

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight

Audits and Inspections Unit



2019 Semi-Annual Bias-Free Policing Inspection Report

Inspection # BI2019-0079

The Bureau of Internal Oversight's (BIO) Audits and Inspections Unit (AIU) will conduct inspections on a regular basis to ensure that reinforcement of Bias-Free Policing is being conducted on a semi-annual basis, at a minimum. The purpose of the inspection is to ensure compliance with Office policies and to promote proper supervision. To achieve this, the inspector will randomly select 35 Detention personnel and 35 Sworn personnel for the sample to be inspected. To ensure consistent inspections, the *Semi-annual Bias-Free Policing Matrix* developed by the AIU will be utilized.

Compliance Objectives:

The compliance objectives for this inspection are contained within each of the included tables.

Criteria:

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

MCSO Policy GA-1, *Development of Written Orders*

MCSO Policy GB-2, *Command Responsibility*

MCSO Administrative Broadcast Number 19-65

Conditions:

Critical Policy CP-8 requires that on an annual basis, within the first six months of the calendar year, supervisors shall conduct a group or individual discussion with their assigned employees, reserve deputies, or posse members, which will in part, require viewing videos from a library created by the Training Division. The supervisors shall use the message in the video, specific to the employee's job classification, to personalize the reinforcement that racial and bias-based profiling and/or discriminatory policing are unacceptable.

This year, because of the unavailability of approved videos in the video library, the Office published Administrative Broadcast 19-65 which required that *"those supervisors who have not had documented discussions with their subordinates in the first half of the calendar year which reinforce that racial and bias-based profiling and/or discriminatory policing are unacceptable, shall complete them by June 30, 2019."*

Policy GA-1, gives employees **50 days** to receive, read, and understand their responsibilities pursuant to a published policy. Briefing Boards direct employees to log into "TheHUB" to review and acknowledge an understanding of the Office Policies within **30 days**. Admin Broadcast 19-65 gave only **10 days** to complete the required action instead of the normal 30 or 50 days. Because of the extraordinarily short timeline given to comply, this inspection **will NOT** require that BIO Action Forms be completed for deficiencies identified during the inspection process.

This inspection will be based on the requirement outlined in Admin Broadcast 19-65 in support of Policy CP-8.

The Court Appointed Monitor team was provided an employee roster that is dated 7-2-19. The roster listed all compensated MCSO employees. Additional rosters listing Posse and Reserve Deputies were also provided to the monitors. From these rosters, the Monitor Team provided MCSO a proportionally representative sample which consisted of 29 Reserve deputies, 54 Posse volunteers, 62 Sworn personnel, 66 Detention personnel, and 63 Civilian personnel.

Inspection results for the selected Reserve Deputies sample.

| Compliance Objective | Not In Compliance | In Compliance | Compliance Rate |
|--|-------------------|---------------|-----------------|
| Employee received a documented Blue Team entry before June 30, 2019, documenting a discussion which reinforces that racial and bias-based profiling and/or discriminatory policing are unacceptable. | 6 | 22 | 78.57% |
| Overall Compliance employee Having a documented discussion reinforcing bias based profiling is unacceptable in Blue Team. | 6 | 22* | 78.57% |

*The original sample provided by the monitor team included the names of 29 reserve deputies. During the inspection process, it was determined that one of the listed reserves deputies became inactive on 01/16/18 and was inadvertently included on the roster provided to the monitor team. Therefore, this reserve deputy was not included in the tabulated total and the sample size was decreased by 1 to a total of 28 reserve deputies.

Please note that there is no comparative chart as MCSO has not previously inspected this personnel classification for CP-8 compliance.

Inspection results for the selected Posse Volunteers sample.

| Compliance Objective | Not In Compliance | In Compliance | Compliance Rate |
|--|-------------------|---------------|-----------------|
| Employee received a documented Blue Team entry before June 30, 2019, documenting a discussion which reinforces that racial and bias-based profiling and/or discriminatory policing are unacceptable. | 54 | 0 | 0% |
| Overall Compliance employee Having a documented discussion reinforcing bias based profiling is unacceptable in Blue Team. | 54 | 0* | 0% |

