

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Targeted Integrity Inspection: November 2022

Inspection Report # BI2022-0155

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 BI2022-0155 will examine traffic stop data from BWC videos, Vehicle Stop Contact Form(s) (VSCF), and Warnings/Citations produced by the Deputy Sheriff selected for this targeted inspection for the time period of 6/1/2021 to 05/31/2022. To accomplish this task, data was obtained from the Research Unit's (RRU) dashboard in Microsoft Power BI for the Deputy identified by TSAU and the monitoring team as being an outlier. The information was then filtered using the comments pulled from the VSCF comment section. A search was conducted by keyword(s) which indicate a policy requirement for actions that shall take place such as "driver's license", "warrant", or "impaired" to find incidents in which the VSCF comments indicate the Deputy may be improperly applying policy and procedures or state law. A sample size of 10% or 20 stops was selected. The BWC video and VSCF comments 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. In the inspection, a "reasonable person" standard will be utilized by inspectors.

Compliance Objectives:

- Determine if the Deputy took appropriate law enforcement action given the circumstances.
- Determine if there is an indication of repetitive improper decision-making.

Criteria:

MCSO Policy EB-1; *Traffic Enforcement, Violator Contacts, And Citation Issuance*
MCSO Policy EA-11; *Arrest Procedures*
Section 303 of the AIU Operations Manual.

Conditions:

Data from the June 2022 TSMR revealed potential issue regarding traffic stop outcomes for the Deputy. Data showed that from a total of 252 traffic stops, the deputy did not find a single criminal violation that warranted a citation. There was only one traffic citation issued overall. The deputy appeared to have worked night shift based on many of the stop times, but found no impaired drivers, despite the many traffic stops conducted. The deputy issued warnings for driver's license violations such as no license, or expired license. TSAU raised a concern that there is a possible issue regarding training and or decision making for listed deputy.

Results:

A search of VSCF comments for keywords only resulted in 14 stops meeting the defined criteria for this Targeted Integrity Inspection. As a result, all 14 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:

- 14 of the 14 stops (or 100%) contained no compliance deficiencies.
- 5 of the 14 stops (or 35.71%) contained Non-compliance related deficiencies.
 - 1 of the 5 stops was not captured by Body Worn Camera.
 - 2 of the 5 stops, the BWC was either activated late or ended early.
 - 1 of the 5 stops, there was documentation issues.
 - 1 of the 5 stops, there was a lack of license warrant check.
- 9 of the 14 stops (or 64.29%) contained no deficiencies.

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; however, AIU believes based on Body Worn Camera video Dep. Sterling had issues with the activation/deactivation of his BWC on several occasions, as listed below.

Dep. Sterling’s inspection disposition of PASS is a PROCEDURAL PASS according to Section 303 of the BIO Operations Manual and the disposition does not require a referral to the Professional Standards Bureau, but the non-compliance deficiencies will be reported to the respective Division Commander through the BIO Action Form process.

Action Required:

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

District	MC#	Employee	Supervisor	Commander
2	Redacted	Deputy	Sergeant	Captain
Deficiency				
MC21179906: Deputy’s BWC was not activated prior to the decision to make the stop. Deputy mentioned this after activating camera. Policy GJ-35.5.A.1				
MC21204612: Deputy noted on VSCF that his BWC was active, yet AIU was unable to locate video from him for the stop. Policy GJ-35.5.A.1				
MC22009352: Deputy had female driver and male passenger switch seats after finding out she did not have a license and then issued warning to the male (original passenger) for the traffic violation. VSCF listed information for the female (original driver) as “unknown.” Unable to locate Incidental Contact Receipt (ICR) for male subject. Policy EB-1.12.C - *This incident was documented under SN2022-0008096*				
MC22013391: Deputy did not appear to conduct a license and warrant check on the driver who was found to not have identification. Policy EB-1.10.D				
MC22039616: Deputy’s BWC video ended prior to the conclusion of the traffic stop. Unable to locate documentation explaining reason. Policy GJ-35.5.A.1				

Date Inspection Started: 11/15/2022
Date Completed: 1/11/2023
Timeframe Inspected: 6/1/2021 – 5/31/2022
Assigned Inspector(s): Sgt. R. Levy S1881

I have reviewed this inspection report.

Lt. Brian Arthur

Lt. T. Brian Arthur S1806
Commander, Audits & Inspections Unit
Bureau of Internal Oversight

1/31/2023

Date