



Maricopa County Sheriff's Office

Paul Penzone, Sheriff
550 W. Jackson St.
Phoenix, AZ 85003
(602) 876-1000

The 7th Traffic Stop Annual Report (TSAR) released on June 30th, 2022, continues to reflect racial/ethnic disparities in outcomes of traffic stops. Although this is consistent with past annual reports, I am heartened by the decrease in these disparities in many areas. For example, based on propensity score matching estimates, in 2021, Hispanic drivers experienced an estimated one-minute difference in stop length compared to the average stop length of 13 minutes for White drivers, Hispanic drivers estimated 2 percentage point higher citation rate compared to an average 56 percent citation rate for White drivers. Many of these differences have reduced from last year, however they may still identify possible systemic racial bias in our patrol function. In reviewing the report, it appears that reductions in disparities of arrest rates have lagged our reductions in other areas. My staff has already identified this concern and our Traffic Stop Analysis Unit (TSAU) will soon be producing a quarterly report on this data which will help guide future agency action in this area.

During the past year, MCSO has taken steps to reduce racial/ethnic disparities and this work has been successful to some extent. We also have started developing additional plans to continue our work in reducing these disparities. MCSO has taken the following steps during the past year to identify, investigate, and monitor the disparities found in TSAR 6, in an effort to reduce or eliminate them:

- MCSO is continuing its pilot program for the monthly analysis of traffic stop data to look for warning signs or indicia of possible bias-based policing and/or racial/ethnic profiling by individual deputies. The monthly analysis of traffic stop data compares deputy traffic stops using a rolling twelve-month period. This process allows for early identification, monitoring, and intervention with individual deputies when appropriate. During the pilot phase, the Traffic Stop Monthly Report (TSMR) and subsequent extensive review process has resulted in six deputies being identified for full interventions where disparities have been found, four deputies being referred for intermediate interventions where possible indicators of implicit bias are identified, and the issuance of twenty memoranda to supervisors for the purpose of addressing minor performance issues identified during the TSMR process. To date, no deputy has been referred for violations of our CP-8 policy (Preventing Racial and Other Bias-Based Profiling) which prohibits bias-based policing.
- MCSO also published three additional Traffic Stop Quarterly Reports (TSQR) designed to provide better insight into these disparities, so that MCSO can identify new ways to address and eliminate them.
 - TSQR 4 (2nd Quarter 2021) *Long Non-Extended Stops* investigated the longest 1% of stops without an extended stop indicator to identify situations where stops were extended, but no data indicator existed to explain the delays. Prior to this report, the commonly accepted reasons a stop was extended were: DUI Investigation, Training Stop, Language Barrier, Technical Issues, and Tow. As a result of the findings from this report and those of TSQR 3 (March 2021) *Extended Stop Indicator Use*, additional extended stop indicators were recommended by MCSO and approved by the Monitor. In February of

2022, two new extended stop indicators were added to the Vehicle Stop Contact Form: “Driver’s License\Registration\Insurance verification issues” and an “Other” category. These were approved to improve the documentation of issues impacting stop length for increased accuracy. Additionally, MCSO conducted a targeted inspection of the longest non-extended stops with the goal of identifying signs or patterns of bias and any training issues that could improve efficiency in conducting stops. This inspection found no evidence of bias and further supported the need for an “Other” category to be added to the extended stop indicators on the Vehicle Stop Contact Form.

- TSQR #5 (3rd Quarter 2021) *District Analysis* replicated the TSAR methodology at the district level. Findings were helpful in determining how districts were contributing to the disparities across the various benchmarks: Length of Stop, Citation Rate, Search Rate, Seizure Rate and Arrest Rate. MCSO shared the results of this report with Command staff at each district and discussed potential local issues that could be driving some of the identified disparities. In the Lake Patrol district, which showed a higher rate of disparities, MCSO briefed Command staff and all deputies on the results of the report. The briefings also reinforced the importance of consistent decision-making and suggested how internal rules could help achieve this.
- TSQR #6 (4th Quarter 2021/1st Quarter 2022) *2020 Citations and Warnings* was the largest and most extensive look at MCSO traffic data to date. This report was prioritized by the Sheriff after the 2020 TSAR found increasing disparities in outcomes for Citation Rate between Hispanic and White drivers. Using 2020 data, this report examined whether differences between Hispanic drivers and White drivers were observed related to a) the types of citations/warnings issued, b) the specific violations that were cited or warned, c) the number of violations on citations issued, d) the reason a stop was initiated, and e) whether certain violations were disproportionately cited with members of the Plaintiff class. Additionally, the research examined speeding citations and warnings (the most common violation in MCSO’s traffic stop data) to determine if Hispanic and White drivers were differentially cited for speeding violations. Similar analyses were conducted for Stop Length, which inform Command on where, when and under which types of offenses stop length differences were observed. The results of this report provided a wealth of information for understanding disparities observed in Citation and Warning and Stop Length outcomes. These findings identify characteristics of traffic stops that have not been examined in the TSAR or TSMR analyses. Notably, MCSO found that having multiple violations during traffic stops, as well as specific driving/violations contributed to the disparities found. MCSO is currently identifying and developing opportunities to share these findings with the community to be able to improve traffic safety and combat disparities.
- We continue to provide extensive training related to constitutional, bias-free policing. In addition to the continued yearly training on this topic, the Training Division created three Roll Call Briefings specific to the topics of Implicit Bias, Fair and Impartial Decision Making, and Cultural Competency that were used during shift roll calls and discussed with deputies at that time. These same topics were included in the Captains’ meetings which took place approximately every four months during the year. As part of our Constitutional Policing Plan, deputies were provided cultural competency/implicit bias training regarding the community of Guadalupe. This training consisted of interviews with community members related to negative experiences with MCSO,

other law enforcement agencies, and others. The community was also able to provide information about the Guadalupe-specific culture of the Mexican Americans and Pasqua Yaqui tribal members living in town with the intent to better prepare deputies to respond to calls for service and improve interactions with the community. Additionally, our 2021 supervisor annual training (SRELE) included expanded sections instructing supervisors to look for patterns or indicia of possible bias. As they do every year, Deputies also received semi-annual reminders of our CP-8 policy, including a video directly from me.

- From April 1, 2021 through March 31, 2022, MCSO received 10 complaints, 2 from traffic stops, alleging bias from the Hispanic community. During that same period, our Professional Standards Bureau closed 25 bias complaint allegations. Of the cases closed, one non-traffic stop complaint was sustained. MCSO currently has 13 open cases alleging bias against the Plaintiffs' class. As noted last year, since 2017, there have been no sustained findings of bias allegations involving traffic stops.
- From April 1, 2021 - March 31, 2022, the Community Outreach Division's (COrD) active participation in community events has increased this past year with the restrictions of the Coronavirus Pandemic subsiding. The COrD continued to use opportunities for virtual meetings and presentations made available by community partners. The COrD attended 35 events focused on the Hispanic community. After reviewing TSQR 6 on citation disparities, COrD developed an alliance with the Mexican Consulate to deliver educational material to the Hispanic community intended to inform the community about the importance of driver's licenses, registration and auto insurance. Members of the COrD continue to offer lesson plans on criminal law, civil rights, detention, and drug education, to various high schools throughout Maricopa County. Additionally, COrD consistently works with Jobs for Arizona Graduates (JAG) and Boys and Girls Club of Arizona to support youth through mentorship, as well as to offer presentations of drug education and awareness to elementary schools in Tonopah, the Town of Gila Bend and the community of Aguila. COrD is continuing its close relationship with the Town of Guadalupe and is committed to helping the town find funding for youth programs aimed at grade school and high school children.