors identified by the Early Identification Unit.

MCSO *Administrative Broadcast* 16-97, published on September 27, 2016, announced an update to the TraCS system.

MCSO *Administrative Broadcast* 16-100, published on October 17, 2016, announced the rollout of Phase 2 of the Patrol Activity Logs. As part of this rollout, the memorialization of IRs by MCSO supervisors was moved from the Blue Team application to the Praxis application.

MCSO *Administrative Broadcast* 16-113, published November 7, 2016, announced that on November 8, 2016, an EI Pro Software update would occur. This update allows users to search the EIS system for specific allegations, specific incident types, specific time frames, dispositions, file numbers, case numbers, and keywords within the narratives of entries.

MCSO *Administrative Broadcast* 16-114, published November 7, 2016, announced that on November 7, 2016, the TraCS application would be updated on all desktop PCs and Mobile Data Computers (MDCs). This was necessary to allow for a TraCS software update that would occur at a later date. This was a technical update and did not affect any of the existing TraCS forms or functions.

MCSO *Administrative Broadcast* 16-117, published on November 15, 2016, announced that on November 16, 2016, the Technology Bureau would be upgrading the TraCS software. This was a technical upgrade only; the existing forms in TraCS were not impacted in function or form.

MCSO *Administrative Broadcast* 16-119, published on November 28, 2016, announced an update to the *Vehicle Stop Contact Form* (VSCF) and the *Assisting Deputy & Body-Worn Camera Log*.

MCSO *Administrative Broadcast* 16-120, published on November 28, 2016, announced that new versions of both English and Spanish *Complaint and Comment Forms* were now available on MDCs and all Office desktop PCs were updated with the new versions.

MCSO *Administrative Broadcast* 16-124, published on December 7, 2016, announced that additional Early Identification System (EIS) allegations were added. The following allegations were added to the EIS:

- Notes – Bi-monthly Supervisory Review of EIS Information
- Notes – Reviewed EIS Information/Disciplinary History Upon Transfer

MCSO *Administrative Broadcast* 16-126, published on December 8, 2016, announced a technical TraCS update affecting the *Vehicle Stop Contact Form (VSCF)*.

MCSO *Administrative Broadcast* 16-132, published on December 29, 2016, announced a technical TraCS update affecting the *Vehicle Stop Contact Form (VSCF)*.

MCSO *Administrative Broadcast* 17-05, published on January 13, 2017, announced a technical update which has been implemented in the Blue Team application for the Early Intervention System (EIS) Alerts. This update is necessary to prepare for upcoming enhanced functionality features and compliance reporting requirements of alerts within the EIS.

MCSO *Administrative Broadcast* 17-08, published on January 20, 2017, announced the availability of additional information on the Early Identification System (EIS). The data collection on or after January 1, 2017, is being automatically uploaded into the Early Identification System (EIS), and is available for review by both employees and supervisors in the EI Pro application.

MCSO *Administrative Broadcast* 17-11, published on January 24, 2017, announced a technical update related to modifications in TraCs that affects both sworn and detention forms.

MCSO *Administrative Broadcast* 17-18, published on February 2, 2017, announced that a technical update has been applied to the Early Identification System (EIS). This change consisted of the relabeling of an allegation, applicable to Supervisor Note entries, within the EIS.

MCSO *Administrative Broadcast* 17-19, published on February 2, 2017, announced that the data collected on or after October 1, 2016, will be accessible to both employees and supervisors within the EI Pro Application.

MCSO *Administrative Broadcast* 17-23, published on February 13, 2017, announced an update to the Service Codes, Type Codes, and Shift Identifiers.

MCSO *Administrative Broadcast* 17-34, published on March 16, 2017, announced that vehicles impounded shall be impounded at the new Vehicle Impound Lot and must be entered into the Property and Evidence/QueTel System.

MCSO *Administrative Broadcast* 17-48, published on April 6, 2017, announced guidance for supervisor's review of Patrol Activity Logs, on how to address circumstances that might occur outside of the typical work assignment for deputies, such as overtime shifts within a different patrol district, special assignments, or other irregularities.

MCSO *Administrative Broadcast* 17-57, published on April 26, 2017, announced a TraCS technical update effective April 27, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

MCSO *Administrative Broadcast* 17-64, published on May 03, 2017, announced a TraCS technical update effective May 03, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

MCSO *Administrative Broadcast* 17-67, published on May 16, 2017, announced a TraCS technical update effective May 17, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

MCSO *Administrative Broadcast* 17-72, published on May 24, 2017, announced an EIS update effective May 25, 2017. The EIS will include up-to-date information taken from municipal courts in Maricopa County.

Supervisors and employees will be able to access information related to judicial outcomes of all citations and deputy court submissions issued by MCSO and processed through a Municipal Court.

MCSO *Administrative Broadcast* 17-73, published on May 25, 2017, announced a TraCS technical update effective May 26, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

MCSO *Administrative Broadcast* 17-77, published on May 31, 2017, announced a TraCS technical update effective May 31, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

MCSO *Administrative Broadcast* 17-80, published on June 07, 2017, announced a TraCS technical update effective June 07, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

MCSO *Administrative Broadcast* 17-89, published on June 21, 2017, announced a TraCS technical update effective June 21, 2017. A chart was provided outlining resolutions to previous TraCS system issues.

During this reporting period, the Policy Section has taken major steps toward compliance with the Court's Order by:

- Promulgating CP-8, *Preventing Racial and Other Bias-Based Profiling*, to clearly prohibit discriminatory policing, pursuant to paragraph 21 of the Court Order, the Monitor Team conducted a review of the current Office Policy in effect for November 15, 2015. On August 2, 2016, the Monitor Team recommended no changes be made to the current Office policy. The revision date for this Office Policy remains November 16, 2015, as no changes were made.
- Revising policy related to traffic enforcement (EB-2, *Traffic Stop Data Collection*, GH-5, *Early Intervention System*) to prohibit racial profiling in the enforcement of traffic laws, pursuant to paragraph 25 of the Court Order.
- Revising policies related to detentions and arrests, EA-11, *Arrest Procedures*, to ensure that race or ethnicity is not a factor in establishing reasonable suspicion or probable cause, pursuant to paragraph 26 of the Court Order.
- Revising policies for pre-planned operations, GJ-33, *Significant Operations* pursuant to Section VI; GB-2, *Command Responsibility* pursuant to paragraph 83; and GA-1, *Development of Written Orders* pursuant to paragraph 31 of the Court Order.
- Reviewing and revising policies and procedures as necessary upon notice of a policy deficiency during audits or reviews, pursuant to paragraph 34 of the Court Order.

The Policy Section will continue to review all patrol operations policies and procedures and make appropriate amendments as needed to ensure they reflect the Court's permanent injunction and the Court Order; and remain current with professional standards and the laws of the state of Arizona and the United States Constitution.

During this rating period, in addition to creating and revising Court Order related policies, the Policy Section reviewed 114 MCSO policies in preparation for revision, continued with its annual review of all Critical Policies, and published 42 *Briefing Boards* and 164 *Administrative Broadcasts*.

Pre-Planned Operations

The Court's Order, paragraph 36 requires that MCSO develop a written protocol including a statement of operational motivations and objectives, parameters for supporting documentation, operational plans, and instructions for supervisors, deputies, and posse members. To comply with paragraph 36, MCSO developed and disseminated Office Policy, GJ-33, *Significant Operations*. GJ-33 includes protocol templates and instructions for Significant Operations and Patrols as the Court Order, Section VI directs. MCSO completed training for this policy on December 31, 2014.

MCSO did not conduct any significant operations during this annual reporting period.

