

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight
Audits and Inspections Unit



Post-stop Ethnicity Inspection - July 2022

Inspection Report# BI2022-0108

The Audits and Inspections Unit (AIU) of the Sheriff's Office Bureau of Internal Oversight (BIO) will conduct monthly inspections of the Post-Stop Perceived Ethnicity of drivers and passengers listed on the Vehicle Stop Contact Forms (VSCF) within the TraCS database. To achieve this, inspectors will utilize a list of Hispanic surnames provided by the United States Census Bureau and a random sample of Body-Worn Camera videos from each selected Hispanic driver. These entries will be uniformly inspected utilizing a matrix developed by the Audits and Inspections Unit in accordance with the procedures outlined in policies, EB-1, EB-2, GJ-35, CP-2, CP-5, and CP-8.

Compliance Objectives:

Utilizing the Post-Stop Perceived Ethnicity Inspection Matrix, review each selected Body Worn Camera video to ensure the following during July 2022:

- Drivers with Hispanic surnames identified as "White"
- Hispanic surname drivers with Passenger Post-Stop Perceived Ethnicity listed as "Unknown-Vision Obstructed"
- Hispanic drivers with Passenger Post-Stop Perceived Ethnicity Identified

Criteria:

MCSO Policy EB-1, *Traffic Enforcement, Violator Contacts, and Citation Issuance*

MCSO Policy EB-2, *Traffic Stop Data Collection*

MCSO Policy GJ-35, *Body-Worn Cameras*

MCSO Policy CP-2, *Code of Conduct*

MCSO Policy CP-5, *Truthfulness*

MCSO Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*

Conditions:

Collectively there were a total of 2,016 traffic stops made during the month of July 2022, of which 279 traffic stops met inspection criteria:

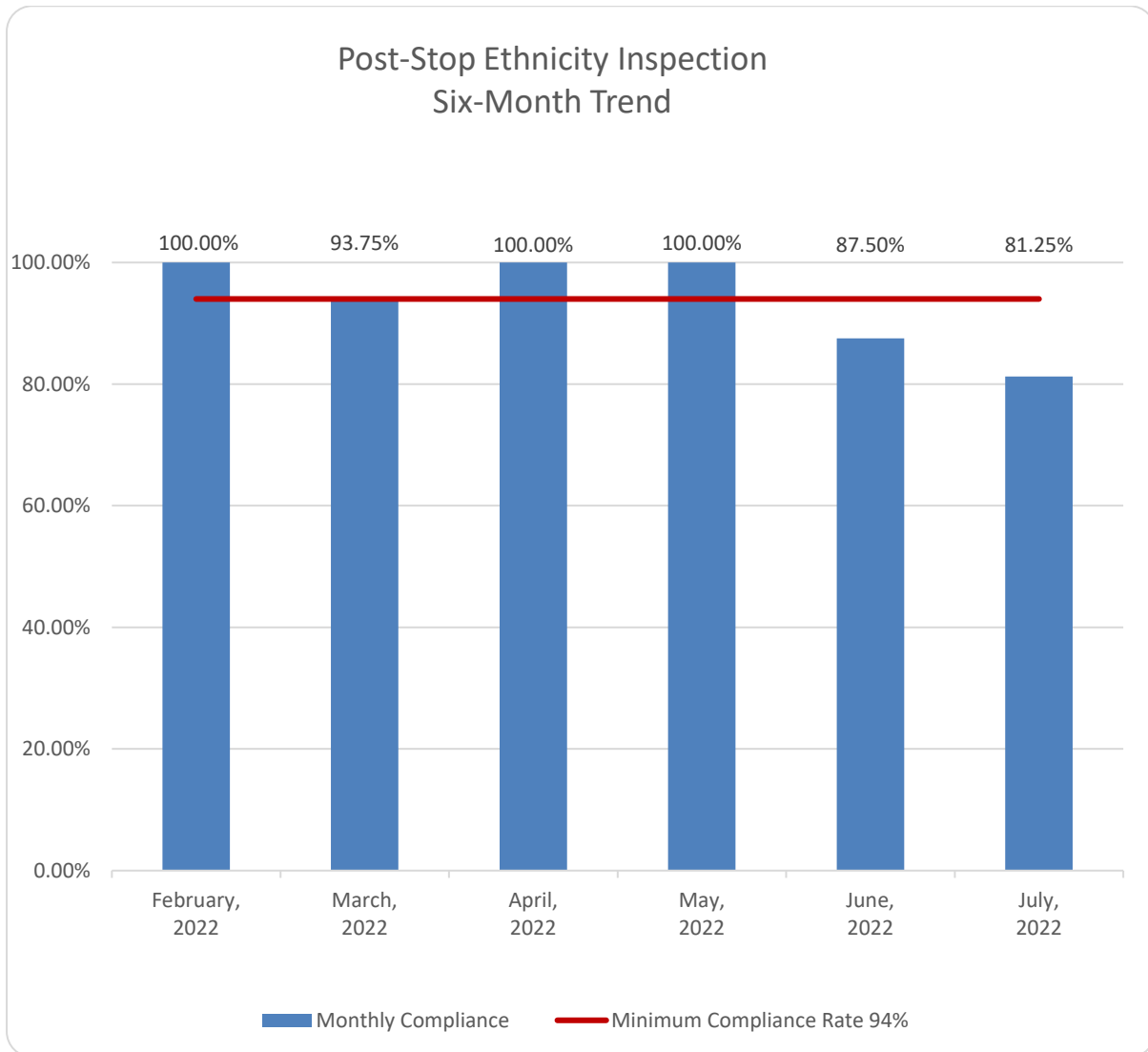
- 70 of the 279 traffic stops identified drivers with Hispanic surnames as "White."
- 8 of the 279 traffic stops had Hispanic surname drivers with Passenger Post Perceived Ethnicity listed as "Unknown-Vision Obstructed."
- 201 of the 279 traffic stops had Hispanic drivers with identified Passenger Post-Stop Perceived Ethnicity.

