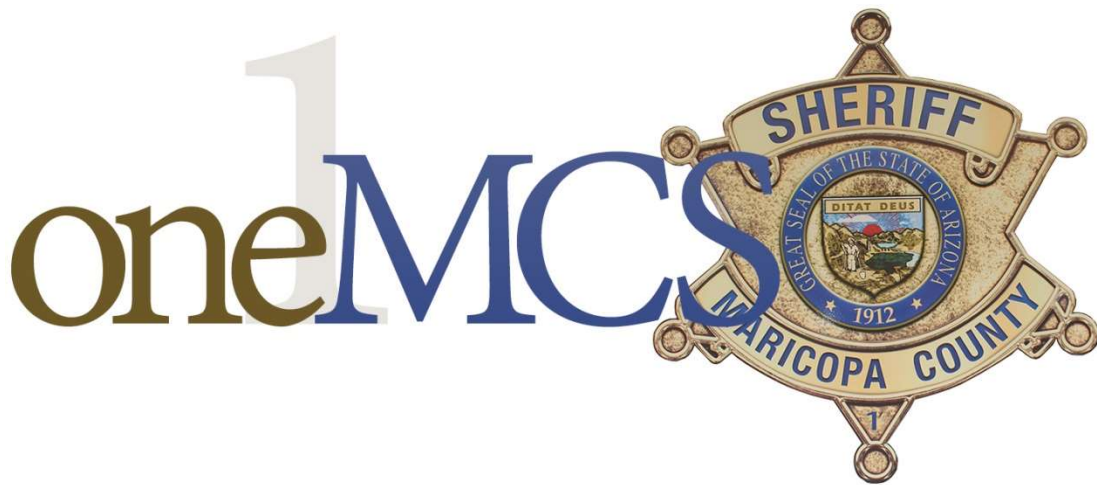


MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Search Inspection: November 2024

Inspection Report # BI2024-0160

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 (BWC) footage files.

Inspection BI2024-0160 examines traffic stops with a search documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 11/1/2024 to 11/30/2024. 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

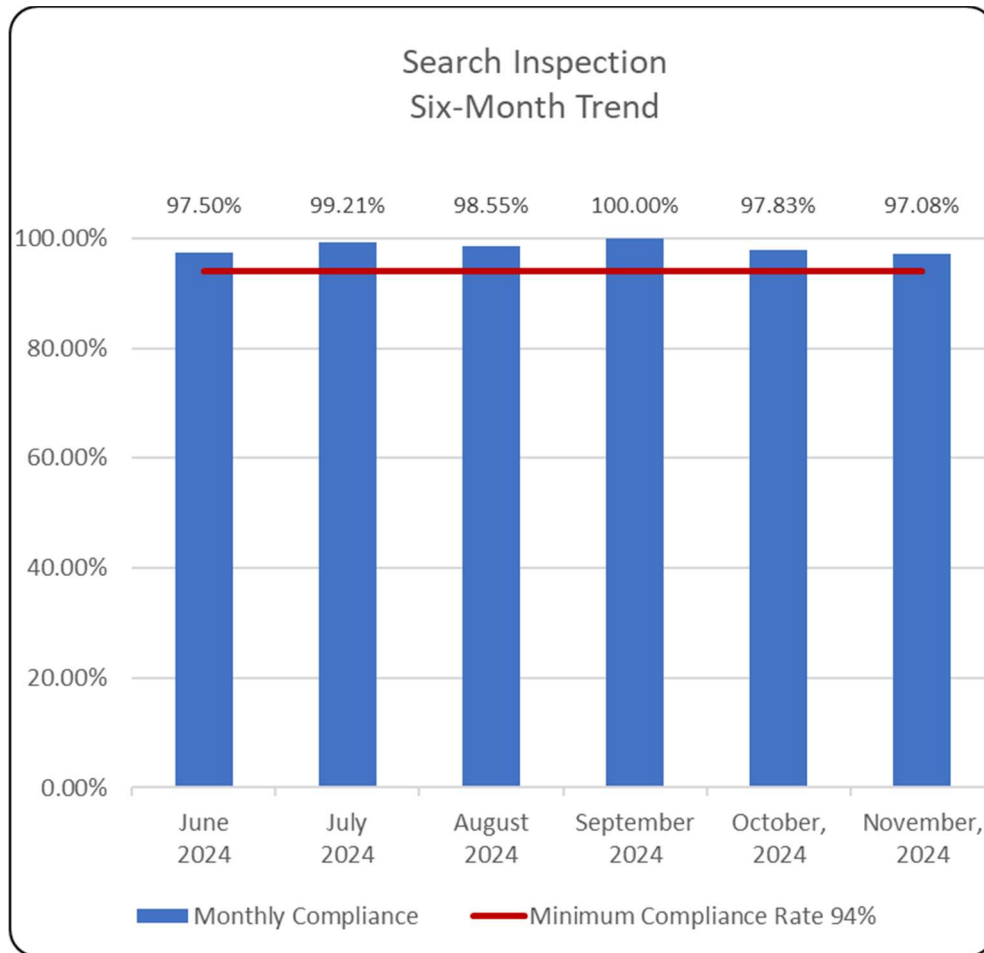
Conditions:

