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# Sheriff's Office

## Enforcement Support Division

August 2018

*Internal Audit Report Authorized by the  
Maricopa County Board of Supervisors*

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Report Highlights	Page
<u>Background Screenings</u> The Sheriff's Office (MCSO) will improve the background screening process for posse members.	1
<u>Training</u> Reserve deputies met Arizona Peace Officer and Standards and Training requirements. MCSO will improve procedures for tracking firearms qualifications and training for posse members and reserve deputies.	2
<u>Vehicle Usage</u> MCSO will update procedures to ensure posse members obtain proper authorization prior to operating vehicles on County business.	4
<u>Access to Criminal Information</u> MCSO is implementing procedures to ensure posse members have appropriate certification when accessing criminal information.	6
<u>Program Management</u> MCSO is implementing formal measures to evaluate the risks and benefits of the posse program.	7

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**Background** The Enforcement Support Division manages the posse and reserve deputy programs. Posse members and reserve deputies are volunteers that work at the direction of MCSO personnel, assisting with activities such as crime scene support, patrol coverage, and search and rescue. Reserve deputies are certified peace officers with law enforcement authority. Posse members do not have law enforcement authority.

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**Objectives** To ensure that:

- Posse member background screenings have been completed as required by MCSO policy.
- Enforcement Support and Training Divisions have established adequate procedures so that posse and reserve members meet training requirements.
- Posse member vehicle usage complies with County and MCSO policies and procedures.
- MCSO has established a process to effectively measure and document the risks and benefits of the posse program.

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**Scope** Our scope included the following Enforcement Support activities: (1) background screenings, (2) training, (3) vehicle usage, and (4) posse program evaluation. In general, our work covered posse and reserve deputy activities for fiscal years 2016 and 2017.

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**Standards** This audit was approved by the Board of Supervisors and was conducted in conformance with International Standards for the Professional Practice of Internal Auditing.

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This report is intended primarily for the information and use of the County Board of Supervisors, County leadership, and other County stakeholders. However, this report is a public record and its distribution is not limited. We have reviewed this information with Sheriff's Office management. The Action Plan was approved by Russell Skinner, Chief Deputy, on July 26, 2018. If you have any questions about this report, please contact Mike McGee, County Auditor, at 602-506-1585.

## Audit Results

### Issue #1: Background Screenings

**Observation:** MCSO's Posse Program Policy requires that each posse applicant receive a background screening prior to being accepted into the program. We reviewed the background screening documentation for a sample of posse members and found that all underwent a background screening to some degree. However, there were many inconsistencies in how the screenings were completed because MCSO had not established formal procedures detailing posse applicant screening requirements. For example, some posse members underwent an extensive screening process that included a polygraph, psychological exam, and drug test while others were only subject to fingerprinting and an online criminal background check.

In 2017, the background screening process for posse members was moved from the Enforcement Support Division to the Pre-Employment Division. Since the transfer, the screening process has been more consistent and includes: (1) background screening application review, (2) criminal history check, and (3) background screening interview. However, these steps have not been formalized into documented procedures.

Some posse members can drive patrol vehicles, wear sworn officer uniforms, and carry Tasers and firearms, but their screening steps are less stringent than for other MCSO volunteers and civilian employees. Prior posse program policies had additional screening requirements for posse members who carried firearms, but these requirements were omitted from the policy in 2012.

