

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**Search Inspection: December 2023**

Inspection Report # BI2023-0178

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) conducts search inspections on a monthly basis to ensure proper supervision, adherence with MCSO policies, compliance with the Melendres Order and established local and federal law. A total of 35 traffic stops are selected each month for review. To achieve inspection results the inspector will utilize the Vehicle Stop Contact Form, Citation/Warning, Incidental Contact Receipt, CAD printout, JWI Printout (if applicable) AIU-designed Matrix, Inspection Report Template Form, and Body Worn Camera (BWC) footage files.

Inspection BI2023-0178 examines traffic stops with a search documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 12/1/2023 to 12/31/2023. To accomplish this task TraCS data was examined for those traffic stops with a search documented on the Vehicle Stop Contact Forms for this period. These stops have been uniformly inspected utilizing a matrix developed by the Audits and Inspections Unit in accordance with the procedures outlined in policy and the AIU Operations Manual. In the inspection, a "reasonable person" standard will be utilized by inspectors.

**Compliance Objectives:**

- Was the search(s) consistently documented on the VSCF, Non-Traffic Contact Form, Incident Report and Consent to Search Form?
- Consent search: Did the deputy verbally inform the individual(s) of their right to refuse or stop the search or provide him/her with a Consent Search Form?
- Was the search(s) conducted within MCSO policies, and in compliance with the Melendres Order and established local and federal law?
- Were any items seized properly documented on the VSCF and applicable forms and impounded into Q-Tel?
- Did the deputy provide the individual(s) with a Property Receipt if property was seized?

**Criteria:**

- MCSO Policy EA-11, Arrest Procedures
- MCSO Policy EB-1, Traffic Enforcement, Violator Contacts, and Citation Issuance
- MCSO Policy EB-2, Traffic Stop Data Collection
- MCSO Policy GJ-3, Search and Seizure
- MCSO Policy GJ-35, Body-Worn Cameras