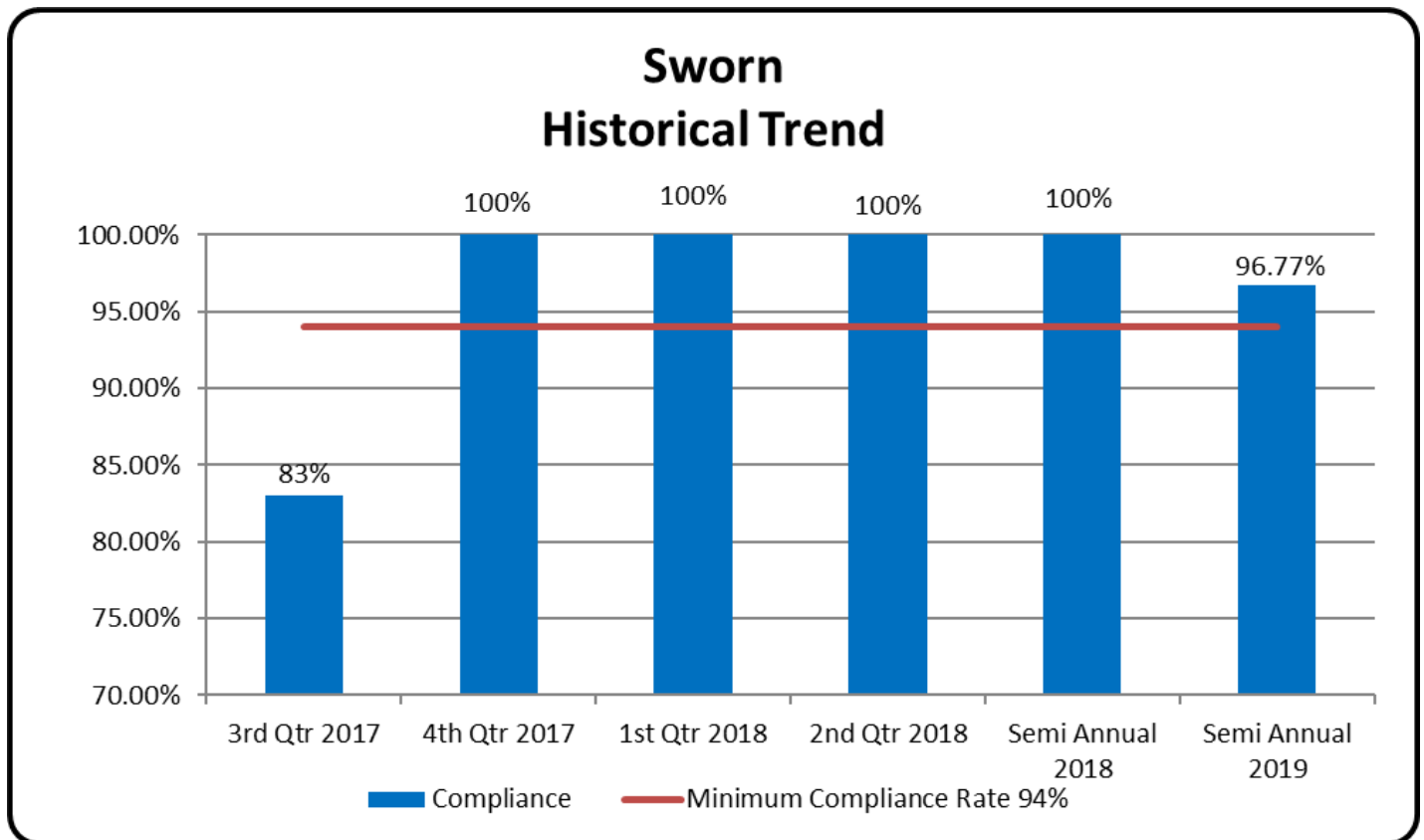
* Enforcement Support was contacted after this inspection indicated 0% compliance with the Semi-Annual Bias-Free Policing Inspection requirement. Enforcement Support advised that they were unable to give the required briefing with only a ten-day notice because posse members are volunteers and only meet once per month and there were no posse meetings during the ten-day period following the publishing of the Admin Broadcast. Since missing the Bias-Free Policing briefing in the first half of 2019, Enforcement Support has been working to ensure a discussion takes place with each posse member about Bias-Free Policing and the discussion is documented in Blue Team. In addition, Enforcement Support will work to make sure posse members participate in future Bias-Free Policing TheHUB training where their participation will be tracked.

Please note that there is no comparative chart as MCSO has not previously inspected this personnel classification for CP-8 compliance.