<b>Conclusion #1A:</b> MCSO conducted background screenings on posse applicants; however, screenings were inconsistent because formal procedures have not been established.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>1A-1</b> Develop and implement formal procedures that outline the required steps for posse background screenings.	Concur- in progress The posse background screenings will be conducted by the Pre-Employment Services Division and Posse applicants will be held to the level of the Detention Officer standards. Procedures for conducting posse background screenings will be documented. Target Date: 2/1/2019

<b>Conclusion #1B:</b> More stringent procedures for qualified armed posse applicants were removed from policy in 2012, resulting in less stringent requirements than for other MCSO volunteers and civilian employees.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>1B-1</b> Assess the value of additional vetting procedures for posse members performing high risk activities (e.g., carrying Tasers/firearms), and revise procedures accordingly.	Concur-in progress  Posse members who choose to become QAP will have to complete a psychological and polygraph examination. That procedure will be placed into the Enforcement Support Division's standard operating procedure (SOP).  Target Date: 2/1/2019

## **Issue #2: Firearms Qualifications**

**Observation:** Qualified Armed Posse (QAP) members and reserve deputies must pass an annual firearms qualifications course that complies with Arizona Peace Officer Standards and Training (AZPOST) requirements. We examined annual firearms qualification documentation for a sample of QAP members and reserve deputies for calendar years 2015 through 2017.

Qualification forms for a few active posse members could not be located. We notified MCSO and they determined that a couple of these posse members had not qualified for several years. Their QAP status and ability to carry a firearm while on duty was suspended immediately. Of the qualification forms available for review, several were incomplete. A few were considered higher risk because they were missing evidence of judgmental shooting, a component of the annual qualification course that demonstrates a person's ability to think quickly and respond accurately when using their firearm.

Several posse members and reserve deputies failed at least one annual qualification. Some of these individuals did not complete remedial training and requalify as required by MCSO policy. Additionally, notification was not always provided to Enforcement Support, posse commanders, and patrol districts where the members or reserve deputies volunteer. The qualification failures were not reflected in the posse and reserve deputy tracking system.

<b>Conclusion #2A:</b> Procedures to monitor weapons qualifications and to resolve failures need improvement.	
<b>Recommendations</b>	<b>MCSO Action Plan</b>
<b>2A-1</b> Review firearm qualification documentation for all active posse members with authority to carry weapons and ensure they meet qualification requirements. Suspend QAP classification for those that do not meet the requirements.	Concur- in progress We will review all QAP trained Posse members to ensure they meet all current training requirements. QAP classification for those that do not meet the requirements will be suspended. Target Date: 10/1/2018
<b>2A-2</b> Develop a process to ensure volunteer firearm qualification failures and remedial training are communicated to all impacted parties. Ensure a volunteer's classification is appropriately updated in the posse and reserve deputy tracking system.	Concur- in progress A process will be developed to notify all impacted parties when a QAP posse member fails a firearm qualification and to appropriately update the individual's profile in the tracking system. Target Date: 11/1/2018

### Issue #3: Posse and Reserve Deputy Training

**Observation:** MCSO posse members fall into one of three classifications based on the level of training they have completed (basic, intermediate, or QAP). MCSO uses these classifications to determine the assignments posse members can perform. We found that the training requirements for each classification aligns with MCSO policy, state statute, and the Melendres Court Order<sup>1</sup>. However, MCSO did not document which training course(s) satisfied each requirement. In addition, MCSO did not have a consistent and reliable process to track and monitor completed training courses to ensure training requirements have been met prior to assigning posse members to more advanced work.

We reviewed training records for a sample of posse members and found that none had completed all required training for the test period. Many of the incomplete trainings were related to administrative items (e.g., policy acknowledgments). However, some missed trainings included defensive tactics, first aid, and CPR certifications that were required for QAP or intermediate posse members.

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<sup>1</sup> The Melendres Court order was issued in 2013 and mandated that MCSO personnel, including posse members and reserve deputies, to take training related to bias-free policing and Fourth Amendment rights (unreasonable searches and seizures).

We also reviewed training records for a sample of reserve deputies, who are held to the same training standards as compensated deputies because they have full authority as peace officers. All reserve deputies reviewed in our sample were in compliance with Arizona Peace Officer Standards and Training (AZPOST) requirements; however, some were missing administrative courses.