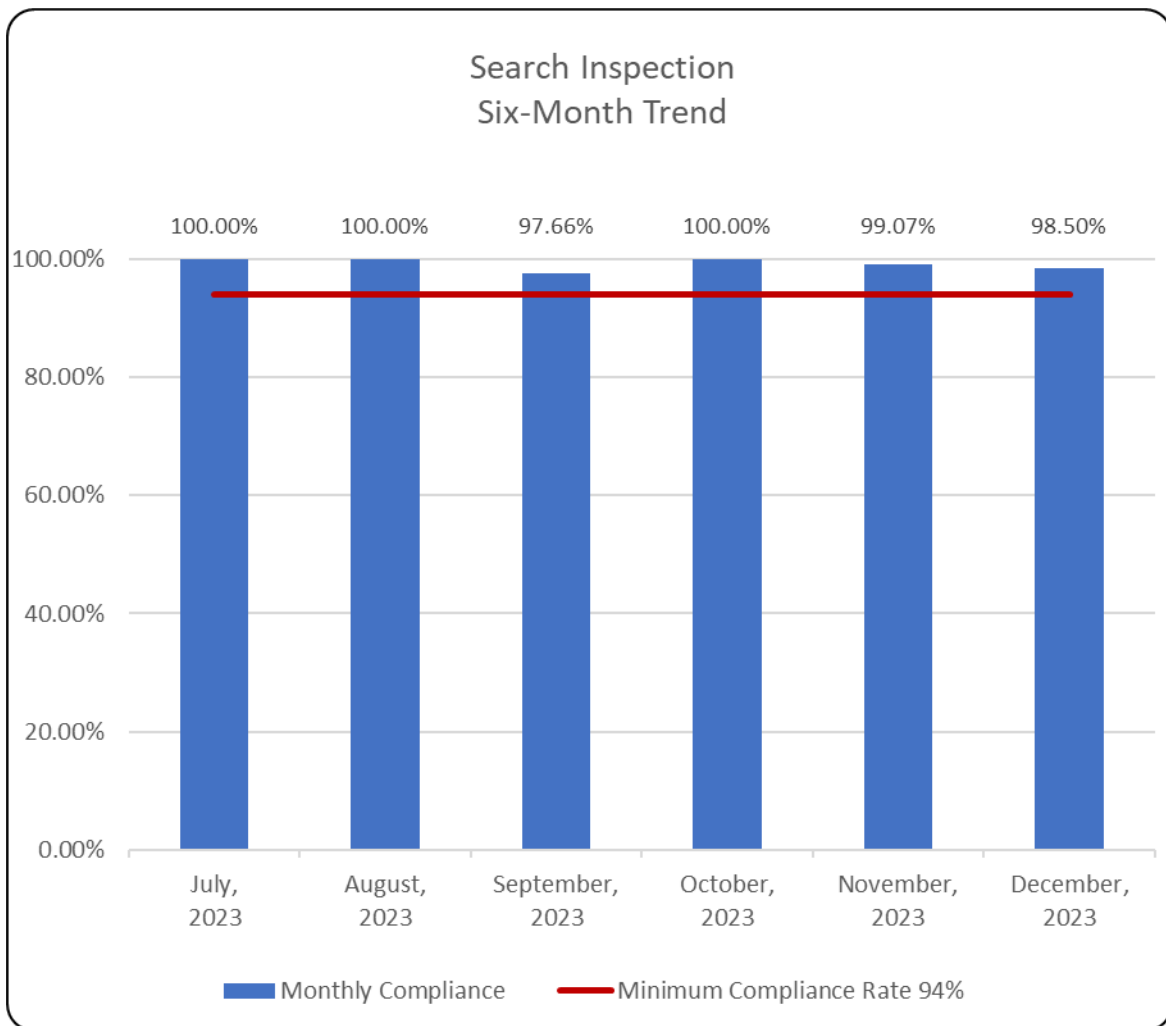
**Conditions:**

The MCSO is to review 35 randomly selected traffic stops made during the month of December 2023 with a search documented on the Vehicle Stop Contact Forms. There were 58 traffic stops with a search documented on the VSCF during the month of December 2023, of which 35 traffic stops were randomly selected for review in this inspection. Additionally, 10 of the traffic stops meeting the criteria are to be selected for Body-Worn Camera review. Due to rounding during the selection process, eleven traffic stops were selected for BWC review. Two additional stops were selected for body worn camera review for clarification purposes, for a total of 13 traffic stops selected for BWC review.

**Results:**

Each traffic stop will be counted as one inspection and all applicable matrix criteria inspection points will factor into an over-all compliance score. In this inspection each traffic stop utilized five matrix criteria inspection points for a total of **175** potential matrix criteria inspection points. Those determined to be Not Applicable (N/A) or Not Verifiable will be removed from the overall compliance percentage. For example, this month there were **42** inspection points determined to be N/A and none were determined to be Not Verifiable, resulting in **133** total inspection points.

The compliance rates of the provided traffic stop sample, utilizing the five matrix criteria inspection points, resulted in an overall average compliance rate of **98.50%** for December 2023, as illustrated in the graph below.



Results of the review of traffic stops with a search documented on the Vehicle Stop Contact Form:

Inspection Elements	In Compliance	Not In Compliance	N/A	Not Verifiable	Total Inspected	Compliance Rate
Was the search(s) consistently documented on the VSCF, Non-Traffic Contact Form, Incident Report and Consent to Search Form?	33	2	0	0	35	94.29%
Consent search: Did the deputy verbally inform the individual(s) of their right to refuse or stop the search or provide him/her with a Consent Search Form?	0	0	35	0	0	100.00%
Was the search(s) conducted within MCSO policies, and in compliance with the Melendres Order and established local and federal law?	35	0	0	0	35	100.00%
Were any items seized properly documented on the VSCF and applicable forms and impounded into Q-Tel?	31	0	4	0	31	100.00%
Did the deputy provide the individual(s) with a Property Receipt if property was seized?	32	0	3	0	32	100.00%
<b>Overall Compliance with inspection requirements</b>	<b>131</b>	<b>2</b>	<b>42</b>	<b>0</b>	<b>133</b>	<b>98.50%</b>

**Conclusion:**

Of the potential **175** matrix criteria inspection points, **133** of which were used in the compliance calculation, there were **two** compliance deficiencies, resulting in a **98.50%** compliance rate for December 2023.

**Action Required:**

With the resulting **98.50%** compliance for Inspection **BI2023-0178**, **2** BIO Action Forms are required for the compliance deficiencies. (See instructions, below.)

AIU will provide the inspection report to the affected Divisions to address the following stops and deficiencies via the Bio Action Form Process:

**Lake Patrol (1 BIO Action Form):**

**Compliance Deficiency**

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
Lake Patrol	Redacted	Sergeant	Lieutenant	Captain
<b>Deficiency</b>				
1. The VSCF data is inaccurate. It shows "NO" vehicle search, however the vehicle was towed and the IR face sheet shows the vehicle search conducted incident to arrest. (Policy EB-1.14) Note: The employee is currently assigned to District 1. The traffic stop occurred while the deputy worked a DUI Task Force.				

**Enforcement Support (1 BIO Action Form):**  
**Compliance Deficiency**

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
Enforcement Support	Redacted	Sergeant	Lieutenant	Captain
<b>Deficiency</b>				
1. The VSCF data is inaccurate. It shows "Automobile Exception" as the basis for the vehicle search. (Policy EB-1.14) Note: The deputy documented an Automobile Exception search on the VSCF. IR face sheet shows Automobile Exception and Vehicle Inventory. BWC shows no Automobile Exception search was conducted.				

Unless noted above in the deficiency table, there were no prior BIO Action Forms similar in nature for the perceived employee deficiency. A total of 2 BIO Action Forms are due from the deficiencies detailed above. One BIO form per Employee or deficient Bureau is requested (not per deficiency).

Date Inspection Started: 1/5/2024  
 Date Completed: 1/18/2024  
 Timeframe Inspected: 12/1/2023 – 12/31/2023  
 Assigned Inspector(s): Auditor Dave Paul, B5459

I have reviewed this inspection report.

Lt. Brian Arthur S1806  
 Lieutenant T. Brian Arthur, S1806  
 Commander  
 Audits and Inspections Unit

2/14/2024  
 Date