MCSO has been in Phase 1 and Phase 2 compliance with Section V (Pre-Planned Operations) of the First Supplemental Injunction/Order which is delineated in Paragraphs 35-40 since December 31, 2014.

Training

Training is one of the cornerstones of the Court Order which has ordered various and additional training of MCSO personnel a requisite for MCSO compliance. The First Court's Order/Injunction requires MCSO to develop three types of training: 1) Bias-Free Policing consistent with paragraphs 48 and 49; 2) Detentions, Arrests, and Immigration-Related Laws consistent with paragraphs 50 and 51; and 3) Supervisor and Command Level Training consistent with paragraphs 52 and 53. A great deal of training has occurred and will continue to occur. And recently, MCSO has accomplished the much discussed supervisor training. Paragraphs 178-182 of the Second Court Order/Injunction requires MCSO required additional misconduct related Training.

Throughout this rating period the Monitor Team has continued to work with MCSO in a consulting capacity to assist with the finalization of related policies and training curriculum. This entails meetings between Monitor Team members and MCSO personnel and counsel. These "technical assistance meetings" ("TA meetings") are in addition to the quarterly Monitor Team site visits in which multiple attorneys and representatives of the plaintiffs and plaintiff intervener participate. MCSO found these Monitor Team/MCSO TA meetings to be extremely fruitful and have a positive effect on the pace of compliance. While MCSO welcomes the input of the representatives of plaintiffs and plaintiff intervener, MCSO has found the Monitor Team's advice and direction to be extremely helpful towards completing tasks, making reforms and ultimately gaining full and effective compliance. MCSO also values the substantive suggestions from the parties and appreciates when they provide helpful feedback during this process.

A significant milestone was achieved when MCSO Policy GG-1, Peace Officer Training Administration and GG-2, Detention/Civilian Training Administration was published on May 17, 2017.

Training required by the First Supplemental Order is delineated in Paragraphs 42-53. MCSO anticipates being in Phase 1 and Phase 2 compliance with all of these Paragraphs in the Monitors 13th Quarterly Report, which has not yet been published. This projection is based on the publication of MCSO's policies GG-1 and GG-2.

The first offering of the Supervisor Responsibilities: Effective Law Enforcement (SRELE) Training Course was on June 13, 2016 and concluded in July 2016. The approval and finalization of Training is collaborative effort amongst MCSO, the Monitor, and the Parties. MCSO thanks all the involved parties for the roles that they played in making the Supervisor Training delivery possible during this rating period.

The 2016 Annual Combined Training (ACT) was approved during the 3rd Quarter of 2016 and was delivered to the majority of MCSO personnel during the 4th Quarter of 2016.

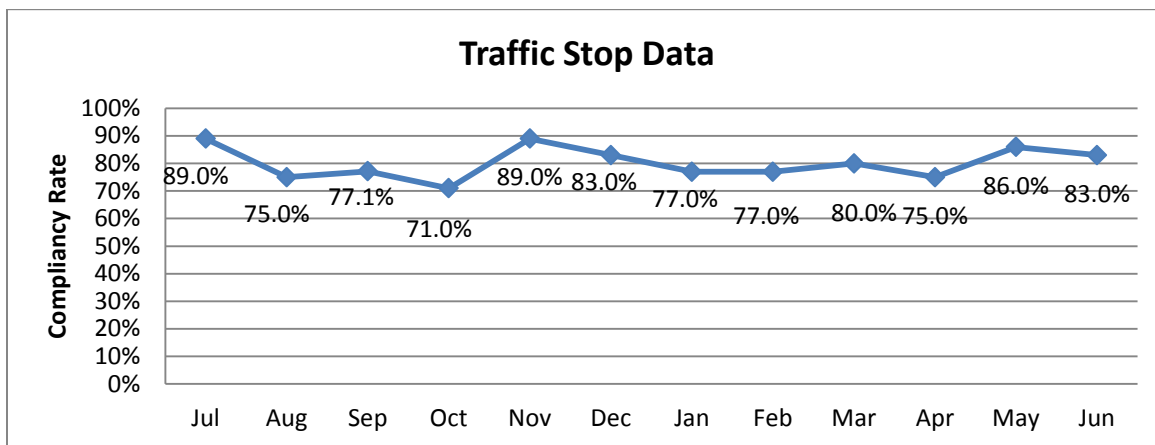
Training required by the Second Supplemental Order is delineated in Paragraphs 178-182. The Monitor agreed to assist MCSO by providing subject matter expertise in the initial development of the 40 hour Misconduct Investigation training on conducting employee misconduct investigations required pursuant to Paragraph 178. Professional Standards Bureau (PSB) personnel actively consulted with the Monitor and provided information and feedback on a plan of instruction, proposed lesson plan, and training schedule. The PSB is scheduled to begin delivering the training in September 2017.

The MCSO enjoys and appreciates the synergy displayed by all the stakeholders throughout this annual review period that enabled the many accomplishments seen. MCSO looks forward to the continued collaboration which will enable it to achieve its goal of full and effective compliance with all aspects of the Court's Orders.

Traffic Stop Documentation And Data Collection And Review

During this rating period, the BIO conducted twelve traffic stop related inspections to comply with the Court's Order, paragraph 64 (see Section III-D). The Monitor team chose a random sample of traffic stops for each inspection. The inspections comply with MCSO Policies EB-1, Traffic Enforcement, Violator Contacts, and Citations Issuance, and EB-2, Traffic Stop Data Collection; and is consistent with the Court's Order, paragraphs 54 a-m, 55, 56, and 57. Respective division commanders received BIO Action Forms for any deficiencies.

- During the third quarter of 2016 the overall compliance rate for the quarter was 80.38%. July's compliance rate was 89%, August's compliance rate was 75%, and September's compliance rate was 77.14%. With the implementation of body worn cameras, the AIU's inspection matrix increased beyond the scope of the Melendres Court Order or Court Monitors, giving some explanation for the decrease.
- In the fourth quarter of 2016, October had 71%, 89% in November and 83% in December, with an overall compliance of 81% and showing a 1% increase from the third quarter. With the implementation of body worn cameras, the AIU's inspection matrix increased beyond the scope of the Melendres Court Order or Court Monitors, giving some explanation for the decrease.
- In the first quarter of 2017, January had 77%, 77% in February and 80% in March. With the implementation of body worn cameras, the AIU's inspection matrix increased beyond the scope of the Melendres Court Order or Court Monitors, giving some explanation for the decrease.
- The overall compliance rate for the second quarter of 2017 was 81%. April's compliance rate was 75%, May's rate was 86%, and June had a compliance rate of 83%.



In addition to the Monthly Traffic Stop Data Inspections, MCSO continued its contracted partnership with Arizona State University (ASU) to analyze traffic stop data and author an annual report consistent with the Order. Since the finalization of the analysis, MCSO and the Parties have worked collaboratively to develop a process for supervisors to address any statistical outliers identified in the report. MCSO has begun utilizing the developed process to further address the statistical outliers.

In an effort to address implicit bias within the agency, MCSO has worked with the Monitor and Parties to develop a Fair and Impartial Policing Plan. There are two versions of the plan – the more targeted version is in response to the ASU traffic analysis and will assist MCSO in gaining compliance with Paragraph 70. The more

expansive version will give MCSO a roadmap to meet the expectations of the community and be a leader in 21st Century Policing.

Early Identification System (EIS)

MCSO created the Early Intervention Unit (EIU) on January 20, 2014 to assist in the identification of employees who may exhibit problematic behaviors that if addressed and corrected, may assist employees in continuing to function in an efficient and productive manner. In addition, the EIU supports the effective supervision and management of employees, including the identification of and response to potentially problematic behaviors, including racial profiling and unlawful detentions and arrests, consistent with Court Order paragraph 72.

