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Database: MCAO's more secretive 'Brady' list

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The "Tier 2" list is internally kept by MCAO and not included in the public statewide database published by prosecutors after ABC15's "Full Disclosure" investigation in 2020.



By: [Dave Biscobing](#)

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PHOENIX — Former Phoenix Detective Jennifer DiPonzio is on the "Brady" list.

She's just not on the version that the Maricopa County Attorney's Office wants the public and defense attorneys to see or search.

That's because DiPonzio, whose [mishandled evidence is impacting dozens of murder cases](#), and more than 40 other Valley officers are on a more secretive "Brady" list known as the "Tier 2" list, according to records and data obtained by ABC15.

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There are 44 law enforcement officials on the "Tier 2" list as of April 7, 2023.

The "Tier 2" list is internally kept by MCAO and not included in the [public statewide database](#) published by prosecutors after [ABC15's "Full Disclosure" investigation in 2020](#).

MCAO's 'Tier 2' Brady List - ABC15

Maricopa County Attorney's Office list of "Tier 2" Brady List individuals. Updated: June 2023

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TIER 2 NAMES	DEPARTURE DATE	AGENCY	STATUS	STATUS DATE
BENSON, BRANDON	-	PHOENIX POLICE DEPARTMENT	TIER 2	11/18/22
BETZOLD, JACOB	-	PHOENIX POLICE DEPARTMENT	TIER 2	9/12/22
BOJANG, MOHAMMED	11/12/21	MCSO - DENTION OFFICERS	TIER 2	7/19/22
CORRALIZA, JOSE	-	MARICOPA COUNTY SHERIFF'S OFFICE	TIER 2	9/1/22
CROSS, MATTHEW	8/31/18	MARICOPA COUNTY SHERIFF'S OFFICE	TIER 2	4/25/22

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“Brady” lists are names of law enforcement officials with histories of dishonesty, criminal acts, or other integrity issues.

The lists get their name from the landmark United State Supreme Court case *Brady v. Maryland*, which found that police and prosecutors cannot withhold exculpatory evidence.

“Brady” lists are sometimes kept by prosecutors to track officers whose past conduct may need to be disclosed in criminal cases.

In 2020, ABC15 [compiled and published the first-ever statewide “Brady” list](#), which contained more than 1,400 law enforcement officers tracked by state prosecutorial agencies.

In 2022, under the pressure of greater transparency, ABC15 discovered there were [more than 1,800 officers](#) on state prosecutorial offices’ “Brady” lists.

[DATABASE: ABC15 finds 1,800 officers on AZ ‘Brady’ lists](#)

Maricopa County Attorney Rachel Mitchell said the “Tier 2” list is kept for officials with circumstances that don’t fall cleanly within their parameters for placement on the regular “Brady” list.

“By putting it on Tier 2, our policy allows the attorneys to handle it by disclosing it to the judge first and having the judge making the decision because this is sensitive information and, as you know, and it may be relevant in some cases and not in others,” she said. “It’s seeking a second set of eyes from the court.”

What Mitchell described is not standard or a normally accepted practice, and defense attorneys argue it’s an attempt to slow down the release of misconduct records involving police officers.

In cases impacted by DiPonzio’s botched evidence handling, Maricopa County’s presiding judge for criminal cases was bothered by what MCAO was doing.

“My concern is, engaging in this practice at all concerns me,” said Judge Jennifer Green during a March hearing about DiPonzio’s records. “I worry that the Brady obligation is yours, not mine. And we would be crossing a major threshold if it became a practice for the court.”

ABC15 discovered police and prosecutors have repeatedly [failed to understand](#) and [meet their constitutional obligations](#) to release exculpatory evidence.

Contact ABC15 Chief Investigator Dave Biscobing at Dave@ABC15.com.

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