Inspection results for the selected Sworn personnel sample.

| Compliance Objective | Not In Compliance | In Compliance | Compliance Rate |
|--|-------------------|---------------|-----------------|
| Employee received a documented Blue Team entry before June 30, 2019, documenting a discussion which reinforces that racial and bias-based profiling and/or discriminatory policing are unacceptable. | 2 | 60 | 96.77% |
| Overall Compliance employee Having a documented discussion reinforcing bias based profiling is unacceptable in Blue Team. | 2 | 60 | 96.77% |

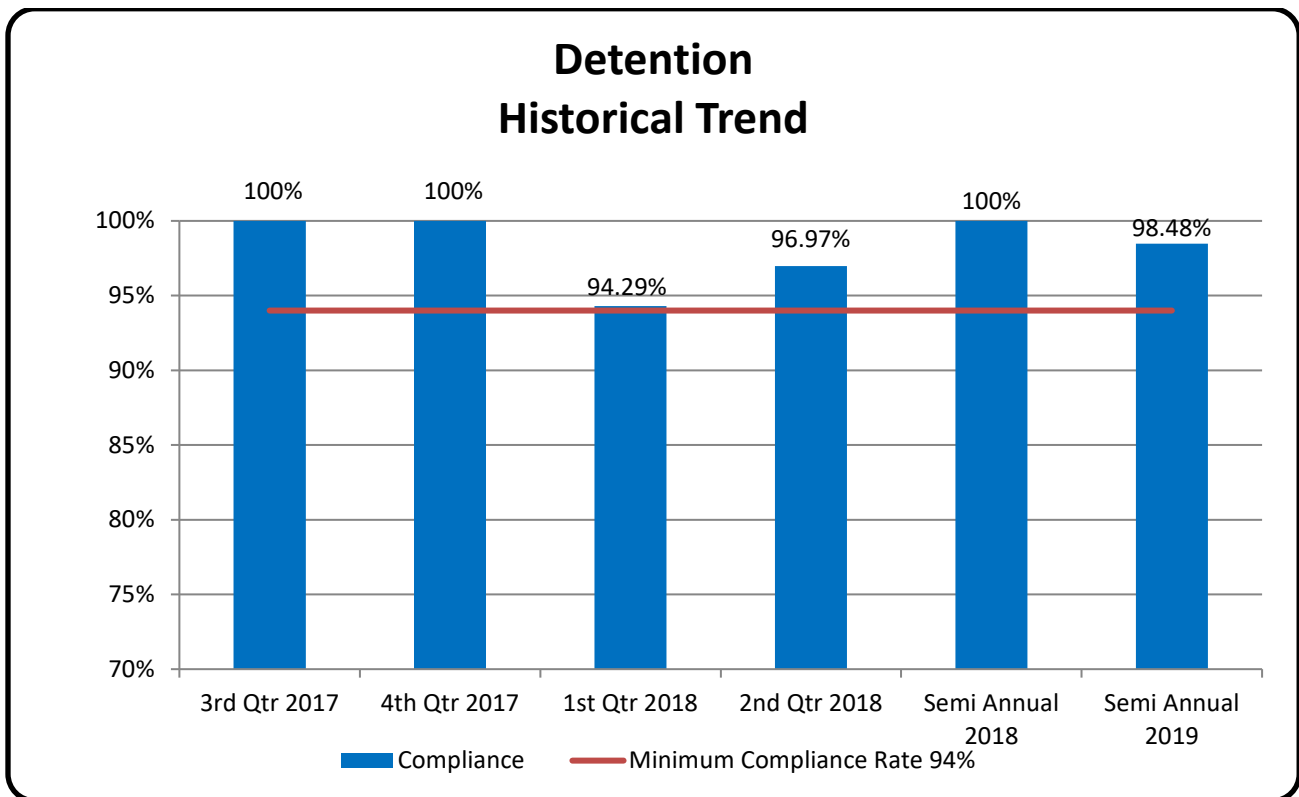
Below is the historical comparison of compliance by Sworn personnel with the requirements of CP-8 to unequivocally and consistently reinforce that biased-based profiling and/or discriminatory policing are unacceptable.