On March 24, 2017, MCSO published the Monitor approved policy GH-5, Early Identification System (EIS), which provides procedures for an Early Identification System (EIS) which is designed to identify Office operating procedures that may need reevaluation and to assist supervisors with consistently evaluating employees, conducting performance evaluations, identifying outstanding employee performance, identifying those whose performance warrants further review, intervention, and when appropriate, a referral to the Professional Standards Bureau (PSB) for alleged misconduct. It is the policy of the Office to use data from the EIS to support effective supervision, evaluation, and management of employees in order to promote lawful, ethical, and professional police practices; to identify behavior that represents a risk to the employee, community or the Office; and to evaluate Office operating procedures.

The Early Identification System (EIS) continues to evolve as the Early Intervention Unit (EIU) moves to refine its processes to improve efficiency. EIU command and supervision continues to build upon and enhance the EIS program working closely with the MCSO Technology Bureau, Arizona State University and IA Pro vendor, CI Technologies.

During this reporting period, the IA Pro system triggered 2,729 alerts:

The EIU forwarded 1,183 alerts to supervisors for further review.

The EIU processed and quality-assured the following:

- Academy Notes-182
- Award Recipient – 73
- Briefing Notes – 4,225
- Coaching- 224
- Commendations – 852
- County Attorney Actions – 1,876
- Critical Incident – 1
- Data Validation- 16
- EIS Action- 78
- EIS Alert- 233
- Employee Reported Activity - 461
- Firearms Discharge – 21
- Forced Entry – 15
- Higher Award Commendation – 57
- IR Memorialization – 52
- Line Level Inspection – 4,035
- MCAO Charging Notice- 128
- MCAO Final Disposition- 195
- MCAO Further Notice-45
- MCAO Turndown Notice- 100

Minor Award Nomination - 20
Notices of Claim / Law Suits / Summons – 35
Probationary Release- 7
Supervisor Notes – 65,042
Traffic Stop Monthly Analysis- 993
Training- 1,629
Unscheduled Absence FMLA – 858
Unscheduled Absence NON-FMLA – 9,505
Use of Force – 171
Vehicle Accident – 34
Vehicle Pursuits- 20
Other Tracked Behavior – 1,724

(Off-Duty Police Contact; Loss of Badge/ID; Loss of Equipment; Exposure/Injuries; Failure to Show for Training; Missed Logbook Entry; Missed Security Walks; Money Shortages; Property and Evidence Rejection; Security Breaches; Unscheduled Absences; TraCS Incidental Contacts; TraCS Citation Rate Deviation; TraCS Post-Stop Perceived Race/Ethnicity 30% deviation from benchmark; TraCS Unknown Post-Stop Ethnicity)

The EIS is a complex system which MCSO is continuing to refine with the assistance of the Monitor. Some accomplishments MCSO achieved include:

Paragraph 75 has fourteen (14) subparagraphs that delineate what data must be incorporated into the Early Identification System (EIS). Incorporating the 14 data points into EIS was an arduous task that included, among other items, revamping how deputies complete incident reports, changing the documentation process of investigatory detentions, and changing how Municipal Courts communicate the disposition of cases with MCSO. MCSO is proud to report that during this reporting period it has incorporated all of the required data within the EIS relational database required by Paragraph 75.

With input from the Monitor and Parties, MCSO developed EIS training for supervisors. This training will provide an opportunity for supervisors to be educated on the policies and protocols for inputting data into the EIS. It will also instruct supervisors on how to properly utilize the EIS to access, review, and search the relational database. MCSO anticipates beginning the EIS Training in September 2017. The EIS Training should be completed by November 01, 2017. It is through the use of the EIS that effective supervision and management of MCSO Deputies will be attained.

During this annual assessment period, MCSO transitioned to a rule based system to conduct traffic stop analysis to identify racial profiling or other biased-based problems. The rule based system is more statistically sound and research based method of evaluating all deputies' traffic stop data. The methodology associated with this transition to a rule based system has been approved by the Monitor.

As previously mentioned, MCSO continues with its contracted partnership with Arizona State University (ASU) to analyze traffic stop data and author an annual report consistent with the Order. EIU identified a data analysis problem in the annual report and worked with the Monitor, Parties, and Arizona State University to identify and implement a solution. While the annual report is being finalized, individual deputies have been identified and supervisory interventions began with a pilot test group of five supervisors and a second pilot test group kicked off in September 2017. The entire supervisory intervention process including the pilot test groups was developed collaboratively with the Monitor and Parties during technical assistance meetings. The entire supervisory intervention process continues to evolve based on the results and feedback from the pilot test groups.

Supervision and Evaluations of Deputy Performance

The Court Order requires increased deputy supervision and evaluation. The Patrol Bureau Chiefs continues to hold monthly meetings with District Commanders to discuss progress and future measures to further compliance efforts with the Court Order.

MCSO remains committed to promoting and maintaining a staffing level that ensures compliance with MCSO policy GB-2, *Command Responsibilities* and Paragraph 266 of the Order and every deputy is assigned to a clearly identified Supervisor as required by Paragraph 84.

With the Monitor's input, MCSO has developed a daily patrol activity log during the last assessment period that assists the Monitor in rating MCSO in compliance with Paragraph 83 and several other Paragraphs. The activity logs were implemented on June 6, 2016. MCSO continued to improve the functionality of the activity log and in December 2016, MCSO added a function to the patrol activity log that allows supervisor's to confirm supervisory review of subordinates activity. MCSO ultimately received Phase 2 compliance with Paragraph 83 during this rating period.

Throughout this assessment period, MCSO has worked in collaboration with the Monitor on revamping MCSO's employee performance appraisal (EPA) process and developing training on the new EPA process. The new process and related training was developed and approved. A milestone was met during the 4th quarter of 2016 when all MCSO supervisors with the exception of eleven (11) supervisors completed the approved EPA training course, a 98.6% compliance rate. On September 6, 2017 MCSO published previously approved policy GC-4, *Employee Performance Appraisals*, to guide supervisors in the fair, impartial and accurate evaluation of all employees. As supervisors begin using the new EPA process as instructed, MCSO anticipates gaining Phase 2 compliance with several Paragraphs.

MCSO continues to improve and expand the capabilities of the TraCS system in order to ensure accountability and consistency agency wide. Some of these enhancements this past year to assist supervisors in effectively and appropriately supervising their subordinates include:

- The development and implementation of *Incident Reports* being created and processed utilizing the TraCS system. This replaced the antiquated paper system that was existing.
- The development and implementation of *Non-Traffic Contact Forms* being completed and processed utilizing the TraCS system. This replaced the antiquated paper system that was existing
- The supervisor review/approval process is now incorporated in the TraCS system. This allows the MCSO to review the associated metadata for compliance with Order requirements and MCSO policy.

MCSO updated and published policy GB-2, *Command Responsibility*, on February 01, 2017. The purpose of this policy is to establish the order of command authority in the absence of the Sheriff, clear lines of authority through unity of command, guidelines for effective span of control, and other elements of command responsibility. It is the policy of the Office to ensure supervisors, at all levels, provide proper direction, coordination, and control of subordinates. Additionally, Supervisors shall direct their efforts toward the intelligent and efficient performance of the functions of the Office and shall require their subordinates to do the same.

