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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Manuel de Jesus Ortega Melendres, on
behalf of himself and all others similarly
situated; et al.

Plaintiffs,

and

United States of America,

Plaintiff-Intervenor,

v.

Paul Penzone, in his official capacity as
Sheriff of Maricopa County, Arizona; et al.

Defendants.

No. CV-07-2513-PHX-GMS

ORDER

In its Amended Third Supplemental Permanent Injunction Judgment Order (“Amended Third Order”) (Doc. 2830), on November 30, 2022, the Court directed MCSO to commission a staffing study within one year from the entry of the Order “to determine: (1) the most efficient way for MCSO to allocate its personnel in light of existing authorized staffing levels, the requirements and expectations of its served communities, the requirements of this Court’s Orders, the timely elimination of the existing backlog of PSB [Professional Standards Bureau] investigations, and state law; (2) the necessary staffing level for MCSO to fulfill these obligations regardless of the existing staffing level; and (3) the PSB staffing level required to maintain the timely completion of PSB investigations in compliance with the Orders of this Court and state law.” (*Id* at 13).

1 Prior to the entry of the Amended Third Order, MCSO had engaged a consultant to
2 conduct this study. MCSO later amended the consultant's scope of work and submitted
3 the methodology for Court approval on December 8, 2022 (Doc. 2832). The Parties
4 submitted their comments and recommendations, and at a status hearing on January 27,
5 2023, the Court held the motions in abeyance until such time as the staffing study was
6 submitted to the Court for review to verify compliance with the ¶ 361 requirements. MCSO
7 stated that the staffing study would be completed by the November 8, 2023 deadline.

8 On August 28, 2023, the Parties filed a Stipulation to Modify the Deadline for the
9 Staffing Study (Doc. 2929). The Stipulation would require MCSO to submit the staffing
10 study to the Monitor and the Court within eight weeks after the Monitor's certification of
11 the PSB backlog number under ¶ 356, or by November 8, 2023, whichever was later. The
12 Court granted the request on August 29, 2023 (Doc. 2930).

13 The Court has recently been apprised that the certification process relevant to the
14 backlog is taking longer than anticipated. The Court expects that the staffing study will
15 contain important information that will be useful to the Parties, the Monitor, the Sheriff,
16 and the Court.

17 **IT IS HEREBY ORDERED**

- 18 1. The Sheriff shall immediately advise the Monitor of the number of personnel
19 currently assigned to the review of the backlog for diversion eligibility.
- 20 2. The Sheriff shall publish the staffing study no later than March 1, 2024.
- 21 3. The Sheriff shall assign additional staff, in consultation with the Monitor, to
22 work on the review of the backlog consistent with the Court's Third
23 Amended Order (Doc. 2830).

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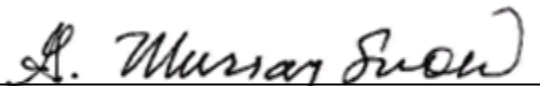
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1 **IT IS FURTHER ORDERED** that MCSO, pursuant to the Third Amended Order
2 (Doc. 2830) ¶¶ 355 and 356, shall continue its backlog review with the Monitor. This
3 process shall be completed no later than June 1, 2024, after which the Monitor shall certify
4 the backlog.

5 Dated this 3rd day of January, 2024.

6
7 
8 G. Murray Snow
9 Chief United States District Judge