

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**Targeted Integrity Inspection: November 2021**

Inspection Report # BI2021-0127

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

Inspection BI2021-0127 will examine traffic stop length for which extension was not documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 1/1/2020 to 12/31/2020. To accomplish this task TraCS data was examined for those Deputies which were identified in the 2<sup>nd</sup> quarter Traffic Stop Quarterly Report as having higher absolute numbers of Long Non-Extended Traffic Stops (LNETS) and/or higher rates of LNET stops, when compared to their peers, and for which no indication of traffic stop extension was documented on the VSCF. The Deputies identified by the Research unit of BIO, based on the above-mentioned analysis and documented in the 2<sup>nd</sup> quarter 2021 Traffic Stop Quarterly Report, as having longer stop times with no indication on the Vehicle Stop Contact Form for the extension will be identified as the inspection targets. These stops 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 will be utilized by inspectors.

**Compliance Objectives:**

- Determine if the traffic stop was justifiably extended based on a reasonable person standard.
- Determine if one of the five Extended Stop Indicators should have been documented on the Vehicle Stop Contact Form.

**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*  
MCSO Policy GJ-35; *Body-Worn Cameras*  
Section 303 of the AIU Operations Manual.

**Conditions:**

The results of the review of the 2<sup>nd</sup> Quarter 2021 Traffic Stop Quarterly Report (TSQR) found the below listed Intelligence-Based, Identified Pattern to identify Deputies selected as the subject of this inspection:

- The data compiled by the Traffic Stop Analysis Unit (TSAU)/ Research and Reporting Unit (RRU) in their 2<sup>nd</sup> quarter TSQR was reviewed. The data identified deputies having either the highest absolute numbers of LNETS or higher rates during the study period.
- 81 deputies had at least 1 LNETS during the 2<sup>nd</sup> quarter of 2021.
- The top eight deputies, the outlying 10% of 81 Deputies from the report, had either an LNETS frequency equal to or greater than 4 or an LNETS percentage (when compared to all of their stops) greater than 10%.
- The top eight deputies accounted for 53 LNET stops or 34% of the total LNETS during the study period.
  - It should be noted that AIU adjusted the total LNET stops to 49 to account for repeat MC numbers found on the TSQR.

**Results:**

The Body Worn Camera video files and VSCFs for the **49** LNET stops 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:

- **3** of the **49** stops had reasons for extended stop explained in the comment box on the VSCF but should have had one of the five Extended Traffic Stop Indicator (ETSI) boxes checked, Technology (2), Tow (1). These will be sent to TSAU for data validation.
  - **1** of the **3** stops had a non-compliance deficiency for the Deputy not providing a self-introduction upon initial contact with the driver. Note: A BIO Action Form will be sent to address this issue.
- **1** of the **49** stops had the reason for the extended stop explained in the comment box on the VSCF and had the appropriate ETSI box checked. A note by the supervisor showed that he rejected the form and had the Deputy check the box after reviewing it.
- **45** of the **49** stops had the reason for extension outside of five ETSI checkboxes listed on the VSCF.
  - **30** of the **45** stops had the reason for the extension explained in the comments box on the VSCF.
    - **18** of the **30** were for documentation reasons (license, registration, insurance)
    - **3** of the **30** were for narcotics investigations
    - **3** of the **30** were for medical issues
    - **2** of the **30** were for other investigative reasons
    - **2** of the **30** were for multi-vehicle stops
    - **1** of the **30** was for technical issues
    - **1** of the **30** was for administrative issues
  - **1** of the **45** stops had a non-compliance deficiency for the Deputy not providing the driver with information regarding right to refuse/revoke consent of search of person. Note: A BIO Action Form will be sent to address this issue.

**Conclusion:**

The determination by AIU regarding the disposition of this targeted inspection is a **PROCEDURAL PASS**. AIU did not observe evidence of criminal, serious or continual, repetitive, and willful acts of minor misconduct. Additionally, AIU did not find any extended stops where there was no justification or legal reason for the stop having been extended so the compliance percentage is **100%**. There were 3 instances where a Deputy should have selected one of the five Extended Stop Indicators on the VSCF, however, the Extended stop reason was described in the comment box. While there were no compliance deficiencies, the BIO Action Forms process will be utilized for the above noted non-compliance deficiencies. AIU found no evidence or indications that any stops were extended based on the race/ethnicity of the driver.”

**Action Required:**

AIU will provide the inspection report to the affected Divisions to address the following stops and non-compliance deficiencies via the Bio Action Form Process: **2 Bio Action Forms Required.**

District	MC#	Employee	Supervisor	Commander
3	Redacted	Deputy	Sergeant	Captain
<b>Deficiency</b>				
Deputy failed to provide self-introduction upon initial contact with driver. A review of the BWC did not indicate an exceptional circumstance. Policy EB-1.10.A				
<b>*Stop occurred when Deputy was assigned to Lake Patrol*</b>				

District	MC#	Employee	Supervisor	Commander
SID	Redacted	Deputy	Sergeant	Lieutenant
<b>Deficiency</b>				
Deputy failed to inform driver with that he had right to refuse/revoke consent for the search of person. Policy GJ-3.8.A.2				
<b>*Stop occurred when Deputy was assigned to District 6*</b>				

Date Inspection Started: 11/15/2021  
 Date Completed: 1/27/2022  
 Timeframe Inspected: 1/1/2020 – 12/31/2020  
 Assigned Inspector(s): Sgt. Rob Levy S1881 / Auditor Dave Paul B5459

I have reviewed this inspection report.

*Lt. Brian Arthur* S1806

3/1/2022

Lieutenant T. Brian Arthur S1806  
 Commander  
 Audits and Inspections Unit

Date