The most recent lesson plan for the "Supervisor Responsibilities: Effective Law Enforcement Training" (SRELE) course was sent to the Monitor on May 19, 2016. The Monitor observed and gave MCSO valuable

feedback regarding the train the trainer which occurred on June 01, 2016 and June 02, 2016. The Monitor then gave MCSO the final approval on the lesson plan on June 07, 2016. MCSO began delivering the SRELE course on June 13, 2016, and delivered the concluding course on July 15, 2016. In addition, the MCSO developed the 2017 SRELE training curriculum, which is scheduled to be delivered in September 2017.

The BIO conducts office wide audits and inspections, further ensuring supervisory responsibility and accountability. These audits and inspections are documented in detail in Inspections and Quality Assurance Audits Section.

The efforts in the area of Supervision and Evaluation of Performance are to ensure not only full and effective compliance with the Orders but to also provide supervisors with the training, tools, and skill sets needed to be successful.

Misconduct and Complaints

During the Second Quarter of 2017, the MCSO Professional Standards Bureau (PSB) experienced reorganization. The PSB Lieutenant responsible for the oversight of Detention investigations was promoted to Captain and remained in the PSB as the Division Commander. One of the sworn sergeants was promoted to lieutenant and remained in the PSB, responsible for the oversight of administrative investigations involving detention personnel.

In order to enhance the investigative abilities and performance of PSB investigators; to assist the investigators' accountability for conducting quality investigations; and to ensure that MCSO continues to conduct quality administrative investigations, it is now a requirement of all PSB personnel to obtain their detective certification.

Additionally, because of the increase in video recorded evidence obtained from body worn cameras and other electronic devices, 7 PSB members have attended Force Encounters Analysis Training in order to accurately investigate and analyze these recorded incidents; and to understand how stress may affect a deputy's response to a use of force incident and how deputies will recall information during an interview following a use of force incident. Three commanders attended *Human Factors: Threat and Error Management* in order to further understand how organizational culture affects behavior in the workplace.

To assure that MCSO's actions comply with the Court Order and the high standards the Office expects, MCSO took a multiple-step approach to address misconduct and complaints:

First, PSB took a proactive approach and continued to review all division level investigations and provide written feedback to division level investigators and their chains of command in order to improve the thoroughness of the investigations, obtain structure and consistency in format, ensure the inclusion of proper forms, and provide assistance with future investigations. The intent of the feedback is to evaluate, educate, assist and provide suggestions for future division level investigations. The PSB also provided feedback regarding the efficiency and thoroughness with which the divisions undertake and complete administrative investigations. The PSB reviewed division cases for quality control prior to final submission to the appointing authority for final findings.

A sworn lieutenant and two sworn sergeants are permanently assigned to PSB to act as liaisons with the other divisions; and tasked with the primary responsibility of reviewing all division level cases for thoroughness and accuracy; providing investigative feedback to the investigator and his chain of command; and documenting and tracking investigative deficiencies, pursuant to the Second Amended Second Supplemental Injunction/Judgement Order, Paragraph 211. The PSB continues to monitor and track investigative deficiencies that occur at the division level.

Second, although MCSO revised, disseminated, and delivered during the Court Order-related training (4th Quarter 2014), Policy GH-2, *Internal Investigations*, the PSB worked with the Policy Section to revise Office Policy GH-2, to include the investigative process, direct guidance in conducting a preliminary inquiry and a clear definition of "procedural complaints." The updated policy includes additional compliance elements listed in the Second Amended Second Supplemental Injunction/Judgement Order that was filed in July 2016. GH-2, *Internal Investigations* was published in May 2017.

In addition to GH-2, the PSB worked with the Policy Section to revise Office Policy GC-17, *Employee Disciplinary Procedure*, to include revised discipline matrices; and protocols for coaching as a non-disciplinary action between a supervisor and employee that supports an individual in achieving personal and professional

goals by providing training, advice, and guidance in response to a specific situation. GC-17, *Employee Disciplinary Procedure* was published in May 2017.

Consistent with the Court's Order, Paragraph 104, requiring deputies to cooperate with administrative investigations and requiring supervisors be notified when a deputy under their supervision is summoned as part of an administrative investigation, the Administrative Investigation Checklist collects the data necessary to track compliance with this paragraph. Consistent with the Court's Order, Paragraph 105, requiring investigators to take into account collected traffic stop and patrol data, training records, discipline history, performance evaluations, and past complaints; the investigative format also collects the necessary data to track compliance with this paragraph.

Pursuant to Paragraph 275 of the Second Amended Second Supplemental Injunction/Judgement Order, the Monitor is vested with the authority to supervise and direct all administrative investigations pertaining to Class Remedial Matters (CRM). The PSB met with the Monitor Team to determine and establish protocols on how to proceed with the reporting, investigation, and review of CRM investigations (Paragraph 278). The PSB Deputy Chief continues to meet weekly with members of the Monitor Team to review and discuss CRM investigations and subsequent discipline in sustained investigations.

In addition to the PSB's efforts to address misconducts and complaints, the EIU continues to utilize IA Pro and Blue Team to monitor and analyze behavior that may lead to misconduct and the BIO continues to address Court Order compliance by conducting audits and inspections of employee performance and misconduct; and audits of misconduct investigations

Compounding the important work PSB is performing, BIO will be responsible for conducting regular, targeted, and random integrity audit checks to identify and investigate Deputies possibly engaging in improper behavior as well as a testing program to assess civilian complaint intake. MCSO developed the preliminary methodology for the testing program with the assistance of the Monitor and Parties. MCSO thanks the parties and particularly the Department of Justice (DOJ) for providing general guidance on this project including the names of prospective outside vendors the DOJ has utilized in the past. MCSO completed a competitive bid process and selected two vendors, the Arizona Fair Housing Center and Progressive Management Resources. The Arizona Fair Housing Center was selected for the in person testing. Progressive Management Resources was selected for the phone, mail, email, and web site testing. MCSO is continuing to work with the vendors, the Monitor, and the parties to develop acceptable testing methodologies and memorialize the precisely how the testing program will work in writing.

MCSO believes the culmination of the work will result in an adequate testing program that assesses whether employees are providing civilians appropriate and accurate information about the complaint process and whether employees are notifying the Professional Standards Bureau upon the receipt of a civilian complaint per the Order.

Community Engagement

The Maricopa County Sheriff's Office continues providing youth and adults tools for success through sustainable partnerships with community members and local businesses. In furtherance of community engagement activity, the Office organized the Community Outreach Team. The division facilitates, promotes, and participates in events that unite MCSO personnel with community members in comfortable, non-law enforcement environments.

MCSO's quarterly register records community policing activities performed by MCSO Patrol Deputies across the County. During this annual assessment period, the Sheriff's Office registered 436 events, where public attendance approached 78,969. During this same period, MCSO recorded 10,554 occasions of community policing utilizing the Computer Aided Dispatch System; those engagements totaled over 13,082 staff hours, and are primarily attributed to the community policing activities of Patrol Deputies. Patrol Deputies accumulated 9,467 of the community policing occasions.

In all of its endeavors, the Maricopa County Sheriff's Office puts forth the effort to build sustainable outreach programs, many of which are listed on the MCSO webpage. There are also programs that benefit community members that are rarely spoken about. MCSO's Liaison Officer to Central American Consulates also oversees the Sheriff's Community Outreach Division and his work has facilitated unprecedented access to the Consular staff of Mexican government Phoenix Consulate to perform official duties and outreach within the Jail System. The collaborative relationship with the Consulate's staff expanded to include their donation of Spanish language books for distribution to Mexican National inmates within the Jail System, promoting literacy.

