

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Search Inspection: June 2022

Inspection Report # BI2022-0094

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 BI2022-0094 examines traffic stops with a search 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 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

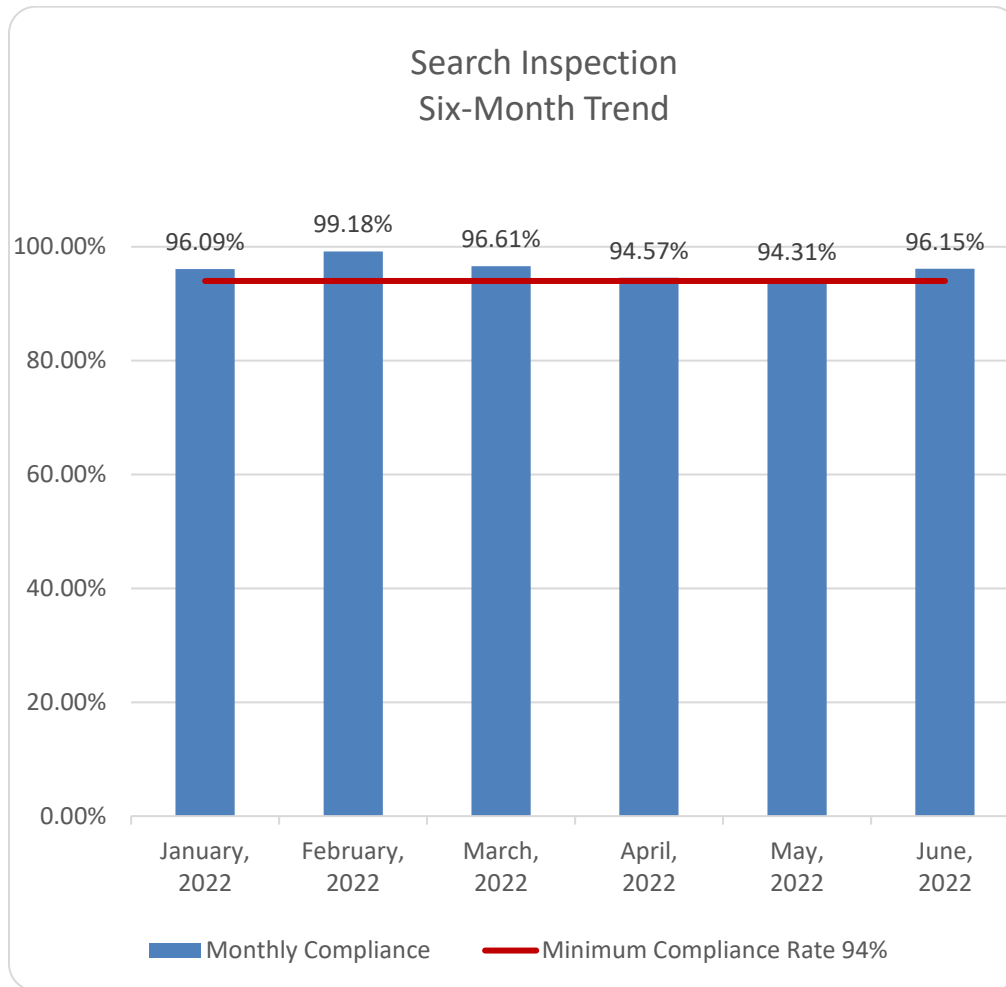
Conditions:

The MCSO reviewed 35 randomly selected traffic stops made during the month of June 2022 with a search documented on the Vehicle Stop Contact Forms. While 10 of the 35 are to be selected for Body-Worn Camera review, it should be noted two additional videos were viewed for clarity, making a total of 12 Body-Worn Camera videos for this month.

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 175 potential matrix criteria inspection points. From the total of 175 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 43 inspection points determined to be N/A and 2 were determined to be Not Verifiable, resulting in 130 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 **96.15%** for June 2022, 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?	30	5	0	0	35	85.71%
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?	0	0	35	0	0	100.00%
Was the search(s) conducted within MCSO policies, and in compliance with the Melendres Order and established local and federal law?	35	0	0	0	35	100.00%
Were any items seized properly documented on the VSCF and applicable forms and impounded into Q-Tel?	31	0	4	0	31	100.00%
Did the deputy provide the individual(s) with a Property Receipt if property was seized?	29	0	4	2	29	100.00%
Overall Compliance with inspection requirements	125	5	43	2	130	96.15%

Conclusion:

Of the potential 175 matrix criteria inspection points, 130 of which were used in the compliance calculation, there were five deficiencies, resulting in a **96.15%** compliance rate for June 2022.

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:

District 1:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
1	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy documented the search of the person inconsistently on the VSCF and the IR. (Policy EB-2.2.N)</p> <p>Inspector Note: The deputy properly conducted and documented a vehicle inventory search and an automobile exception probable cause search. The deputy also conducted and documented a Terry frisk and a search incident to arrest. The stop was made in support of a narcotics investigation.</p> <p>The deputy selected "Automobile Exception, Incident to Arrest, Inventory Search, Terry Frisk" on the IR face sheet in connection with the search of the suspect. It is apparent the search conducted of the person was not an Automobile Exception or an Inventory Search. The narrative clearly describes the searches conducted.</p>				

District 2:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
2	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy documented the vehicle inventory search inconsistently on the VSCF and the IR. (Policy EB-2.2.O)</p> <p>Inspector Note: The deputy properly conducted a vehicle inventory search and documented it on the VSCF. The deputy incorrectly selected "No" on the IR face sheet regarding the vehicle search.</p>				

District 7:

Compliance Deficiencies

District	MC#	Employee	Supervisor	Commander
7	Redacted	Deputy	Sergeant	Captain

Deficiency

The deputy documented the search of the vehicle inconsistently on the VSCF. (Policy EB-2.2.O)

Inspector Note:

The deputy conducted a traffic stop on behalf of SID and HSI. The deputy properly documented the searches incident to arrest on the VSCF. The deputy selected "No" on the VSCF regarding the search of the vehicle, but clearly documented the probable cause vehicle search in the comments section.

District	MC#	Employee	Supervisor	Commander
7	Redacted	Deputy	Sergeant	Captain

Deficiency

The deputy documented the search incident to arrest inconsistently on the VSCF and the IR. (Policy EB-2.2.N)

Inspector Note:

The deputy properly conducted and documented a plain view vehicle search. The deputy correctly documented the search incident to arrest on the VSCF, but incorrectly selected "Inventory Search" of the person on the IR face sheet. The BWC was viewed for clarity.

Lake Patrol:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
Lake Patrol	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy documented the search incident to arrest inconsistently on the VSCF and the IR. (Policy EB-2.2.N)</p> <p>Inspector Note: The deputy properly conducted a search incident to arrest and a vehicle inventory search. The deputy correctly documented the search incident to arrest on the VSCF, but indicated "Consent Search, Incident to Arrest" on the IR. The BWC was viewed for clarity. The deputy did not ask for consent to search.</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: 7/12/2022
 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

8-23-2022
 Date