

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



Passenger Contact Inspection: November 2022

Inspection Report # BI2022-0170

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 BI2022-0170 examines traffic stops with passenger contact documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of 11/1/2022 to 11/30/2022. 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

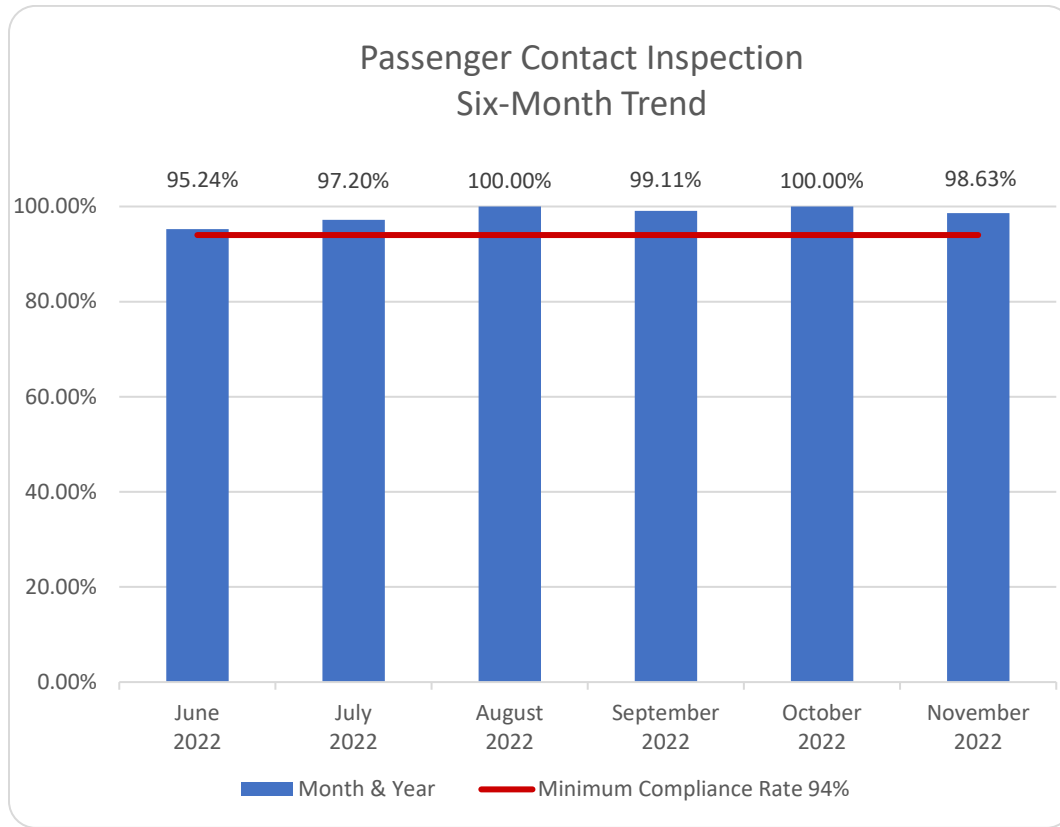
Conditions:

MCSO is to randomly select 35 traffic stops meeting the criteria. During the month of November 2022 there were 23 traffic stops with passenger contact documented on the Vehicle Stop Contact Forms. Of the 23 traffic stops meeting the criteria, all were selected for review. Additionally, while 10 are to be selected for Body-Worn Camera review, it should be noted that rounding during the selection process resulted in 11 stops selected for BWC 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. Each traffic stop utilized four matrix criteria inspection points for a total of 92 potential matrix criteria inspection points. From the total of 92 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 17 inspection points determined to be N/A and 2 inspection points that were not verifiable, resulting in 73 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 **98.63%** for November 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?	14	0	0	9	14	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?	23	0	0	0	23	100.00%
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?	20	1	2	0	21	95.24%
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?	15	0	0	8	15	100.00%
Overall Compliance with inspection requirements	72	1	2	17	73	98.63%

Conclusion:

Of the potential 92 matrix criteria inspection points there were 73 inspection points used to determine the compliance ratio. There was one compliance deficiency resulting in a **98.63%** compliance rate for November 2022. There was also one non-compliance deficiency, which is not used in determining the compliance ratio.

Action Required:

AIU will provide the inspection report to the affected Division to address the following stops and deficiencies via the Bio Action Form Process:

District 7:Non-Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
7	Redacted	Deputy	Sergeant	Captain
Non-Compliance Deficiency				
<p>The deputy documented the vehicle inventory search inconsistently on the VSCF and the IR. (Policy EB-2.2.O)</p> <p>Inspector Note: The deputy properly conducted and documented passenger contact in determining the vehicle owner however, the deputy indicated "No" vehicle search on the VSCF but checked "Yes" for a vehicle inventory search on the IR face sheet. The vehicle was towed.</p> <p>The deputy has a previous similar Bio Action Form dated 8/29/22, BAF2022-0171.</p>				

Lake Patrol:Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
Lake Patrol	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 properly conducted an incidental passenger contact in connection with assist in translation, and identified the passenger by name and DOB but failed to provide a copy of the ICR to the passenger per the BWC.</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 2 BIO Action Forms are required from the affected division. **The form 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: 12/6/2022
Date Completed: 12/21/2022
Timeframe Inspected: 11/1/2022-11/30/2022
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

1/24/2023

Date