The Community Outreach Team is also diligently working on bringing the police and community together with existing programs along with developing new relationships within the community. Several community advisory boards have been created at the direction of Sheriff Penzone. These community advisory boards advise the Sheriff on important matters that affect the community as well as being a voice to and for the communities they represent. One of these boards is SPEAR –Sheriff Penzone's Executive Advisory Review. SPEAR is made up of diverse community members from all across the County. The first item on the SPEAR agenda was to conduct a data driven review of Tent City and to provide a recommendation to the Sheriff on whether it should remain open in its current state. SPEAR will next be reviewing the Posses.

There is also a Hispanic Advisory Board that is made up of Dreamers, businesspeople, activists, educators and community leaders. The Sheriff has also formed an African American Advisory Board and an LGBTQ Advisory Board.

Sheriff Penzone also wanted to take on the responsibility for planning, organizing, advertising, and hosting the Order mandated community meetings with the intention of improving community relations and repairing the damaged relationship between MCSO and the Plaintiff Class and filed a motion with the Court requesting such. In this same motion, the Sheriff requested the Community Advisory Board be expanded with appointments from MCSO and a joint appointment by MCSO and ACLU. On August 3, 2017, the Court granted MCSO's requests. While Sheriff Penzone and MCSO realize this will require hard work and will come with challenges, we are excited and humbled by this new responsibility and look forward to working directly with the affected community and the new CAB to obtain community input into Melendres-related compliance.

MCSO's Community Outreach Division showed a strong focus on attending educational institutions and developing educational programs for our youth in their communities. Some of these programs that we participated in and partnered with were Canyon State Youth Academy, E.V.I.T Advisory Board, Desert Heights School, Franklin Police and Fire High School, Boys and Girls Club and the Job Corps. Each one of these

programs provided MCSO with the opportunity to create dialog and help dispel some of the fear the youth may have with Law Enforcement.

The Outreach Division has also been assiduous to help promote the literacy programs within our community. They have distributed thousands of books to organizations such as; Chicanos Por La Causa - Parenting Arizona, Guadalupe Library, Aquila Library, Heart for the City and Mesa United Way.

The Outreach Division continues to deliver English/Spanish Citizens Academy's and they remain committed on collaborating with multiple Advisory Boards.

Just as important is the work that the Community Outreach does with our Patrol Districts on developing community policing ideas and encouraging patrol personnel participation in public events within the community to help rebuild community relations, confidence, and trust.

Appendix A: MCSO Melendres Court Order Compliance Chart

Reporting Dates:		10/1/2016-12/31/2016				01/01/2017-03/31/2017		04/1/2017-06/31/2017		
Publish Date:		Dec. 19, 2016		March 14, 2017		June 19, 2017		Pending Monitor's Report		
Paragraph #	Requirement	10th Report		11th Report		12th Report		13th Report		Date of Full Compliance
		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
Section III. MCSO Implementation Unit and Internal Agency-wide Assessment										
9	Form a Court Order Implementation Unit	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2015
10	Collection and Maintenance of All Data and Records	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2015
11	MCSO Quarterly Report	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2015
12	MCSO Annual Internal Assessment - Information	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2015
13	MCSO Annual Internal Assessment - Dates/Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2015
Section V. Policies and Procedures										
19	Conduct Comprehensive Review of All Patrol Policies and Procedures	In Compliance	Deferred	In Compliance	Deferred	In Compliance	Deferred			
21	Create and Disseminate Policy Regarding Biased-Free Policing	In Compliance	Deferred	In Compliance	Deferred	In Compliance	N/A			
22	Reinforce Discriminatory Policing is Unacceptable	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
23	Modify Code of Conduct Policy (CP-2): Prohibited Use of County Property	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2015
24	Ensure Operations are Not Motivated, Initiated, or Based on Race or Ethnicity	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			
25	Revise Policies to Ensure Bias-Free	In Compliance	Deferred	In Compliance	Deferred	In Compliance	Deferred			
26	Revise Policies to Ensure Bias-Free Investigatory Detentions and Arrests	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2015

Reporting Dates:		07/01/2016-09/30/2016		10/1/2016-12/31/2016		01/01/2017-03/31/2017		04/1/2017-06/31/2017		
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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
27	Remove LEAR Policy from Policies and Procedures	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2015
28	Revise Policies Regarding Immigration-Related Law	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014
29	All Policies and Procedures shall Define Terms Clearly, Comply with Applicable Law and Order Requirements, and Use Professional Standards	N/A	In Compliance	Not in Compliance	In Compliance	N/A	In Compliance			12/31/2014
30	Submit All Policies to Monitor within 90 Days of Effective Date; and Have Approval by Monitor Prior to Implementation	N/A	In Compliance	Not in Compliance	In Compliance	N/A	In Compliance			12/31/2014
31	Ensure Personnel Receive, Read, and Understand Policy	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			03/31/2016
32	All Personnel shall Report Violations of Policy; and Employees shall be Held Accountable for Policy Violations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
33	Personnel Who Engage in Discriminatory Policing shall be Subject to Discipline	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance			

Reporting Dates:		07/01/2016-09/30/2016	10/1/2016-12/31/2016	01/01/2017-03/31/2017	04/1/2017-06/31/2017					
Publish Date:		Dec. 19, 2016	March 14, 2017	June 19, 2017	Pending Monitor's Report					
Paragraph #	Requirement	10th Report		11th Report		12th Report		13th Report		Date of Full Compliance
		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
34	On Annual Basis, Review Policy and Document It in Writing	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2015

Section VI. Pre-Planned Operations

35	Monitor shall Regularly Review Documents of any Specialized Units Enforcing Immigration-Related Laws to Ensure Accordance with Law and Court Order	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014
36	Ensure Significant Ops or Patrols are Race- Neutral in Fashion; Written Protocol shall be Provided to Monitor in Advance of any Significant Op or Patrol	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014
37	Have Standard Template for Op Plans and Standard Instructions for Supervisors, Deputies, and Posse Members	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014

Reporting Dates:		07/01/2016-09/30/2016		10/1/2016-12/31/2016		01/01/2017-03/31/2017		04/1/2017-06/31/2017		
Publish Date:		Dec. 19, 2016		March 14, 2017		June 19, 2017		Pending Monitor's Report		
Paragraph #	Requirement	10th Report		11th Report		12th Report		13th Report		Date of Full Compliance
		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
38	Create and Provide Monitor with Approved Documentation of Significant Op within 10 Days After Op	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014
40	Notify Monitor and Plaintiffs within 24 hrs. of any Immigration Related Traffic Enforcement Activity or Significant Op Arrest of 5 or More People	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014
42	Selection and Hiring of Instructors for Supervisor Specific Training	Not in Compliance	Deferred	Not in Compliance	Not in Compliance	Not in Compliance	Deferred			
43	Training at Least 60% Live Training, 40% On- line Training, and Testing to Ensure Comprehension	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			
44	Training Schedule, Keeping Attendance, and Training Records	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			
45	Training may Incorporate Role-Playing Scenarios, Interactive Exercises, and Lectures	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			06/30/2016
46	Curriculum, Training Materials, and Proposed Instructors	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			06/30/2016
47	Regularly Update Training (from Feedback and Changes in Law)	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			

Reporting Dates:		07/01/2016-09/30/2016	10/1/2016-12/31/2016	01/01/2017-03/31/2017	04/1/2017-06/31/2017					
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Paragraph #	Requirement	10th Report		11th Report		12th Report		13th Report		Date of Full Compliance
		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
48	Bias-Free Policing Training Requirements (12 hrs. Initially, then 6 hrs. Annually)	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2014
49	Bias-Free Policing Training shall Incorporate Current Developments in Federal and State Law and MCSO Policy	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2014
50	Fourth Amendment Training (6 hrs. Initially, then 4 hrs. Annually)	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2014
51	Fourth Amendment Training shall Incorporate Current Developments in Federal and State Laws and MCSO Policy	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2014
52	Supervisor Responsibilities Training (6 hrs. Initially, then 4 hrs. Annually)	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			
53	Supervisor Responsibilities Training Curriculum	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			

