

# MARICOPA COUNTY SHERIFF'S OFFICE

*Memorandum*

 Joseph M. Arpaio, Sheriff	<b>To:</b> Capt. D. Munley #777 Bureau of Internal Oversight	<b>From:</b> Sergeant D. Tennyson #1598 Bureau of Internal Oversight
	<b>Subject:</b> March 2016 Inspection of Traffic Stop Data #BI2016- 0045	<b>Date:</b> 4/13/2016 Report Period: March 1-31, 2016

## Background:

The Bureau of Internal Oversight (BIO) inspects Traffic Stop Data collected in the TraCS system on a monthly basis. The purpose for the inspection is to ensure compliance with office policies, promote proper supervision, and support compliance with the Melendres Order. The Court Monitors will determine a random pull for final inspection. To achieve inspection results the auditor will utilize the TraCS system, JWI, I-Netviewer, body camera video ([www.Evidence.com](http://www.Evidence.com)) and Communication Recordings. These entries will be uniformly inspected utilizing a matrix developed by the Bureau of Internal Oversight. Additionally, a JWI inquiry will be made on all deputies' involved in the traffic stop to determine if a license and/or warrants check was run during the stop. The following procedures and Briefing Boards will be used in the (BIO) Matrix, which include but are not limited to EA-3, EA-11, EB-1, EB-2 EB-11, GJ-3, GJ-4 GJ-35, GF-3, CP-1 CP-2, CP-5 CP-8, CP-8.1.A & .5, Briefing Board Numbers 09-31, 13-31 14-12, 14-28, 14-33 14-66, 14-67, 14-68, 15-01, 15-04

## Matrix Procedures:

- Verify all information on traffic stop data forms match ,respectively
- Verify all information on traffic stop data forms match CAD
- Verify all information on traffic stop data forms match body camera video
- Determine if all license and warrant checks were documented
- Determine if the name of any individuals from a license and/or warrant check (including subject's surname) are documented
- Confirm the name, serial number, and unit of all involved are documented
- Verify the license plate state and number are documented
- Confirm the total number of occupants are documented
- Verify the pre-stop and post-stop subjective perceived race, ethnicity, and gender of the driver and any passengers are documented
- Determine if contact was made with any passengers, the nature of the contact, and the reasons for such contact are documented
- Confirm if the reason for the stop was recorded with a description of the traffic or equipment violation observed, if any, prior to contact with the occupants, and any indicators of criminal activity developed before or during the stop
- Verify the time the stop began, time any citations were issued, time releases were made without citation, time any arrest were made, and time the stops/detentions were concluded and documented
- Confirm whether any inquiry as to immigration status was conducted and whether ICE/CBP was contacted, and if so, the facts supporting the inquiry or contact with ICE/CBP, the time Supervisor approval was sought, the time ICE/CBP was contacted, the time it took to complete the immigration

status investigation or receive a response from ICE/CBP, and whether ICE/CBP ultimately took custody of the individual and documented

- Determine whether any individual was asked to consent to a search (and the response), whether a probable cause search was performed on any individual, or whether a pat-and-frisk search was performed on any individual and documented
- Verify if any contraband or evidence was seized from any individual, and if the nature of the contraband or evidence seized was documented
- Confirm the final disposition of the stop, including whether a citation was issued or an arrest was made or a cite and release was made
- Confirm the city location of stop was documented on traffic stop data forms
- Verify a receipt contained a signature or acknowledgment that the subject was served and if not there was a documented reason
- Verify video was available
- Determine if video recorded the Traffic Stop in its entirety

#### **Authorities:**

Melendres Order, paragraphs 54 – 59

MCSO Policy EB-1, Traffic Enforcement, Violator Contracts, and Citation Issuance

MCSO Policy EB-2, Traffic Stop Data Collection

MCSO Policy GJ-35 Body Worn Cameras

#### **Observations:**

The MCSO assigned Court Monitors selected 35 out of 1747 traffic stops made for the month of March 2016 and selected 10 out of the 35 for dispatch audio and body camera review. These traffic stops included 0 DUI's (692's), 0 Reckless Driving (693's), and 0 Aggressive Driving (693R's). The auditor reviewed the traffic stops and determined that **80%** or 28 out of the 35 had no deficiencies and **100%** or 10 out of the 10 audio reviews had no deficiencies. The auditor found the following during the inspection:

- 94% of the stops have all matching information on the traffic stop data forms to CAD
- 100% of the stops document all license and/or warrant checks
- 100% of the stops document the serial number and unit of all involved in the stop
- 100% of the stops document the time the stop began, time any citation was issued, time release was made without citation, or time the stop/detention was concluded
- 100% of the stops have a receipt containing a signature when applicable or acknowledgment that the subject was served and the reason for no signature was documented
- 100% of the stops have the reason for the stop recorded with a description of the traffic or equipment violation observed, if any, prior to contact with the occupants, and any indicators of criminal activity developed before or during the stop
- 89% of the stops had the traffic stop data matching on all TraCS forms
- 100% of the stops had the license plate number and state documented
- 100% of the stops had the total number of occupants documented
- 100% of the stops documented the post stop race/ethnicity
- 100% of the stops where contact with passenger(s) was made, the nature of the contact, and the reasons for such contact was documented
- 97% of deputies on scene had cameras activated as per policy
- 100% of the stops documented the city location of the stop on the traffic stop data form
- 100% of the stops did not have any inquiry as to immigration status conducted by the deputy
- 100% of the stops did not have any consent to a search requests by the deputy
- 100% of the stops documented any contraband or evidence seized from any individual, and if the nature of the contraband or evidence seized
- 100% of the stops documented the final disposition, including whether a citation was issued or an arrest was made or a cite and release was made

