

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Passenger Contact Inspection: June 2022

Inspection Report # BI2022-0095

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) conducts passenger contact 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 BI2022-0095 examines traffic stops with passenger contact documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 6/1/2022 to 6/30/2022. To accomplish this task TraCS data was examined for those traffic stops with passenger contact 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:

- Did the deputy identify any passenger(s) by name, DOB, or ask investigative questions?
- Did the deputy complete a citation, warning or incidental contact form for each individual who was identified by name, DOB, or asked investigative questions?
- Did the deputy provide a copy of the citation, warning or incidental contact form to each individual who was identified by name, DOB, or asked investigative questions?
- If a passenger was contacted, did it cause the stop to be extended longer than necessary, if yes was the reason indicated on the VSCF?

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:

MCSO is to randomly select 35 traffic stops meeting the criteria. During the month of June 2022 there were only 23 traffic stops with passenger contact documented on the Vehicle Stop Contact Forms. For this reason, all traffic stops meeting the criteria were selected for review. Additionally, while 10 are to be selected for Body-Worn Camera review, it should be noted that the inspector viewed one additional video for clarification purposes, for a total of 11 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, there were 23 traffic stops that met the criteria for inspection. Each traffic stop utilized four matrix criteria inspection points for a total of 92 potential matrix criteria inspection points. From the total of 92 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 25 inspection points determined to be N/A and 4 inspection points that were not verifiable, resulting in 63 total inspection points.

The compliance rates of the provided traffic stop sample, utilizing the four matrix criteria inspection points, resulted in an overall average compliance rate of **95.24%** for June 2022, as illustrated in the graph below.



Results of the review of traffic stops with passenger contact documented on the Vehicle Stop Contact Form:

Inspection Elements	In Compliance	Not In Compliance	Not Verifiable	N/A	Total Inspected	Compliance Rate
Did the deputy identify any passenger(s) by name, DOB, or ask investigative questions?	17	0	0	6	17	100.00%
Did the deputy complete a citation, warning or incidental contact form for each individual who was identified by name, DOB, or asked investigative questions?	16	1	0	6	17	94.12%
Did the deputy provide a copy of the citation, warning or incidental contact form to each individual who was identified by name, DOB, or ask investigative questions?	9	2	4	8	11	81.82%
If a passenger was contacted, did it cause the stop to be extended longer than necessary, if yes was the reason indicated on the VSCF?	18	0	0	5	18	100.00%
Overall Compliance with inspection requirements	60	3	4	25	63	95.24%

Conclusion:

Of the potential 92 matrix criteria inspection points there were 63 inspection points used to determine the compliance ratio. There were three compliance deficiencies and one non-compliance deficiency, resulting in a **95.24%** compliance rate for June 2022.

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:

District 1:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
1	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy did not complete a citation, warning, or incidental contact form for each individual who was identified by name, DOB, or asked investigative questions. (Policy EB-1.12)</p> <p>Inspector Note: The assisting deputy identified the passenger by name and DOB, which is noted on the VSCF, but did not complete an ICR.</p>				

District 4:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
4	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy did not provide a citation, warning, or incidental contact form for each individual who was identified by name, DOB, or asked investigative questions. (Policy EB-1.15.B)</p> <p>Inspector Note: The deputy identified the passenger by name and DOB and correctly documented the incidental passenger contact, but did not provide the passenger with an ICR. (BWC shows the deputy did not complete the ICR until after the subjects left the scene.) The stop occurred while assigned to District 4.</p>				

District 7:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
7	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy did not provide a citation, warning, or incidental contact form for each individual who was identified by name, DOB, or asked investigative questions. (Policy EB-1.15.B)</p> <p>Inspector Note: The deputy identified the passenger by name and DOB and correctly documented the incidental passenger contact, but did not provide the passenger with an ICR.</p>				

Lake Patrol:

Non-Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
Lake Patrol	Redacted	Sergeant	Lieutenant	Captain
Non-Compliance Deficiency				
<p>The deputy failed to document the search incident to arrest of the passenger. (Policy EB-2.2.N)</p> <p>Inspector Note: The deputy properly identified the passenger, asked investigative questions and completed an ICR. The deputy indicated "No" person search of the passenger on the VSCF, but clearly searched the passenger incident to arrest.</p>				

Unless noted above in a deficiency table, there were no prior BIO Action Forms similar in nature during the past twelve (12) months or supervisor notes for the perceived deputy deficiencies.

A total of **4** BIO Action Forms are required from the affected divisions. **The forms shall be completed utilizing Blue Team.** It is permissible to complete one BIO Action Form for a supervisor covering multiple potential deficiencies identified in this inspection.

Date Inspection Started: 7/6/2022
Date Completed: 7/19/2022
Timeframe Inspected: 6/1/2022-6/30/2022
Assigned Inspector(s): Auditor Dave Paul B5459

I have reviewed this inspection report.

Lt. Todd Brice
Lieutenant T. Brice S1767
Commander
Traffic Stop Analysis Unit

08-23-2022
Date