Section VIII. Traffic Stop Documentation and Data Collection and Review

54	Collection of Traffic Stop Data	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
55	Assign Unique ID for Each Incident/Stop, So Other Documentation can Link to Stop	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2014
56	Maintaining Integrity and Accuracy of Traffic Stop Data	In Compliance	In Compliance	In Compliance	In Compliance	Not in Compliance	Not in Compliance			
57	Ensure Recording of Stop Length Time and Providing Signed Receipt for Each Stop	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			

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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
58	Ensure all Databases Containing Individual-Specific Data Comply with Federal and State Privacy Standards; Develop Process to Restrict Database Access	Not in Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2014
59	Providing Monitors and Plaintiffs' Representative Full Access to Collected Data	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			06/30/2014
60	Develop System for Electronic Data Entry by Deputies	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2014
61	Installing Functional Video and Audio Recording Equipment (Body-Cameras)	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2016
62	Activation and Use of Recording Equipment (Body-Cameras)	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
63	Retaining Traffic Stop Written Data and Camera Recordings	Not in Compliance	Deferred	Not in Compliance	Deferred	In Compliance	In Compliance			
64	Protocol for Periodic Analysis of Traffic Stop Data and Data Gathered for Significant Ops	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
65	Designate Group to Analyze Collected Data	Not in Compliance	Deferred	Not in Compliance	Deferred	In Compliance	Not in Compliance			
66	Conduct Annual, Agency-Wide Comprehensive Analysis of Data	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
67	Warning Signs or Indicia of Possible Racial Profiling or Other Misconduct	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			

Reporting Dates:		07/01/2016-09/30/2016		10/1/2016-12/31/2016		01/01/2017-03/31/2017		04/1/2017-06/31/2017		
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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
68	Criteria for Analysis of Collected Patrol Data (Significant Ops)	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2014
69	Supervisor Review of Collected Data for Deputies under Their Command	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
70	Response to/Interventions for Deputies or Units Involved in Misconduct	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
71	Providing Monitor and Plaintiffs' Representative Full Access to Supervisory and Agency Level Reviews of Collected Data	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2014

Section IX. Early Identification System (EIS)

72	Develop, implement, and maintain a computerized EIS	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
73	Create Unit or Expand Role of MCSO IT to Develop, Implement, and Maintain EIS	Not in Compliance	Deferred	Not in Compliance	Deferred	In Compliance	In Compliance			
74	Develop and Implement Protocol for Capturing and Inputting Data	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
75	EIS shall Include a Computerized Relational Database	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
76	EIS shall Include Appropriate ID Info for Each Deputy	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
77	Maintaining Computer Hardware and Software, All Personnel Have Ready and Secure Access	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2014
78	Maintaining All Personally Identifiable Information	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
79	EIS Computer Program and Hardware will be Operational, Fully Implemented, and Use in Accordance of Policies and Protocol	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			

Reporting Dates:		07/01/2016-09/30/2016	10/1/2016-12/31/2016	01/01/2017-03/31/2017	04/1/2017-06/31/2017					
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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
80	EIS Education and Training for all Employees	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
81	Develop and Implement Protocol for Using EIS and Information Obtained From It	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			

Section IX. Supervision and Evaluation of Officer Performance

83	Provide Effective Supervision of Deputies	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	In Compliance			
84	Adequate Number of Supervisors (1 Field Supervisor to 12 Deputies)	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			12/31/2014
85	Supervisors Discuss and Document Traffic Stops with Deputies	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	In Compliance			
86	Availability of On-Duty Field Supervisors	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	In Compliance			
87	Quality and Effectiveness of Commanders and Supervisors	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
88	Supervisors in Specialized Units (Those Enforcing Immigration-Related Laws) Directly Supervise LE Activities of New Members	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2015
89	Deputies Notify a Supervisor Before Initiating any Immigration Status Investigation and/or Arrest	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2016
90	Deputies Submit Documentation of All Stops and Investigatory Detentions Conducted to Their Supervisor By End of Shift	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
91	Supervisors Document any Investigatory Stops and Detentions that Appear Unsupported by Reasonable Suspicion or Violate	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance			
92	Supervisors Use EIS to Track Subordinate's Violations or Deficiencies in Investigatory Stops and Detentions	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			

Reporting Dates:		07/01/2016-09/30/2016		10/1/2016-12/31/2016		01/01/2017-03/31/2017		04/1/2017-06/31/2017		
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93	Deputies Complete All Incident Reports Before End of Shift. Field Supervisors Review Incident Reports and Memorialize Their Review within 72 hrs. of an Arrest	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2016
94	Supervisor Documentation of Any Arrests that are Unsupported by Probable Cause or Violate Policy	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2016
95	Supervisors Use EIS to Track Subordinate's Violations or Deficiencies in Arrests and the Corrective Actions Taken	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
96	Command Review of All Supervisory Review Related to Arrests that are Unsupported by Probable Cause or Violate Policy	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			06/30/2016
97	Commander and Supervisor Review of EIS Reports	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
98	System for Regular Employee Performance Evaluations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			

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99	Review of All Compliant Investigations, Complaints, Discipline, Commendations, Awards, Civil and Admin. Claims and Lawsuits, Training History, Assignment and Rank History, and Past Supervisory Actions	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
100	Quality of Supervisory Reviews Taken into Account in Supervisor's Own Performance Evaluation	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
101	Eligibility Criteria for Assignment to Specialized Units	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2016
Section X. Misconduct and Complaints										
102	Reporting Alleged or Apparent Misconduct	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
103	Audit Check Plan to Detect Deputy Misconduct	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
104	Deputy Cooperation with Administrative Investigations	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2016
105	Investigator Access to Collected Data, Records, Complaints, and Evaluations	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance	In Compliance			
106	Disclosure of Records of Complaints and Investigations	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			12/31/2015
SECOND ORDER Section XII. Misconduct Investigations, Discipline and Grievances										
165	Conduct comprehensive review all policies, procedures, manuals and written directives related to misconduct investigations, employee discipline and grievances	N/A	Deferred	N/A	Deferred	N/A	Deferred			

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167	Ensure provision of policies pertaining to any and all reports of misconduct	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
168	All forms of alleged reprisal, discouragement, intimidation, coercion or adverse action against any person reporting or attempting to report misconduct is strictly prohibited.	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
169	Ensure policies identify no retaliation to an employee for reporting misconduct	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
170	Ensures completed investigations of all complaints including third-party and	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
171	Ensures administrative investigations are not terminated due to withdrawal, unavailability or unwillingness of complainant	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
172	Provide instruction to employees that all relevant evidence and information for investigations be submitted and intention withholding shall result in discipline	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			

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173	Ensure disciplinary checks are conducted by PSB prior to any promotion process	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
174	Ensure disciplinary history is considered and documented prior to hiring, promotion and transfers	Not in Compliance	Deferred	Not in Compliance	Deferred	In Compliance	In Compliance			
175	Ensure Commanders review disciplinary history who are transferred to their command in timely fashion	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
176	Quality of IA investigations and Supervisors review of investigations be taken into account in performance evaluations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
177	Removal of name-clearing hearings and referenced as pre-determination hearings	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
178	Provide 40 hours of comprehensive training to all Supervisors and PSB staff for conducting employee misconduct investigations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
179	Provide 8 hours annually of <i>in-service</i> to all Supervisors and PSB staff for conducting misconduct investigations	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			

