

MARICOPA COUNTY SHERIFF'S OFFICE

Memorandum

 Joseph M. Arpaio, Sheriff	To: Capt. D. Munley #777 Bureau of Internal Oversight	From: Sergeant D. Tennyson #1598 Bureau of Internal Oversight
	Subject: April 2016 Inspection of Traffic Stop Data #BI2016- 0061	Date: 5/18/2016 Report Period: April 1-30, 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) 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
- Review incident video footage to ensure deputies adhere to all MCSO Policies

Authorities:

Melendres Order, paragraphs 54 – 59
 MCSO Policy
 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 2385 traffic stops made for the month of April 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 **91%** or 32 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:

- 91% 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
- 97% 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
- 97% 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
- 100% 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
- 97% 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 2	MC16-076269 vehicle stop form does not indicate second Deputy on scene compared to CAD
District 2	MC16-089170 vehicle stop form does not indicate second Deputy on scene compared to CAD. Form does not document contact with passenger per Body Cam Video. Vehicle stop form indicates driver is given field sobriety test as video shows sobriety test given to passenger.

District/ Division	Comments
District 3	MC16-079835 vehicle stop form does not document third Deputy on scene per Body Cam Video. Deputy initiates contact with subject prior to calling out reason for stop and location. Deputy uses inappropriate language while communicating with subject, captured on Body Cam Video.
District 3	MC16-079835 Deputy arrives on scene, speaks with subject and does not activate Body Worn Camera.

Additionally, currently in the TraCS system there are 6 open, non-validated, forms from April 1, 2016 to April 30, 2016 and each form is required to be validated. 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 April 1, 2016 through April 30, 2016, as of May 18, 2016 at 1200 hours.

District/ Division	Comments
District 1	MC16084010 Written Warning
District 1	Citation

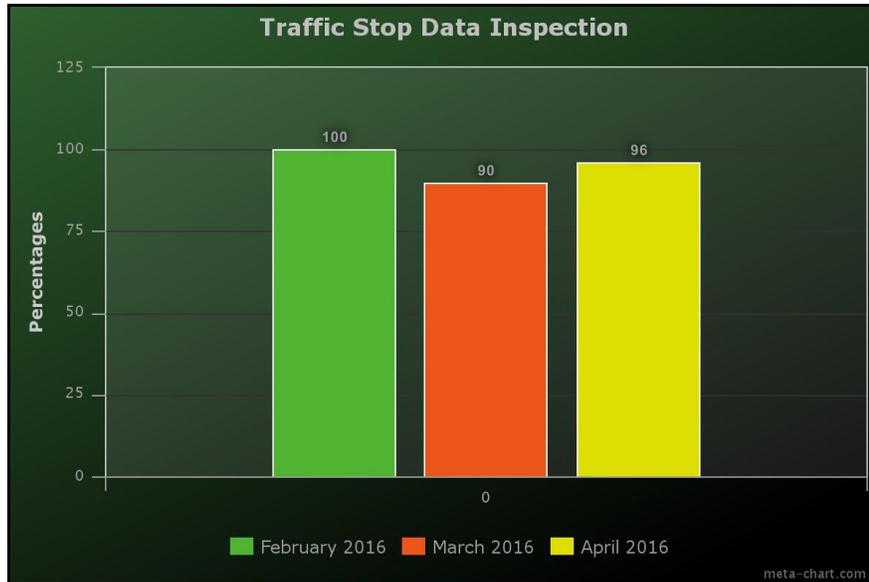
District/ Division	Comments
District 3	MC16094665 Crash Report

District/ Division	Comments
District 7	Crash Report

District/ Division	Comments
Lake Div	MC16077054 Crash Report

Findings:

Following the Bureau of Internal Oversight’s traffic stop data inspection for the month of April 2016, it was determined that MCSO had a **96%** compliance rate with an increase of **6%** from the March 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: April 2016 Traffic Stop Data Inspection

Date Inspection Started: May 5th, 2016

Date Completed: May 18th, 2016

Timeframe Inspected: April 1st thru 30th, 2016

Assigned Inspectors: Sergeant D. Tennyson #1598

I have reviewed this inspection report.



Captain Dave Munley
Division Commander
Audits and Inspections

5/18/2016
Date



Deputy Chief Bill Knight
Bureau Commander
Bureau of Internal Oversight

5/18/2016
Date