<b>Conclusion #3A:</b> Reserve deputies met AZPOST training requirements.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
None	N/A
<b>Conclusion #3B:</b> MCSO has not clearly documented which training courses satisfy initial and continuing training requirements for posse members and reserve deputies.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>3B-1</b> Define and document all training requirements, including course numbers, hours, and content for all classes of posse members and reserve deputies.	Concur- in progress We will define and document all training requirements to include course codes, hours, and content for all classes of posse members and reserve deputies. Target Date: 7/1/2019
<b>Conclusion #3C:</b> Controls to track and monitor training needs improvement.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>3C-1</b> Develop and implement a process to track and monitor training compliance for all classes of volunteers.	Concur- in progress We will develop a process to track and monitor training compliance for all classes of volunteers by identifying the logistical requirements for posse members and reserve deputies to be tracked in the HUB, the County's training system. Target Date: 7/1/2019

**Issue #4: Vehicle Usage**

**Observation:** According to County and MCSO policy, posse members are required to have a County issued Vehicle Usage Permit (VUP) prior to operating County-owned or privately-owned vehicles when performing County business. The VUP program was established by the County to minimize vehicle accident related payouts from the

County's Risk Trust Fund. In order to obtain a VUP, an employee or volunteer must attend a defensive driving course and submit license information so that the County's Risk Management Department can monitor an applicant's driving record.

MCSO created an online defensive driving course for posse members to attend. We reviewed computer aided dispatch data and found the majority of posse members that drove a MCSO vehicle had taken the online course. However, MCSO did not ensure that they completed and submitted the VUP application to the County's Risk Management department prior to operating MCSO vehicles. In addition, patrol district personnel did not verify if posse members had a valid VUP when assigning them to roles that require driving. This has contributed to posse members frequently driving MCSO vehicles without having a valid VUP. We also identified instances where posse members that did not have a VUP were involved in accidents while conducting County business.

<b>Conclusion #4A:</b> Procedures are not in place to ensure that posse members obtain Vehicle Usage Permits (VUPs) prior to operating MCSO and privately owned vehicles on County business.	
<b>Recommendations</b>	<b>MCSO Action Plan</b>
<b>4A-1</b> Develop a process to ensure that posse members have proper authorization prior to operating vehicles on County business. MCSO should also work with Risk Management to streamline the application submittal, approval, and notification process.	Concur- in progress We will work with Risk Management to create a procedure to ensure all posse members have a current VUP and develop a streamline process for the VUP applications. Target Date: 2/1/2019
<b>4A-2</b> Establish procedures to ensure that patrol districts and other law enforcement divisions verify that posse members have obtained proper authorization prior to driving MCSO, posse owned, and personally owned vehicles for County business.	Concur- in progress The Enforcement Support Division will develop a procedure which will allow divisions to be notified a Posse member has a VUP prior to driving. Target Date: 10/1/2018

**Issue #5: Vehicle Inspections and MCSO Decal Inventories**

**Observation:** MCSO policy allows posse members and posse organizations to install MCSO decals and vehicle markings on their privately-owned vehicles if the posse member and/or organization successfully completes a vehicle inspection. We found

that the required inspections were performed and we verified that posse members had required state licensing, registration, and insurance documentation. However, some inspection forms were incomplete and inspections did not consistently verify County VUP information, which is a required part of the inspection.

MCSO policy also requires that each posse organization maintain an inventory of MCSO vehicle marking/decals, including purchases and assignments, and that the posse organization commanders submit these inventories to the Enforcement Support Division twice a year. We found that these inventories were not submitted prior to 2017, and that the FY17 and FY18 inventories did not include purchase or assignment information. Without a complete inventory, MCSO may not be aware of: (1) how many decals have been purchased, (2) which posse members have been issued a decal, and (3) if former volunteers still have MCSO decals after separating from the posse.