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180	Provide training to all employee's on MCSO's new or revised policies related to misconduct investigation, discipline and grievances	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
181	Provide adequate training to all employees to properly handle civilian complaint intake and providing information	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
182	Provide adequate training to all Supervisors as their obligations to properly handle civilian complaints	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
184	Standards will be clearly delineated in policies, training and procedures. Samples must be included	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
185	Any allegation of misconduct must be reported to PSB upon receipt	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
186	PSB must maintain a centralized electronic numbering and tracking system for all allegations of misconduct	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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187	PSB must maintain a complete file of all documents relating to any investigations, disciplinary proceedings, pre-determination hearings, grievance proceeding and appeals to the Law Enforcement Merit System Council or a state court	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
188	PSB will promptly assign IA investigator after initial determination of the category of alleged offense	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
189	PSB shall investigate misconduct allegation of a serious nature, or that result in suspension, demotion , termination or indication apparent criminal conduct by employee	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
191	Trained Supervisor must immediately contact PSB if it is believed the principal may have committed misconduct of a serious or criminal nature	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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192	PSB shall review investigations outside of the Bureau at least semi-annually	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
193	The most serious policy violation shall be used for determination of category of offense when multiple separate policy violations are present in a single act of alleged misconduct	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
194	PSM Commander ensures investigations comply with MCSO policy, requirement of this Order including those related to training, investigators disciplinary backgrounds and conflicts of interest	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
195	PSB shall include sufficient trained personnel to fulfill requirements of Order within six months	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			
196	Commander of PSB or the Chief Deputy may refer misconduct investigations to another law enforcement agency or retain qualified outside investigator to conduct the investigation	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
197	PSB will be headed by qualified Commander. If designation is declined by Sheriff, the Court will designate a qualified candidate	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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198	PSB shall be physically located in separate facilities of MCSO facilities and must be accessible to public and present a non-intimidating atmosphere to file complaints	N/A	Deferred	N/A	Deferred	N/A	Deferred			
199	Ensure qualifications for an internal affairs investigator are clearly defined and candidates are eligible to conduct investigations	N/A	Deferred	N/A	Deferred	N/A	Deferred			
200	Investigations shall be conducted in a rigorous and impartial manner without prejudging the facts, and completed in a thorough manner	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	Not In Compliance			
201	No preference shall be given for an employee's statement over a non-employee statement, nor disregard a witness's statement solely because the witness has connection to the complainant or the employee or due to a criminal history of either party	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
202	Investigate any evidence of potential misconduct uncovered during the course of the investigation regardless whether the potential misconduct was part of the original allegation	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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203	Despite a person being involved in an encounter with MCSO and pleading guilty or found guilty of offense, IA investigators will not consider that information alone to determine whether the MCSO employee engaged in misconduct	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
204	Complete investigations within 85 calendar days of the initiation of the investigation, or 60 calendar days if within a Division	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
205	PSB maintain database to track cases which generates alerts when deadlines are not met	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
206	At conclusion of each investigation, IA will prepare an investigation report which includes elements from the eleven subsections of this paragraph	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance			
207	When investigating the incident for policy, training, tactical or equipment concerns, the report must include compliance with standards, use of tactics and indicate need for training and suggestion of policy changes	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance			

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208	Each allegation of misconduct shall explicitly identify and recommend a disposition for each allegation	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	Not in Compliance			
209	Investigation forms completed by Supervisors outside of PSB shall be sent through Chain of Command to Division Commander for approval	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
210	Investigation forms completed by PSB shall be sent to the Commander	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
211	Commander shall return report to investigator for correction when inadequacies are noted	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Not in Compliance			
212	IA investigator shall receive corrective or disciplinary action for a deficient misconduct investigation. Failure to improve is grounds for demotion or removal from PSB	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			
213	Minor misconduct investigations must be conducted by Supervisor (not by line-level deputies) and file forwarded to PSB	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
214	Misconduct investigation can be assigned or re-assigned at the discretion of the PSB Commander	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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215	Investigations conducted by Supervisors (outside of PSB) shall direct and ensure appropriate discipline and/or corrective action	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
216	PSB Commander shall direct and ensure appropriate discipline and/or corrective action for investigations conducted by PSB	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance			
217	PSB shall conduct targeted and random reviews of discipline imposed by Commanders for minor misconduct	Not in Compliance	N/A	Not in Compliance	N/A	Not in Compliance	N/A			
218	Maintain all administrative reports and files for recording keeping in accordance with applicable law	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
220	Sheriff shall review MCSO disciplinary matrices and ensure consistency discipline is	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Deferred			
221	Sheriff shall mandate misconduct allegation is treated as a separate offense for imposing discipline	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance			
222	Sheriff shall provide that Commander of PSB make preliminary determinations of the discipline and comment in writing	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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223	MCSO Command staff shall conduct a pre- determination hearing if serious discipline should be imposed based on the preliminary determination	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
225	Pre-determination hearings will be suspended and returned to investigator if employee provides new or additional evidence	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
226	If designated member of MCSO command staff conducting the pre-determination hearing does not uphold charges and/or discipline recommended by PSB a written justification by that member is required	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	Not in Compliance			
227	MCSO shall issue policy providing the designated member conducting the pre-determination hearing with instructions to apply the disciplinary matrix and set guidelines when deviation is permitted.	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
228	Sheriff or designee has authority to rescind, revoke or alter disciplinary decisions	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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229	When an IA investigator or Commander finds evidence of misconduct indicating apparent criminal conduct by employee the PSB Command must be immediately notified, PSB will assume any admin misconduct investigation outside PSB, Commander will provide evidence directly to the appropriate prosecuting authority when necessary	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
230	PBS must first consult with the criminal investigator and the relevant prosecuting authority if a misconduct allegation is being investigated criminally, prior to a compelled interview pursuant to Garrity v. New Jersey. No admin investigation shall be held in abeyance unless authorized by Commander of PSB. Any deviations must be documented by PSB.	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	Deferred			

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231	Sheriff shall ensure investigators conducting a criminal investigation do not have access to any statement by the principal that were compelled pursuant to Garrity	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
232	PBS shall complete admin investigations regardless of the outcome of any criminal investigation. MCSO policies and procedures and the PSB Ops manual shall remind members of PSB that administrative and criminal cases are held to different standards of proof and the investigative processes differ.	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
233	Criminal investigations closed without referring it to a prosecuting agency must be documented in writing and provided to PSB	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
234	Criminal investigations referred to a prosecuting agency shall be reviewed by PSB to ensure quality and completeness	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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235	PSB shall request explanation and document any decisions by the prosecuting agency to decline or dismiss the initiation of criminal charges	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
236	Sheriff shall require PSB to maintain all criminal investigation reports and files as applicable by law	Not in Compliance	Deferred	Not in Compliance	Deferred	Not in Compliance	In Compliance			
238	Sheriff shall require MCSO to accept all forms of civilian complaints and document in writing	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
239	Clearly display placards (English and Spanish) describing the complaint process at MCSO headquarters and all district stations	Not in Compliance	In Compliance	Not in Compliance	Not in Compliance	In Compliance	In Compliance			
240	Sheriff shall require all deputies to carry complaint forms in their MCSO vehicles	Not in Compliance	In Compliance	Not in Compliance	Not in Compliance	In Compliance	In Compliance			
241	Sheriff shall ensure that PSB is easily accessible to member of public and available for walk-ins	N/A	Not in Compliance	N/A	Not in Compliance	N/A	In Compliance			
242	Make complaint forms widely available at locations around the County: website, HQ lobby, Districts, MC offices and public locations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	In Compliance			
243	Establish a free 24-hour hotline for reporting complaints	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
244	Ensure complaint form does not contain language that can be construed as to discourage the filing of a complaint	Not in Compliance	In Compliance	Not in Compliance	In Compliance	In Compliance	In Compliance			