Inspection results for the selected Detention personnel sample.

| Compliance Objective | Not In Compliance | In Compliance | Compliance Rate |
|--|-------------------|---------------|-----------------|
| Employee received a documented Blue Team entry before June 30, 2019, documenting a discussion which reinforces that racial and bias-based profiling and/or discriminatory policing are unacceptable. | 1 | 65 | 98.48% |
| Overall Compliance employee Having a documented discussion reinforcing bias based profiling is unacceptable in Blue Team. | 1 | 65 | 98.48% |

Below is the historical comparison of compliance by Detention personnel with the requirements of CP-8 to unequivocally and consistently reinforce that biased-based profiling and/or discriminatory policing are unacceptable.



Inspection results for the selected Civilian personnel sample.

| Compliance Objective | Not In Compliance | In Compliance | Compliance Rate |
|--|-------------------|---------------|-----------------|
| Employee received a documented Blue Team entry before June 30, 2019, documenting a discussion which reinforces that racial and bias-based profiling and/or discriminatory policing are unacceptable. | 2 | 60 | 96.77% |

| | | | |
|--|----------|------------|---------------|
| Overall Compliance employee Having a documented discussion reinforcing bias based profiling is unacceptable in Blue Team. | 2 | 60* | 96.77% |
|--|----------|------------|---------------|

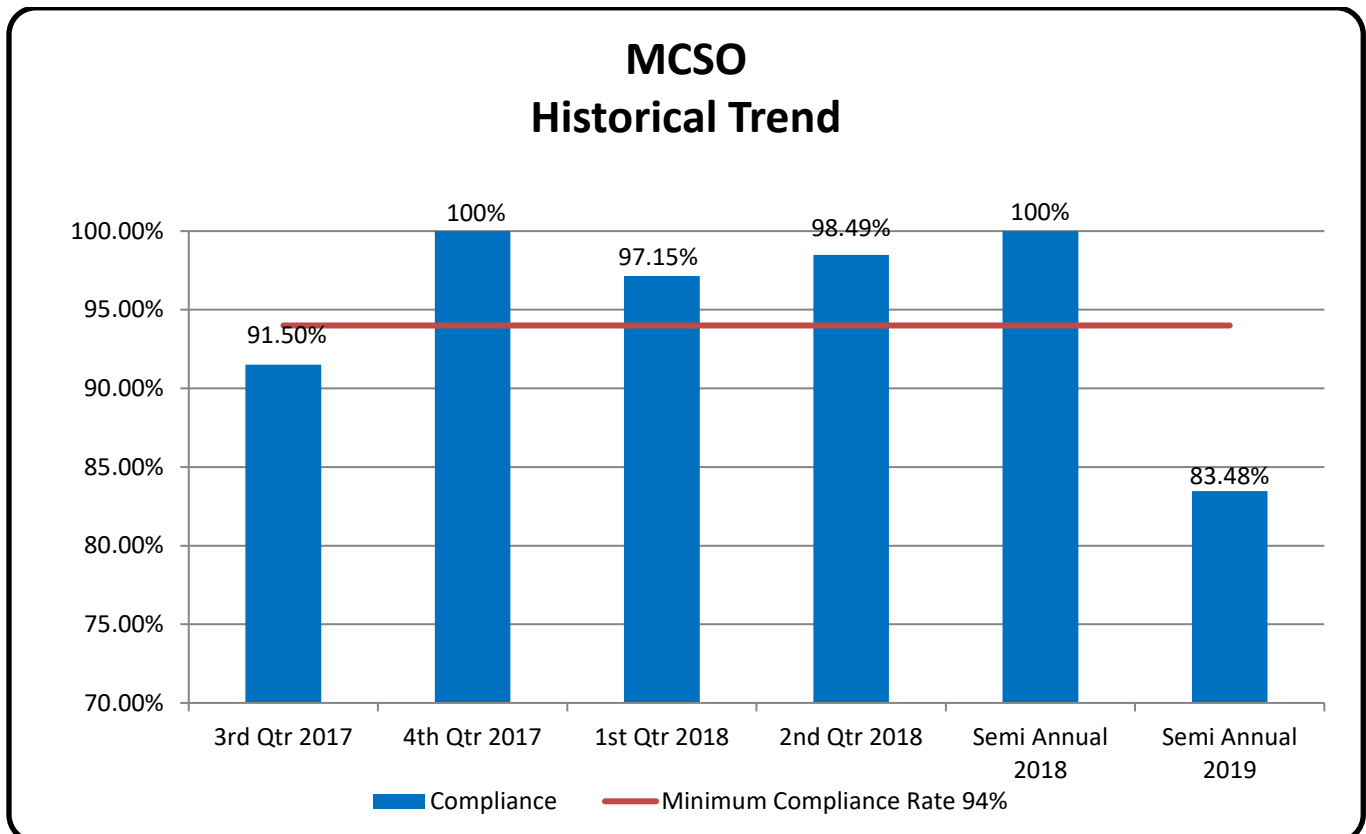
*The original sample provided by the monitor team included the names of 63 civilian personnel. During the inspection process, it was determined that one of the listed employees was hired on 7/1/19 and could not have been briefed on CP-8 by the 6/30/19 deadline. Therefore, this employee was not included in the tabulated total and the sample size was decreased by 1 to a total of 62 civilian personnel.

