

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Passenger Contact Inspection: May 2022

Inspection Report # BI2022-0077

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 BI2022-0077 examines traffic stops with passenger contact documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 5/1/2022 to 5/31/2022. 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

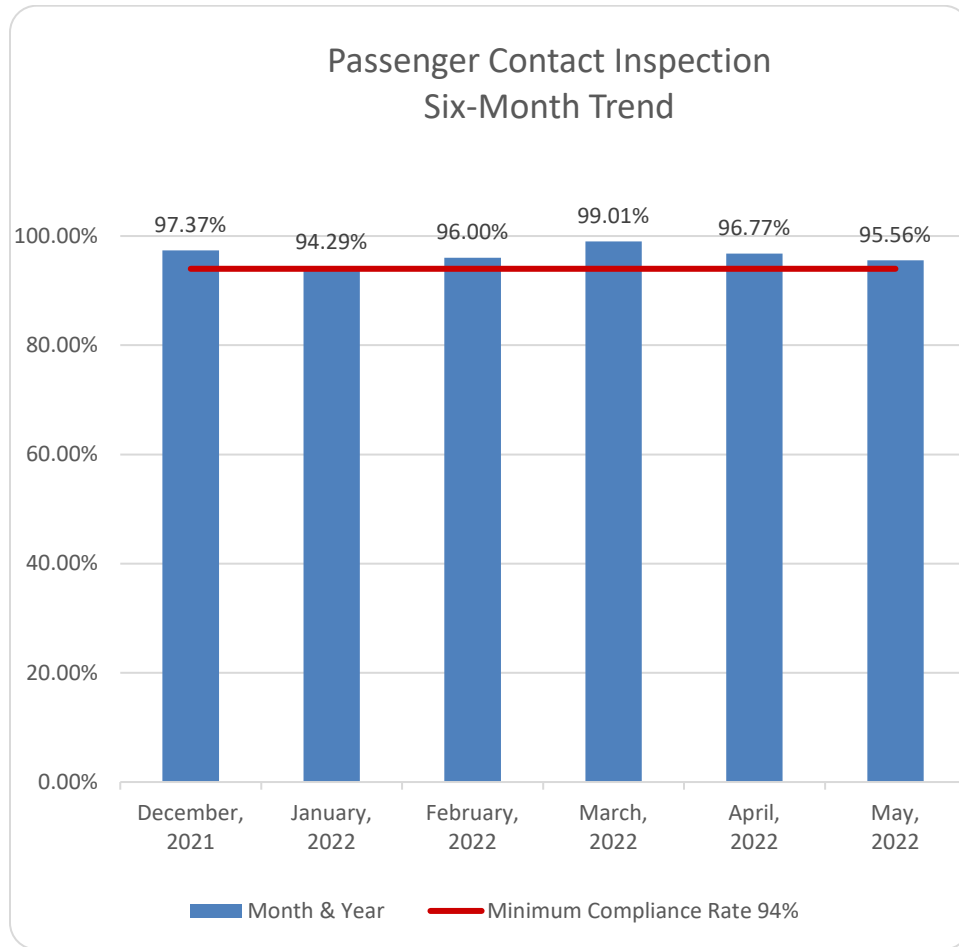
Conditions:

MCSO is to randomly select 35 traffic stops meeting the criteria. Due to rounding MCSO randomly selected 36 traffic stops made during the month of May 2022 with passenger contact documented on the Vehicle Stop Contact Forms. Additionally, while 10 are to be selected for Body-Worn Camera review, it should be noted that rounding resulted in 11 videos being selected for review. Additionally, the inspector viewed two additional videos for clarification purposes, for a total of 13 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 36 traffic stops that met the criteria for inspection. Each traffic stop utilized four matrix criteria inspection points for a total of 144 potential matrix criteria inspection points. From the total of 144 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 52 inspection points determined to be N/A and 2 inspection points that were not verifiable, resulting in 90 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 **95.56%** for May 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?	24	0	0	12	24	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?	21	3	0	12	24	87.50%
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?	17	1	2	16	18	94.44%
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?	24	0	0	12	24	100.00%
Overall Compliance with inspection requirements	86	4	2	52	90	95.56%

Conclusion:

Of the potential 144 matrix criteria inspection points there were 90 inspection points used to determine the compliance ratio. There were four deficiencies, resulting in a **95.56%** compliance rate for May 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 issue 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 deputy twice asked the passenger for her driver's license. The passenger refused to identify herself but told the deputy her first name. The deputy wrote down the name in his notepad, but did not identify the passenger on the VSCF, the IR or complete an ICR.</p> <p style="text-align: center;">Employee is no longer employed, no BIO Action Form required.</p>				

District 2:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
2	Redacted	Sergeant	Lieutenant	Captain
Deficiency				
<p>The deputy did not issue 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: Per VSCF, the deputy asked the passenger if there were any guns in the car, using that information to determine whether a warning would be issued, but failed to complete an ICR.</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 passengers by name and DOB and correctly documented the incidental passenger contact on the VSCF and created ICR's for the passengers, but did not provide the passengers with ICR's at the time of the contact.</p>				

Lake Patrol:

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
Lake Patrol	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy did not issue 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 deputy asked the passenger's age to determine if a helmet was required but failed to complete an ICR.</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 **3** 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: 6/6/2022
Date Completed: 6/22/2022
Timeframe Inspected: 5/1/2022-5/31/2022
Assigned Inspector(s): Auditor Dave Paul B5459

I have reviewed this inspection report.

Lt. Brian Arthur

7/14/2022

Lieutenant T. Brian Arthur, S1806
Commander
Audits and Inspections Unit

Date