Out of 279 traffic stops the MCSO reviewed a total random sample of 28 traffic stops. These traffic stops included:

- 1) 10 stops for Hispanic surname drivers identified as "White"
- 2) 8 stops for Hispanic surname drivers with Passenger Post Perceived Ethnicity listed as "Unknown-Vision Obstructed"
- 3) 10 stops for Hispanic drivers with Passenger Post-Stop Perceived Ethnicity Identified

In all inspections, a "reasonable person" standard was utilized by inspectors.

MCSO achieved a compliance rate of 81.25% in the Post-Stop Ethnicity Inspection for July 2022, as illustrated in the graph below:



The compliance rate of each inspection element is illustrated in the table below:

Inspection Elements	Not In Compliance	In Compliance	Total Not Verifiable	Total Inspected	Compliance Rate
Drivers with Hispanic surnames identified as "White" on VSCF: Deputy's perception is consistent with inspector (review of BWC)	0	8	2	8	100.00%
Hispanic surname drivers with passengers listed as "Unknown-Vision Obstructed": Deputy's perception is consistent with inspector (review of BWC)	2	2	4	4	50.00%
Hispanic drivers with Passenger Post Stop Ethnicity identified: Deputy's perception is consistent with inspector (review of BWC)	1	3	6	4	75.00%
Overall Compliance with inspection requirements	3	13	12	16	81.25%

The following deficiencies were noted during the inspection:

District 2 (2 BIO Action Forms):

Compliance Deficiency

District	MC#	Date of Event	Deputy	Current Supervisor	Commander:
District 2	Redacted	Redacted	Deputy	Sergeant	Captain
Deficiency					
Deputy marked the perceived race/ethnicity as "White" for the driver on the VSCF. The BWC video indicates the driver appears to be "Hispanic." Policy EB-2.2.I Inspector Notes: <ul style="list-style-type: none"> • Deputy noted on VSCF, "It should be noted, I was not able to subjectively perceive the ethnicity of the driver, however, because I was not able to leave the box blank, I selected the ethnicity option white." • This stop was reviewed by the listed supervisor per SN(Redacted), but the note indicated no issues were identified. • Deputy has 3 prior BAFs for the same deficiency <ul style="list-style-type: none"> ○ BAF2021-Redacted ○ BAF2021-Redacted ○ BAF2021-Redacted 					

Non-Compliance Deficiency

District	MC#	Date of Event	Deputy	Current Supervisor	Commander:
District 2	Redacted	Redacted	Deputy	Sergeant	Captain
Deficiency					
Deputy marked the incorrect number of vehicle occupants. Policy EB-2.2.H Inspector Note: Deputy marked 2 occupants on VSCF, BWC video shows there appears to be movement in the backseat. Conversation context indicates a female occupying the backseat as third vehicle occupant.					

Lakes (2 BIO Action Forms):

Compliance Deficiencies

District	MC#	Date of Event	Deputy	Current Supervisor	Commander:
Lakes	Redacted	Redacted	Deputy	Sergeant	Captain
Deficiency					
Deputy marked the perceived race/ethnicity as “unknown-vision obstructed” for the race/ethnicity and gender of 2 passengers on the VSCF. The BWC video indicates the rear seat passengers appear to be female. Policy EB-2.2.I					

District	MC#	Date of Event	Deputy	Current Supervisor	Commander:
Lakes	Redacted	Redacted	Deputy	Sergeant	Captain
Deficiency					
Deputy marked the perceived race/ethnicity as Hispanic male for 2 passengers on the VSCF. The BWC video indicates the rear seat passengers appear to be female. Policy EB-2.2.I					

Non-Compliance Deficiency

District	MC#	Date of Event	Deputy	Current Supervisor	Commander:
Lakes	Redacted	Redacted	Deputy	Sergeant	Captain
Deficiency					
Deputy did not activate BWC when the decision to stop vehicle was made. Policy EB-1.9.A					
Inspector Note: BWC video shows Deputy places camera in event mode as he is exiting patrol vehicle.					

Unless noted above in the deficiency table, there were no prior BIO Action Forms similar in nature or supervisor notes addressing the deficiencies.

Action Required:

With the resulting **81.25%** compliance for *Inspection BI2022-0108*, a total of **4** BIO Action Forms are requested from the affected divisions. **The forms shall be completed utilizing Blue Team.**

Date Inspection Started: Aug 16, 2022
Date Completed: Aug 25, 2022
Timeframe Inspected: July 01 – 31, 2022
Assigned Inspector(s): Sgt. Rob Levy S1881

I have reviewed this inspection report.

Lt. Brian Arthur

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

9/22/2022

Date