<b>Conclusion #5A:</b> MCSO is conducting inspections of privately-owned vehicles used for County business; however, MCSO has not established written procedures to ensure all inspection requirements are consistently completed.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>5A-1</b> Develop procedures to document posse vehicle inspection requirements.	Concur- in progress The Enforcement Support Division will develop a procedure to document vehicle inspection requirements. Target Date: 10/1/2018
<b>Conclusion #5B:</b> Posse organizations did not include all required information when submitting vehicle marking/decal inventories to the Enforcement Support Division.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>5B-1</b> As required by policy, ensure that posse organizations include purchase and assignment records as part of bi-annual inventories of MCSO decals, banners, signs, and markings.	Concur- in progress The Enforcement Support Division will ensure all posse branches provide an inventory of MCSO decals, banners, signs, and markings on a bi-annual basis. Target Date: 10/1/2018

**Issue #6: Access to Protected Criminal Information**

**Observation:** Posse members are frequently given responsibilities (e.g., communicating over MCSO radio frequencies and logging into mobile data terminals when driving MCSO vehicles) that provide them with access to protected information

stored in national and state criminal information databases. MCSO policy requires that all personnel, including posse members, obtain a Terminal Operators Certificate (TOC) within six months of being assigned to a role that will provide them with access to this information. We reviewed a sample of posse members that accessed mobile data terminals and found the majority did not have a valid TOC. Additionally, patrol district personnel did not verify that a posse member had a TOC prior to assigning them to roles that required use of MCSO radio frequencies and mobile data terminals.

<b>Conclusion #6A:</b> MCSO has not established procedures to ensure posse members obtain a TOC prior to accessing protected criminal information.	
<b>Recommendation</b>	<b>MCSO Action Plan</b>
<b>6A-1.</b> Establish procedures to ensure posse members have obtained a TOC prior to accessing criminal information.	<p>Concur- in progress</p> <p>We are implementing a basic requirement for all posse members mandating them to complete the Criminal Justice Practitioner course. This course will satisfy the TOC mandates.</p> <p>Target Date: 2/1/2019</p>

**Issue #7: Posse Program Evaluation**

**Observation:** Posse organizations and members assist MCSO with many functions including crime scene support, patrol coverage, traffic control, and search and rescue activities. However, when posse organizations and members volunteer, they also create financial, legal, and reputational risks for the County that should be mitigated and managed.

MCSO had not performed a formal cost-benefit analysis of the posse program. Additionally, performance measures that MCSO used to assess the value of the posse were based on volunteer hours reported by each of the 30 plus posse organizations, without discerning which hours directly and/or indirectly benefited MCSO. These measures assumed that all reported volunteer hours represented activities that MCSO would normally provide resources.

MCSO had not created formal procedures or requirements detailing how the Enforcement Support Division and the posse organizations should collect, track, and retain volunteer hour information. This has created inconsistencies in how hours are tracked and reported. We reviewed the various reports that the MCSO Enforcement Support Division uses to track and report volunteer hours and found significant discrepancies between the records.

In addition, MCSO had not assigned any financial reporting account codes to the posse program so that related revenues and expenditures can be evaluated.

<b>Conclusion #7A:</b> MCSO did not have sufficient performance measures to evaluate the benefits and risks associated with the posse program.	
<b>Recommendations</b>	<b>MCSO Action Plan</b>
<b>7A-1</b> Develop and implement formal measures that compare the benefits, costs, and risks associated with the posse program.	Concur- in progress We will implement procedures to measure the comparison of the costs, risks, and benefits associated with the posse program. Target Date: 2/1/2019
<b>7A-2</b> If volunteer hours are included as part of the new performance measures, develop written procedures that outline the requirements for documenting, tracking, and reporting posse volunteer hours. Also, perform an analysis to determine which volunteer hours provide MCSO a direct benefit.	Concur- in progress We will develop a tracking system to identify specific actions and performance measures to determine which volunteer hours are direct benefits to MCSO. Target Date: 2/1/2019
<b>7A-3</b> Establish a financial reporting category so posse related revenues and expenditures can be linked to the posse program.	Concur- in progress We will create a reporting mechanism to identify all expenditures linked to the posse program. Target Date: 2/1/2019