

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Search Inspection: February 2022

Inspection Report # BI2022-0027

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 footage files.

Inspection BI2022-0027 examines traffic stops with a search documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 2/1/2022 to 2/28/2022. 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:

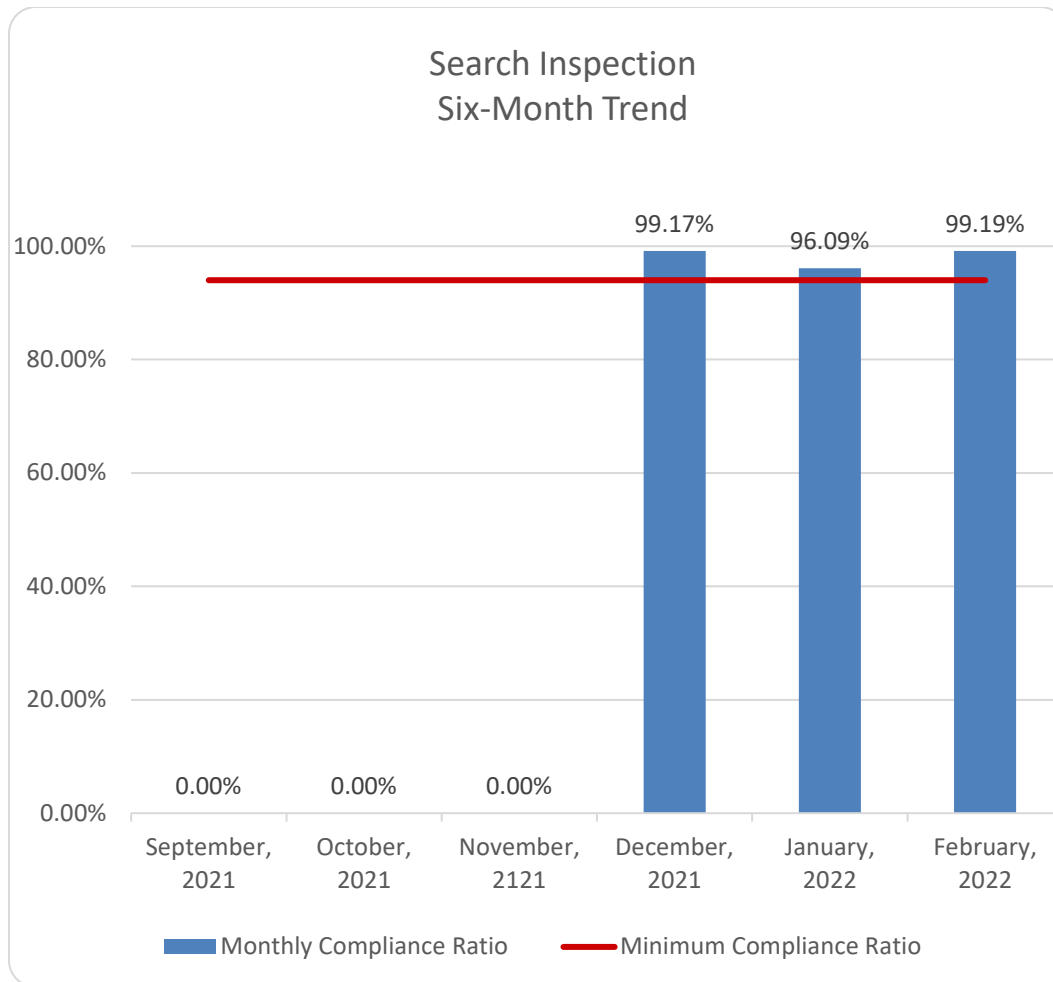
The MCSO reviewed 34 of 35 randomly selected traffic stops made during the month of February 2022 with a search documented on the Vehicle Stop Contact Forms. One traffic stop also appeared in the February traffic stop data inspection and was omitted in accordance with the methodology. Additionally, eight traffic stops with a search documented on the Vehicle Stop Contact Form were excluded after selection at the request of the Professional Standards Bureau. These traffic stops were replaced with the remaining available traffic stops. While 10 of the 35 are to be selected for Body-Worn Camera review, it should be noted the inspector viewed two additional videos for clarification purposes, for a total of 12 traffic stops selected for Body-Worn Camera 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 170 potential matrix criteria inspection points. From the total of 170 potential 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 5 determined to be Not Verifiable, resulting in 123 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 **99.19%** for February of 2022, as illustrated in the graph below.



Note: The six-month trend shows 0% for the previous three months because this is the third month for this report.

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

Inspection Elements	Yes	No	Not Verifiable	N/A	Total Inspected	Compliance Rate
Was the search(s) consistently documented on the VSCF, Non-Traffic Contact Form, Incident Report and Consent to Search Form?	32	1	0	1	33	96.97%
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	0	4	28	2	100.00%
Was the search(s) conducted within MCSO policies, and in compliance with the Melendres Order and established local and federal law?	33	0	0	1	33	100.00%
Were any items seized properly documented on the VSCF and applicable forms and impounded into Q-Tel?	29	0	0	5	29	100.00%
Did the deputy provide the individual(s) with a Property Receipt if property was seized?	26	0	1	7	26	100.00%
Overall Compliance with inspection requirements	122	1	5	42	123	99.19%

Conclusion:

Of the potential 170 matrix criteria inspection points, 123 of which were used in the compliance calculation, there was one deficiency, resulting in a **99.19%** compliance rate for February 2022. **It should be noted, as this is a new inspection, no BIO action forms will be issued for this inspection for deficiencies identified.** There was one instance of a non-compliance issue.

Action Required:

AIU will provide the inspection report to the affected Divisions to address the following stops and deficiencies via the Bio Action Form Process: **No BIO action forms will be issued for this inspection for deficiencies identified, as noted above.**

District 2:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
2	MC22008227	Deputy	Sergeant	Captain
Deficiency				
The deputy documented the vehicle inventory search inconsistently on the VSCF and the IR. The IR shows consent was requested and given for a vehicle inventory search. The BWC was reviewed for clarity and shows the deputy did not request consent. The search is clearly an inventory search. (Policy EB-2.2.O)				
Inspector Notes: <ul style="list-style-type: none"> • Consent was not requested or granted. There was no consent search. • The deputy has a prior similar deficiency from January. 				

District 7:

Non-Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
7	MC22027049	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy failed to search the arrested driver prior to transporting the suspect to D-7. The VSCF shows search incident to arrest. (Policy GJ-9.2.A)</p> <p>Inspector Note:</p> <ul style="list-style-type: none"> • This issue has been addressed by D-7 via Supervisor Notes, IA #SN2022-00004570. No BIO Action Form required. 				

Date Inspection Started: 3/7/2022
 Date Completed: 3/23/2022
 Timeframe Inspected: 2/1/2022 – 2/28/2022
 Assigned Inspector(s): Auditor Dave Paul B5459

I have reviewed this inspection report.

Lt. Brian Arthur S1806

4/28/2022

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

Date