

# MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



**Passenger Contact Inspection: January 2023**

Inspection Report # BI2023-0011

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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 BI2023-0011 examines traffic stops with passenger contact documented on the Vehicle Stop Contact Forms contained in the TraCS database, for the time period of January 2023. 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

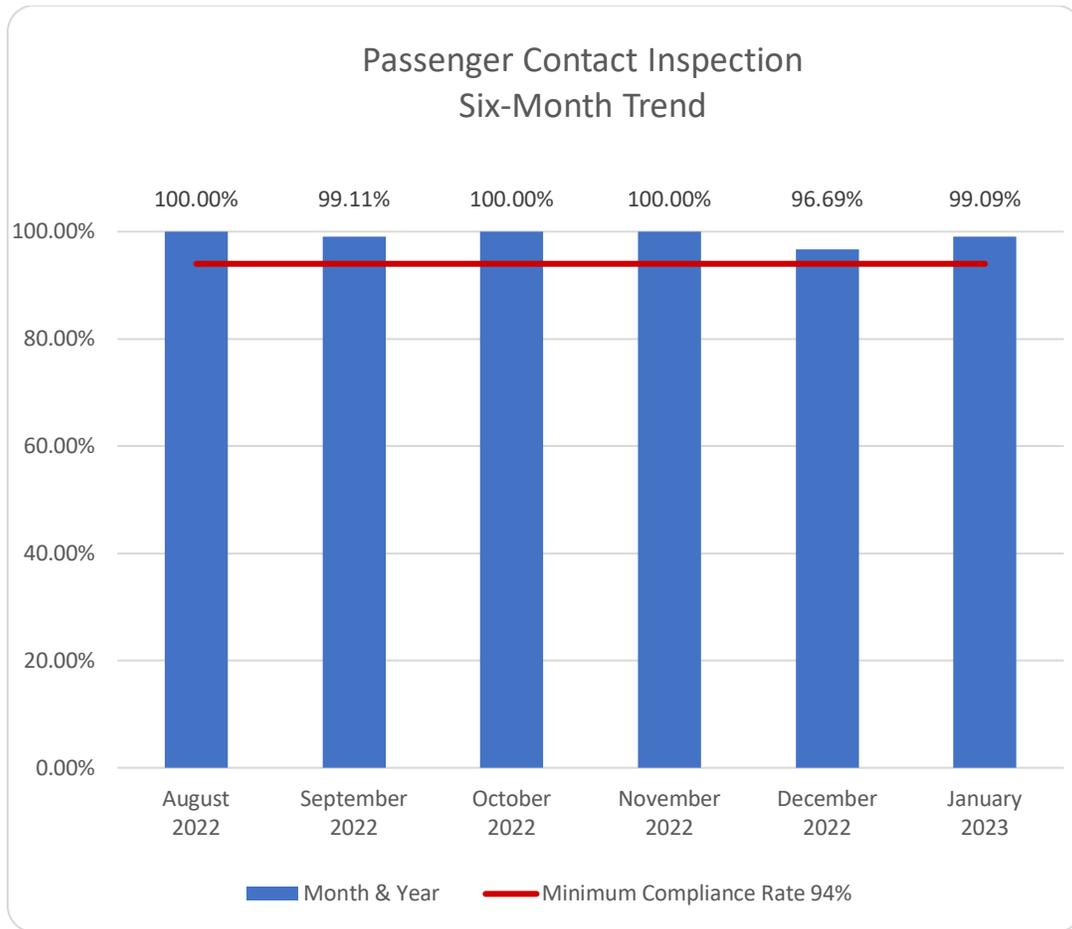
**Conditions:**

MCSO is to randomly select 35 traffic stops meeting the criteria. During the month of January 2023 there were 44 traffic stops with passenger contact documented on the Vehicle Stop Contact Forms, 35 of which were randomly selected for review. While 10 of the selected traffic stops are to be selected for Body-Worn Camera review, it should be noted that the inspector viewed three 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. Each traffic stop utilized four matrix criteria inspection points for a total of 140 potential matrix criteria inspection points. From the total of 140 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 30 inspection points determined to be N/A and 0 inspection points that were not verifiable, resulting in 110 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 **99.09%** for January 2023, 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?	20	0	0	15	20	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?	34	1	0	0	35	97.14%
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?	34	0	0	1	34	100.00%
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?	21	0	0	14	21	100.00%
<b>Overall Compliance with inspection requirements</b>	<b>109</b>	<b>1</b>	<b>0</b>	<b>30</b>	<b>110</b>	<b>99.09%</b>

**Conclusion:**

Of the potential 140 matrix criteria inspection points there were 110 inspection points used to determine the compliance ratio. There was one compliance deficiency resulting in a **99.09%** compliance rate for January 2023. It should be noted that there was also one non-compliance deficiency.

**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 2:**

Non-Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
2	Redacted	Deputy	Sergeant	Captain
<b>Non-Compliance Deficiency</b>				
<p>Accurate data was not collected across all forms on this traffic stop. (Policy EB-1.14)</p> <p>Inspector Note: The deputy documented incidental passenger contact but appears to have entered the passenger's information on the citation instead of the driver's. Additionally, the passenger is listed on the VSCF as both passenger and driver.</p>				

**District 3:**

Compliance Deficiency

District	MC#	Employee	Supervisor	Commander
3	Redacted	Deputy	Sergeant	Captain
<b>Deficiency</b>				
<p>A citation, warning, or incidental contact form was not completed for each individual who was identified by name, DOB, or asked investigative questions. (Policy EB-1.12)</p> <p>Inspector Notes: The deputy made incidental passenger contact by identifying the passenger by name and DOB, but apparently 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 2 BIO Action Form is 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: 2/5/2023  
Date Completed: 2/16/2023  
Timeframe Inspected: 1/1/2023-1/31/2023  
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

3/24/2023  
Date