Please note that there is no comparative chart as MCSO has not previously inspected this personnel classification for CP-8 compliance.

Overall Compliance

| Compliance Rate by Inspected Personnel | Compliance Rate |
|---|------------------------|
| Reserve Deputies | 78.57% |
| Posse Volunteers | 0% |
| Sworn Personnel | 96.77% |
| Detention Personnel | 98.48% |
| Civilian Personnel | 96.77% |
| Overall Compliance | 83.48% |

Below is the combined historical comparison of compliance by Sworn and Detention personnel with the requirements of CP-8 to unequivocally and consistently reinforce that biased-based profiling and/or discriminatory policing are unacceptable.



The following Deficiencies were identified during the inspection process; however, as previously stated, due to the extraordinarily short timeline given to comply, NO BIO Action Forms are requested.

Reserve Deputies:

| Employee Inspected | Supervisor | Division | Division Commander | Deficiency |
|--------------------|------------|--------------------|--------------------|---|
| Reserve Deputy | Sergeant | Community Outreach | Director | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Reserve Deputy | Sergeant | Training | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Reserve Deputy | Sergeant | Community Outreach | Director | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Reserve Deputy | Sergeant | SID | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Reserve Deputy | Sergeant | Community Outreach | Director | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Reserve Deputy | Sergeant | District 1 | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |

Sworn:

| Employee Inspected | Supervisor | Division | Division Commander | Deficiency |
|--------------------|----------------------|----------------------------------|--------------------|---|
| Deputy | Administrative Leave | 5021-Professional Standards | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Deputy | Sergeant | 5062-Special Investigations Div. | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |

Detention:

| Employee Inspected | Supervisor | Division | Division Commander | Deficiency |
|--------------------|------------|------------------------|--------------------|---|
| Officer | Captain | 5073-Training Division | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |

Civilian:

| Employee Inspected | Supervisor | Division | Division Commander | Deficiency |
|--------------------|------------|----------------------------|--------------------|---|
| Employee | Captain | 5073-Training Division | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Employee | Supervisor | 5144-Inmate Classification | Commander | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |

Posse:

| Employee Inspected | Supervisor | Division | Division Commander | Deficiency |
|--------------------|------------|---------------------------|--------------------|---|
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |

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|-------|----------|---------------------------|---------|---|
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
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| | | | | Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
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|-------|----------|---------------------------|---------|---|
| | | | | Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |
| Posse | Sergeant | 5081- Enforcement Support | Captain | No entries found documenting the discussion of the prohibition against Biased Based Policing for the first six months of 2019 (Jan-Jun) as required by Admin Broadcast 19-65. |

Action Required:

With the resulting **83.48%** overall compliance for *Inspection BI2019-0079*, and as previously explained in this report, **no BIO Action Forms are requested.**

Recommendations:

It is recommended that supervisors at all levels continue to have discussion with their subordinates to ensure compliance with the intent of CP-8. Specifically, the requirement that whenever these discussions occur with subordinates which reinforce that racial and bias-based profiling and/or discriminatory policing are unacceptable, the discussions be documented in Blue Team as a Supervisor Note or Briefing Note. The supervisor should also ensure that the appropriate allegation is selected from the drop-down list when documenting the reinforcement with employees.

Date Inspection Started: July 4, 2019
Date Completed: October 24, 2019
Timeframe Inspected: January 1 to June 30, 2019
Assigned Inspector: Sgt. Mario Rodriguez A9047

I have reviewed this inspection report.

Lt. D. Reaulo S1678

11/7/2019

Lt. Dominick Reaulo S1678
Commander, Audits & Inspections Unit
Bureau of Internal Oversight

Date