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245	Complaints forms will be made available in English and Spanish	Not in Compliance	In Compliance	Not in Compliance	In Compliance	In Compliance	In Compliance			
246	PSB will send periodic written updates to the complainant during the course of investigation	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	Not in Compliance			
247	Complainant make contact the PAS at any time to obtain status of their complaint	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
248	PSB will track allegations of biased policing as a separate category of complaints	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
249	PSB will track allegations of unlawful investigatory stops, searches, seizures or arrests as a separate category of complaints	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
250	PSB will conduct regular assessments of complaints to identify potential problematic patterns and trends	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
251	PSB shall produce a semi-annual public report on misconduct investigations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
252	Make detailed summaries of completed IA investigations readily available to the public	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			

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253	BIO shall produce a semi-annual public audit report regarding misconduct investigations	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	In Compliance	Not in Compliance			
254	Initiate a testing program designed to assess civilian complaint intake	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
255	Testing program for investigation of civilian complaints should not use fictitious complaints	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
256	Testing program shall assess complaint intake for complaints made in person, telephonically, by mail, email or website.	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
257	Testing program shall include sufficient random and targeted testing to assess the complaint intake process	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
258	Testing program shall assess if employees promptly notify PSB of citizen complaints with accurate and complete information	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
259	Current or former employees cannot serve as testers	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
260	Produce annual report on the testing program	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			

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Publish Date:		Dec. 19, 2016	March 14, 2017	June 19, 2017	Pending Monitor's Report					
Paragraph #	Requirement	10th Report		11th Report		12th Report		13th Report		Date of Full Compliance
		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
SECOND ORDER Section XIII. Community Outreach and Community Advisory Board										
261	Community Advisory Board may conduct a study to identify barriers to the filing of civilian complaints against MCSO personnel	N/A	N/A	N/A	N/A	N/A	N/A			
262	The Boards shall be provided annual funding to support activities	N/A	N/A	N/A	N/A	N/A	N/A			
SECOND ORDER Section XIV. Supervision and Staffing										
264	Sheriff to ensure all patrol deputies are assigned to clearly identified first-line supervisor	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance	In Compliance			09/30/2016
265	First-line Supervisors shall be responsible for closely and consistently supervising all	Not in Compliance	Deferred	Not in Compliance	Deferred	In Compliance	Deferred			
266	Provide written explanation of deficiencies for number of Deputies assigned to a First-line Supervisors (no more than 10 deputies)	Deferred	In Compliance	Deferred	In Compliance	In Compliance	In Compliance			
267	Supervisors shall be responsible for close and effective supervision and ensure staff complies with MCSO policy, federal, state and local law, and this Court Order	Not in Compliance	Deferred	Not in Compliance	Deferred	In Compliance	Not in Compliance			
268	Approval by Monitor for any transfers of sworn personnel or Supervisors in or out of PSB, BIO or CID	Deferred	In Compliance	Deferred	In Compliance	Deferred	In Compliance			

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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
SECOND ORDER Section XV. Document Preservation and Production										
269	Promptly communicate any document preservation notices to all personnel who have responsive documents	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
270	Sheriff shall ensure a request for documents in the course of litigation is promptly communicated to all personnel and the need	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
271	Sheriff shall ensure Compliance Division promulgates detailed protocols for the preservation and production of documents requested in litigation	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
272	Ensure MCSO policy provides that all employees comply with document preservation and production requirements and maybe subject to discipline if violated	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	Not in Compliance			
SECOND ORDER Section XVI. Additional Training										
273	Within two months of the entry of this Order, the Sheriff shall ensure that all employees are briefed and presented with the terms of the Order, along with relevant background information about the Court's May 13, 2016 Findings of Fact, (Doc. 1677) upon which this order is based	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			09/30/2016

Reporting Dates:		07/01/2016-09/30/2016		10/1/2016-12/31/2016		01/01/2017-03/31/2017		04/1/2017-06/31/2017		
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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	

SECOND ORDER Section XVII. Complaints and Misconduct Investigation Relating to Members of the Plaintiff Class

276	Monitor shall have the authority to direct and/or approve all aspects of the intake and investigation of Class Remedial Matters and the assignment of these investigations	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			09/30/2016
278	Sheriff shall alert the Monitor in writing to matters that could be considered Class Remedial Matters and has the authority to independently identify such matters	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			09/30/2016
279	Monitor has complete authority to conduct review, research and investigation deemed necessary to determine if matters qualify as Class Remedial Matters and MCSO is dealing in a thorough, fair, consistent and unbiased manner	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			09/30/2016
281	Sheriff shall ensure MCSO receives and processes Remedial Matters consistently with the requirements of the orders of the Court, MCSO policies, and the manner in which all other disciplinary matters are handled per policy	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance	Not in Compliance			
282	Sheriff and/or appointee may exercise the authority given pursuant to this Order to direct and/or resolve such Class Remedial Matters. The decisions and/or directives maybe vacated or overridden by the Monitors.	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			

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		Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	Phase 1	Phase 2	
284	MCSO must expeditiously implement the Monitor's directions, investigations, hearings and disciplinary decisions	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
286	Monitor shall instruct PSB to initiate a confidential criminal investigation and oversee the matter or report to the appropriate prosecuting agency	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
287	Persons receiving discipline approved by Monitor shall maintain any rights they have under Arizona law or MCSO policy	Not in Compliance	In Compliance	Not in Compliance	In Compliance	Not in Compliance	In Compliance			
288	Monitor's authority will cease when the elements of the two subsections of this paragraph have been met	N/A	Not in Compliance	N/A	Not in Compliance	N/A	Not in Compliance			
289	To make the determination required by subpart (b), the Court extends the scope of the Monitor's authority to inquire and report on all MCSO internal affairs investigations and not those merely that are related to Class Remedial Matters	Not in Compliance	Not In Compliance	Not in Compliance	Not In Compliance	Not in Compliance	Not In Compliance			

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292	Monitor is to given full access to all MCSO Internal affairs investigation or matters that have been the subject of investigation, Monitor shall comply with rights of principals under investigation	N/A	In Compliance	N/A	In Compliance	N/A	In Compliance			09/30/2016
300	Uninvestigated untruthful statements made to the Court under oath by Chief Deputy Sheridan concerning the Montgomery investigation, the existence of the McKessy investigation, the untruthful statements to Lt. Seagraves and other uninvestigated acts of his do not justify an independent investigation	N/A	Not In Compliance	N/A	Not In Compliance	N/A	Deferred			
337	When discipline is imposed by the Independent Disciplinary Authority, the employee shall maintain his or her appeal rights following the imposition of administrative discipline as specified by Arizona law and MCSO policy with the following exceptions with the two exceptions documented within the two subparagraphs.	Not In Compliance	Deferred	Not In Compliance	Deferred	In Compliance	Deferred			
Compliance Counts Per Phase		47	36	48	93	58	97	0	0	

Legend
Phase 1=Development of Policy and Procedures
Phase 2=Operation Implementation

Appendix B: List of MCSO Acronyms

AIU:	Audits and Inspections Unit
BIO:	Bureau of Internal Oversight
CAD:	Computer Aided Dispatch
CID:	Court Implementation Division
EIS:	Early Identification System
EIU:	Early Intervention Unit
MCAO:	Maricopa County Attorney's Office
PSB:	Professional Standards Bureau
TraCS:	Traffic and Criminal Software
VSCF:	Vehicle Stop Contact Form
NTCF:	Non-Traffic Contact Form

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