

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**Search Inspection: January 2024**  
Inspection Report # BI2024-0010

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 BI2024-0010 examines traffic stops with a search documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 1/1/2024 to 1/31/2024. 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

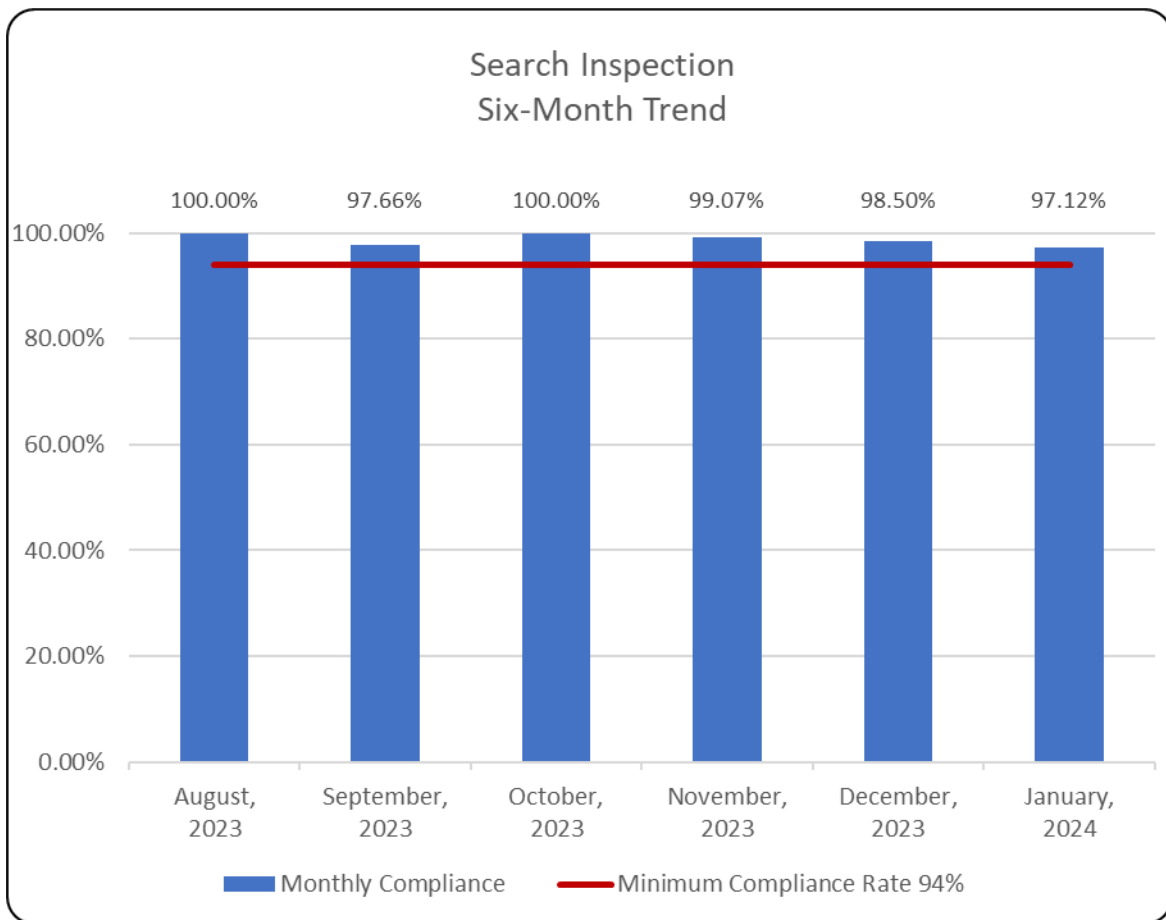
**Conditions:**

The MCSO is to review 35 randomly selected traffic stops made during the month of January 2024 with a search documented on the Vehicle Stop Contact Forms. There were 42 traffic stops with a search documented on the VSCF during the month of January 2024. Due to rounding during the randomization process, 36 of these 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. It should be noted, there was one traffic stop meeting the criteria, which was also selected for the Traffic Stop Inspection. This traffic stop was replaced in accordance with the methodology.

**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 **180** 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 **40** inspection points determined to be N/A and one was determined to be Not Verifiable, resulting in **139** 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 **97.12%** for January 2024, 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	3	0	0	36	91.67%
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?	2	1	32	1	3	66.67%
Was the search(s) conducted within MCSO policies, and in compliance with the Melendres Order and established local and federal law?	36	0	0	0	36	100.00%
Were any items seized properly documented on the VSCF and applicable forms and impounded into Q-Tel?	34	0	2	0	34	100.00%
Did the deputy provide the individual(s) with a Property Receipt if property was seized?	30	0	6	0	30	100.00%
<b>Overall Compliance with inspection requirements</b>	<b>135</b>	<b>4</b>	<b>40</b>	<b>1</b>	<b>139</b>	<b>97.12%</b>

**Conclusion:**

Of the potential **180** matrix criteria inspection points, **139** of which were used in the compliance calculation, there were **four** compliance deficiencies, resulting in a **97.12%** compliance rate for January 2024. Additionally, there was one non-compliance deficiency, which is not used in the compliance calculation.

**Action Required:**

With the resulting **97.12%** compliance for Inspection **BI2024-0010**, **4** BIO Action Forms are required for the compliance deficiencies and **1** BIO Action Form is required for the non-compliance deficiency, for a total of **5** BIO Action Forms. (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:

**District 1 (1 BIO Action Form):**

**Compliance Deficiency**

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
District 1	Redacted	Deputy	Sergeant	Captain
<b>Deficiency</b>				
1. The passenger consented to a search of the person but was not affirmatively informed of their right to refuse and to revoke consent at any time. (Policy GJ-3.8.A.2)				

**District 4 (1 BIO Action Form):**

**Non-Compliance Deficiency**

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
District 4	Redacted	Deputy	Sergeant	Captain
<b>Non-Compliance Deficiency</b>				
1. The VSCF data is inaccurate. It shows "0" Additional Employees, however BWC, CAD, and IR records show other assisting deputies present. (Policy EB-1.14)				

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

**Compliance Deficiency**

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
Lake Patrol	Redacted	Deputy	Sergeant	Captain
<b>Deficiency</b>				
1. Required search data is inaccurate. (Policy EB-2.2.B) Note: The VSCF shows "No" search of the driver, but the IR face sheet shows a search incident to arrest.				

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

**Compliance Deficiency**

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
Enforcement Support	Redacted	Deputy	Sergeant	Captain
<b>Deficiency</b>				
1. The search of the vehicle is documented inconsistently on the VSCF and the IR. (Policy EB-2.2.B) Note: The VSCF shows the vehicle inventory search and the IR face sheet shows "No" search of the vehicle.				

## Special Investigations (1 BIO Action Form): Compliance Deficiency

District/Division	Incident Number	Responsible Employee	Current Supervisor	Current Commander
Special Investigations	Redacted	Deputy	Sergeant	Captain
<b>Deficiency</b>				
1. Required search data is inaccurate. (Policy EB-2.2.B) Note: The VSCF shows "No" search of the driver when a Terry Frisk was conducted for a firearm. The IR documents a Terry Frisk of the driver under Policy GJ-3.B.				

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 6 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: 2/5/2024  
 Date Completed: 2/14/2024  
 Timeframe Inspected: 1/1/2024 – 1/31/2024  
 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

3/20/2024  
 Date