District/ Division	Comments
District 1	MC16-052370 vehicle stop form indicates no search and no items seized. Suspect searched and identification seized as per CAD and Body Cam video. Video captures 3rd deputy on scene, no verification on vehicle stop contact form.
District 1	MC16-058778 vehicle stop form does not indicate second deputy on scene. I Net forms indicate second deputy on scene. Failed to 3511 per MCSO policy EB-11.
District 1	MC16-052370 Secondary responding Deputy did not go on scene with MCSO Radio. Deputy did not activate body camera based on video review of incident.
District 1	MC16-055617 vehicle stop form does not indicate camera status regarding second deputy on scene.
District 1	MC16-074259 vehicle stop form does not indicate camera status regarding second deputy on scene.

District/ Division	Comments
District 2	MC16-052646 vehicle stop form does not indicate camera status regarding second deputy on scene.

District/ Division	Comments
District 3	MC16-052924 vehicle stop form indicates S2070 cam active. No video in Evidence.com

Additionally, currently in the TraCS system there are 8 open, non-validated, forms from March 1, 2016 to March 31, 2016 and each form is required to be validated or deleted. To find forms in TraCS with a status of open the user simply selects open from the status field in the search tool and runs the search. This will return all forms showing a status of "Open." Deputies can only see their forms created in the LOW ORG they are assigned to. Sergeants and above can view the forms for their entire LOW ORG. Additionally, there is a new Instructional document (Deputy Open Form Search Creation.pdf) specifically related to creating a TraCS search for open forms. That document can be located on the U:drive under "TraCS Training." **The following deficiencies shall require an action form be completed.**

The following table indicates TraCS Open Forms by Division March 1, 2016 through March 31, 2016, as of April 13, 2016 at 1200 hours.

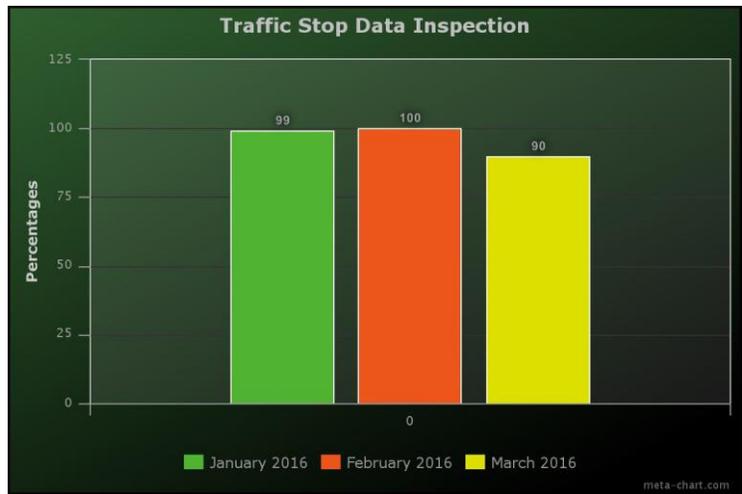
District/ Division	Comments
District 1	MC16-066922 ADOT Crash Report
District 1	MC16-073613 Vehicle Stop Contact Form MC16-073579 Vehicle Stop Contact Form

District/ Division	Comments
District 2	MC16-063271 Admin Per Se
District 2	MC16-073468 ADOT Crash Report

District/ Division	Comments
District 3	MC16-071946 ADOT Crash Report
District 3	MC16-072331 ADOT Crash Report
District 3	MC16-068167 ADOT Crash Report

**Findings:**

Following the Bureau of Internal Oversight’s traffic stop data inspection for the month of March 2016, it was determined that MCSO had a **90%** compliance rate with a decrease of **10%** from the February 2016 inspection, as illustrated in the graph below:



Note: Monthly values are an average of compliance scores from the following areas:  
Traffic Stops + Audio Review

**Recommendations:**

It is recommended that supervisor’s continue to provide onsite mentoring to deputies on the importance of accurately including all required traffic stop data on MCSO forms. Consequently, onsite mentoring should be documented in supervisory notes.

**Inspection focus:** March 2016 Traffic Stop Data Inspection

**Date Inspection Started:** April 5th, 2016

**Date Completed:** April 13th, 2016

**Timeframe Inspected:** March 1st thru 31st, 2016

**Assigned Inspectors:** Sergeant D. Tennyson #1598

I have reviewed this inspection report.



Captain Dave Munley  
Division Commander  
Audits and Inspections

4/18/2016

Date



Deputy Chief Bill Knight  
Bureau Commander  
Bureau of Internal Oversight

4/18/2016

Date