The MCSO is to review 35 randomly selected traffic stops made during the month of November 2024 with a search documented on the Vehicle Stop Contact Forms. There were 46 traffic stops with a search documented on the VSCF during the month of November 2024, 36 of which were randomly selected for this inspection due to rounding during the selection process. Additionally, 10 of the traffic stops meeting the criteria are to be selected for Body-Worn Camera review. Two additional videos were added for clarity, making a total of 12 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 overall compliance score. In this inspection each traffic stop utilized five matrix criteria inspection points for a total of **180** potential matrix criteria 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 one was determined to be Not Verifiable, resulting in **137** total inspection points.

The compliance rate of the provided traffic stop sample, utilizing the five matrix criteria inspection points, resulted in an overall average compliance rate of **97.08%** for November 2024, 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?	33	2	1	0	35	94.29%
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	33	1	2	100.00%
Was the search(s) conducted within MCSO policies, and in compliance with the Melendres Order and established local and federal law?	34	2	0	0	36	94.44%
Were any items seized properly documented on the VSCF and applicable forms and impounded into Q-Tel?	32	0	4	0	32	100.00%
Did the deputy provide the individual(s) with a Property Receipt if property was seized?	32	0	4	0	32	100.00%
Overall Compliance with inspection requirements	133	4	42	1	137	97.08%

Conclusion:

Of the potential **180** matrix criteria inspection points, **137** of which were used in the compliance calculation, there were four compliance deficiencies, resulting in a **97.08%** compliance rate for November 2024.

Action Required:

With the resulting **97.08%** compliance rate for Inspection **BI2024-0160**, a total of **3** BIO Action Forms are required for the deficiencies. (See instructions, below.)

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 (3 BIO Action Forms):

Compliance Deficiency

District/Division	Incident Number	Date	Responsible Employee	Current Supervisor	Current Commander
District 1	Redacted	11/27/2024	Deputy	Sergeant	Captain
Deficiency					
1. Required search data is inaccurate. (Policy EB-1.14) Note: The VSCF shows "No" search of the vehicle, however the probable cause search of the vehicle is noted in the comments and on the IR face sheet.					

District 1 (Continued)

Compliance Deficiency

District/Division	Incident Number	Date	Responsible Employee	Current Supervisor	Current Commander
District 1	Redacted	11/17/2024	Deputy	Sergeant	Captain
Deficiency					
<p>1. Required search data is inaccurate. (Policy EB-1.14) Note: The search of the driver is documented as a "Special Needs Exception." A special needs exception, as defined by the U.S. Department of Justice is a search which "serves special government needs beyond the normal needs of law enforcement." The BWC shows the search in question is conducted as a search incident to arrest after the driver was taken into custody.</p>					

Compliance Deficiency

District/Division	Incident Number	Date	Responsible Employee	Current Supervisor	Current Commander
District 1	Redacted	11/30/2024	Deputy	Sergeant	Captain
Deficiency					
<p>1. Required search data is inaccurate. (Policy EB-1.14) Note: The VSCF shows "No" search of the driver, however the driver was arrested and the search incident to arrest is noted on the IR face sheet. **Employee has two previous BAF's for Search Inspection (BAF2024-0070 & BAF2024-0102)**</p>					

District 2 (1 BIO Action Form):

Compliance Deficiency

District/Division	Incident Number	Date	Responsible Employee	Current Supervisor	Current Commander
District 2	Redacted	11/21/2024	Deputy	Sergeant	Captain
Deficiency					
<p>1. Required search data is inaccurate. (Policy EB-1.14) Note: The VSCF documents the search incident to arrest of the driver as an "Emergency Aid/Exigent Circumstances" search. The BWC shows the search incident to detaining and securing the subject in handcuffs, clearly not meeting the definition of "Emergency Aid" or "Exigent Circumstances." No BAF is required. The District addressed the deficiency via Blue Team entry IRM #5467659.</p>					

Unless noted above in the deficiency table, there were no prior BIO Action Forms similar in nature for the perceived employee deficiency. A total of 3 BIO Action Forms are due from the deficiencies detailed above. One BIO Action Form per Employee or deficient Bureau is requested (not per deficiency).

Date Inspection Started: 12/12/2024
Date Completed: 12/30/2024
Timeframe Inspected: 11/1/2024 – 11/30/2024
Assigned Inspector(s): Auditor Dave Paul, B5459

I have reviewed this inspection report.

Lt Andrew Rankin S1839

01/21/2025

Lieutenant A. Rankin, S1839
Commander
Audits and Inspections Unit

Date