

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Search Inspection: July 2022

Inspection Report # BI2022-0109

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 BI2022-0109 examines traffic stops with a search documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 7/1/2022 to 7/31/2022. 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

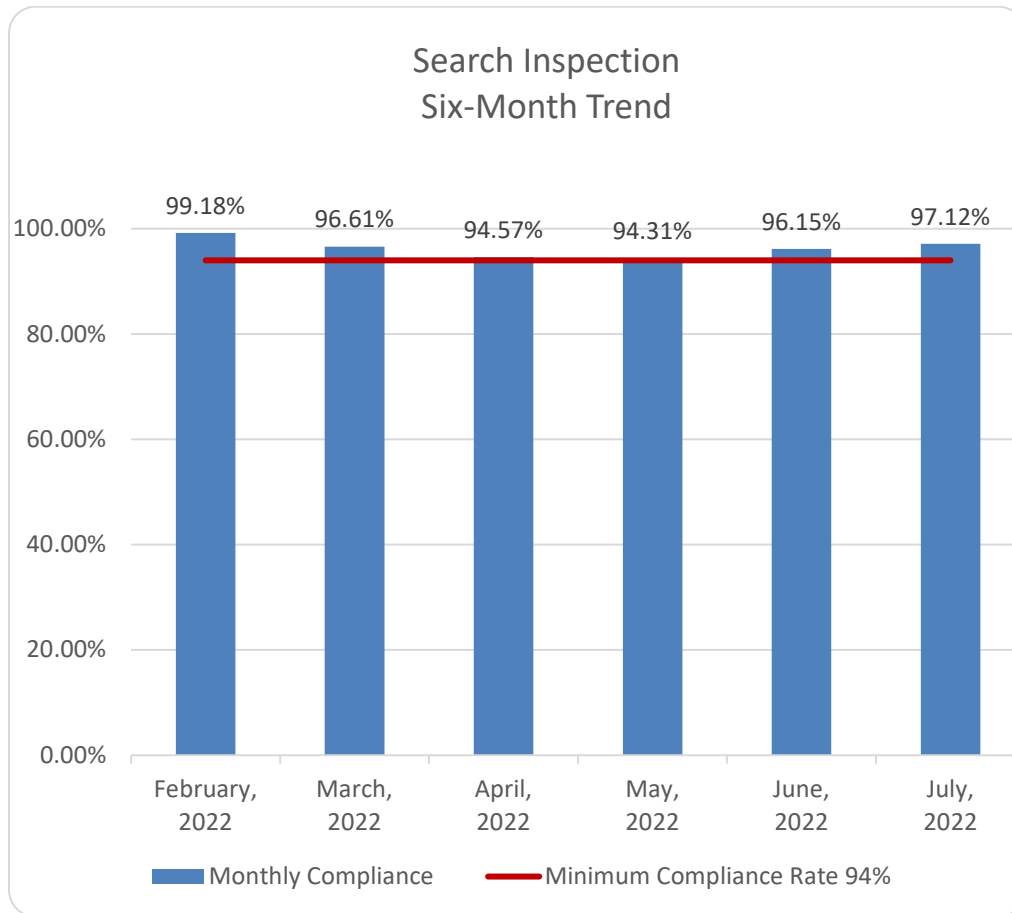
Conditions:

The MCSO reviewed 35 randomly selected traffic stops made during the month of July 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 rounding during the selection process resulted in one additional video being selected. Two additional video was viewed for clarity, making a total of 13 Body-Worn Camera videos viewed 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 36 inspection points determined to be N/A and none were determined to be Not Verifiable, resulting in 139 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 **97.12%** for July 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?	31	4	0	0	35	88.57%
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?	35	0	0	0	35	100.00%
Did the deputy provide the individual(s) with a Property Receipt if property was seized?	34	0	1	0	34	100.00%
Overall Compliance with inspection requirements	135	4	36	0	139	97.12%

Conclusion:

Of the potential 175 matrix criteria inspection points, 139 of which were used in the compliance calculation, there were four deficiencies, resulting in a **97.12%** compliance rate for July 2022. Additionally, there were two non-compliance deficiencies noted.

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 Deficiencies

District	MC#	Employee	Supervisor	Commander
1	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 documented no search of the driver on the VSCF but on the IR face sheet the deputy documented a search incident to arrest and described a search incident to arrest in the narrative.</p>				
District	MC#	Employee	Supervisor	Commander
1	Redacted	Deputy	Sergeant	Captain
Deficiency				
<p>The deputy properly conducted a search of the person incident to arrest and a vehicle inventory search but documented the searches inaccurately. (Policies EB-2.2.N ,EB-2.2.O, and GJ-3.8.C.4)</p> <p>Inspector Notes: The searches were properly conducted, however the incorrect boxes were selected on the VSCF and the IR facesheet.</p>				

District 2:

Non-Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
2	Redacted	Deputy	Sergeant	Captain
Non-Compliance Deficiency				
<p>The deputy observed a defective license plate light and documented it as a plain view search on the VSCF. (Policy EB-2.2.O)</p>				

Lake Patrol:

Non-Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
Lake Patrol	Redacted	Deputy	Sergeant	Captain
Non-Compliance Deficiency				
<p>The deputy conducted a search incident to arrest and a vehicle inventory search. The deputy documented the vehicle search incorrectly. (Policy EB-2.2.O)</p>				

General Crimes:

Compliance Deficiencies

District	MC#	Employee	Supervisor	Commander
General Crimes	Redacted	Deputy	Sergeant	Captain
Deficiency				
Redacted - The deputy documented the search of the vehicle inconsistently on the VSCF and the IR. (Policy EB-2.2.O) Redacted - The deputy documented the search incident to arrest inconsistently on the VSCF and the IR. (Policy EB-2.2.N) Inspector Notes: Redacted - The deputy documented a vehicle search on the VSCF as a search incident to arrest and on the IR as a vehicle inventory search. The BWC was reviewed for clarity. Redacted - The deputy documented no search of the driver on the VSCF but on the IR face sheet the deputy documented a search incident to arrest. The driver was arrested for DUI. These traffic stops occurred while the deputy was assigned to D-3.				

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 5 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: 8/6/2022
 Date Completed: 8/18/2022
 Timeframe Inspected: 7/1/2022 – 7/31/2022
 Assigned Inspector(s): Auditor Dave Paul B5459

I have reviewed this inspection report.

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

10/4/2022
 Date