

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Targeted Integrity Inspection December 2020

Inspection Report # BI2020-0151

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) will conduct targeted integrity inspections on an as needed basis to examine a specific employee or group of employees who have been identified through an analysis of the Bureau of Internal Oversight (BIO), the Professional Standards Bureau (PSB), the Early Identification System (EIS), or other data collection methods, as displaying potential indications or concerns of involvement in improper or illegal behavior.

Inspection BI2020-0151 examined the Driver's Post Stop Perceived Ethnicity, found on the Vehicle Stop Contact Forms contained in the TRACS database, for the time period 1-1-20 through 10-31-20. To achieve this, inspectors will utilize a list of Hispanic surnames provided by the United States Census Bureau and the Body-Worn Camera videos from each stop identified. These entries will be 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 was utilized by inspectors.

Compliance Objectives:

- Determine if drivers with Hispanic surnames documented as "White" on the VSCF is correct based on a reasonable person standard.
- Determine if there is an indication of continual and repetitive improper identification of the post-race ethnicity of Hispanic drivers

Criteria:

MCSO Policy EB-1, Traffic Enforcement, Violator Contacts, And Citation Issuance

MCSO Policy EB-2, *Traffic Stop Data Collection*

MCSO Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*

Section 303 of the AIU Operations Manual.

Conditions:

A review of the Driver's Post Stop Perceived Ethnicity, found on the Vehicle Stop Contact Forms contained in the TRACS database, for the time period 1-1-20 through 10-31-20, found the following and was the rationale for the Deputy being selected as the subject of this inspection:

- Deputy made 171 traffic stops.
- 12 of the 171 traffic stops had Hispanic surname drivers identified as "White."
- 20 of the 171 traffic stops had drivers with the Perceived Post Race/Ethnicity identified as Hispanic.
- 127 of the 171 traffic stops had drivers with the Perceived Post Race/Ethnicity identified as White.
- 24 of the 171 traffic stops had drivers with the Perceived Post Race/Ethnicity identified as something other than Hispanic or White.
- Deputy was 1 of 9 deputies who had more than 10 traffic stops with a driver with a Hispanic surname identified as White.
- Of the 9 deputies, Deputy had the highest ratio of these stops versus total stops (12/171=7% of stops).

Results:

The Body Camera Footage of the 12 traffic stops, with drivers with Hispanic surnames identified as White, were 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. The results of the inspection were as follows:

- 10 of the 12 stops AIU agreed Deputy perception was reasonable.
- 2 of the 12 traffic stops AIU’s perception differed from Deputy perception and a BAF will be sent so a reevaluation by the Deputy and Supervisor can be performed.
 - 1 of the 2 traffic stops AIU’s perception was the driver was Hispanic.
 - 1 of the 2 traffic stops AIU’s perception was the driver was Native American.
- AIU did not observe the continual and repetitive improper identification of the post-race ethnicity of Hispanic drivers.

Conclusion:

The determination by AIU regarding the disposition of this targeted inspection is a **PASS**. AIU did not observe evidence of criminal, serious or continual, repetitive, and willful acts of minor misconduct.

Action Required:

AIU will provide the inspection report to the Division to reassess the post stop ethnicity of the drivers of the following stops via the Bio Action Form Process: **1 Bio Action Form Required.**

District	MC#	Employee	Supervisor	Commander
Redacted	Redacted	Deputy	Sergeant	Captain
Deficiency				
Deputy identified the driver as White on the post stop race/ethnicity. After a review of the VSCF and BWC video, AIU’s perception is the driver was Native American.				
Deputy identified the driver as White on the post stop race/ethnicity. After a review of the VSCF and BWC video, AIU’s perception is the driver was Hispanic.				

Date Inspection Started: 12-1-2020
 Date Completed: 12-21-2020
 Timeframe Inspected: 1/1/2020 – 10-31-2020
 Assigned Inspector(s): Lt. Todd Brice S1767

I have reviewed this inspection report.

Captain James McFarland S1344 12/28/2020
 Captain James McFarland S1344 Date
 Commander
 Bureau of Internal Oversight