

MARICOPA COUNTY SHERIFF'S OFFICE

Bureau of Internal Oversight
Audits and Inspections Unit



Post Stop Ethnicity Inspection January 2020
Inspection Report # BI2020-0013

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 data obtained from the TraCS system and a list of Hispanic surnames created by the Criminal Intelligence Division 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 January 2020:

- 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 Contracts, and Citation Issuance*

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

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

MCSO Policy CP-2, *Code of Conduct*

MCSO Policy CP-5, *Truthfulness*

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

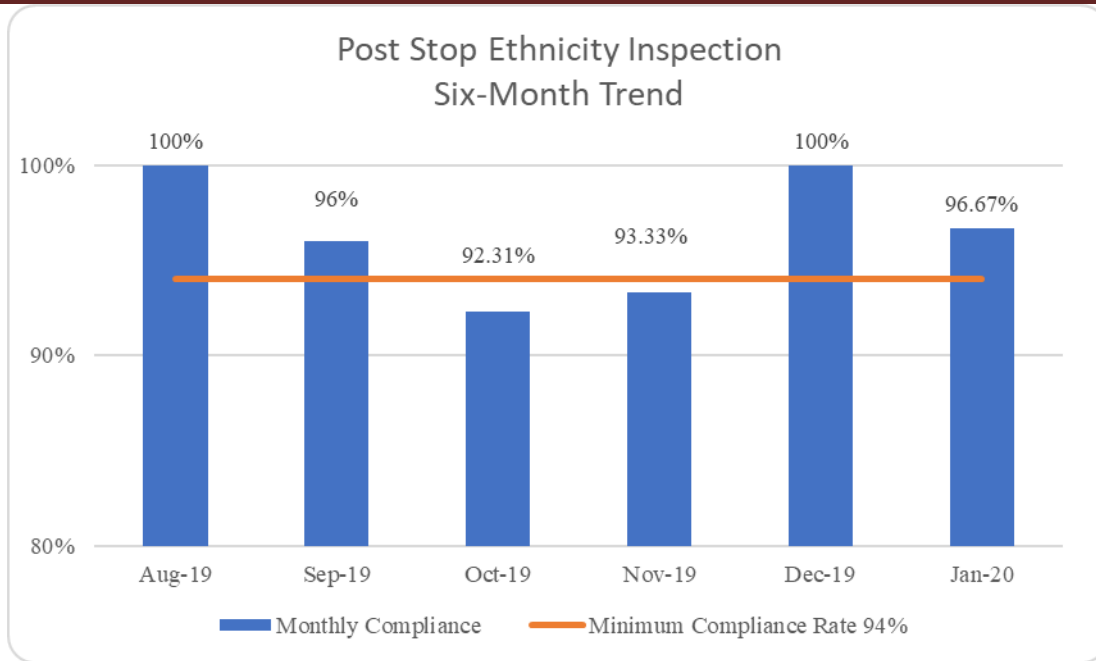
Conditions:

Collectively there were a total of 2,029 traffic stops made during the month of January 2020, of which 220 traffic stops met inspection criteria. Out of 220 traffic stops the MCSO reviewed a total random sample of 25 traffic stops. These traffic stops included:

- 1) 10 stops for Hispanic surname drivers identified as "White" (69 of 220 stops).
- 2) 5 stops for Hispanic surname drivers with Passenger Post Stop Perceived Ethnicity listed as "Unknown-Vision Obscured" (5 of 220 stops).
- 3) 10 stops for Hispanic drivers with Passenger Post Stop Perceived Ethnicity Identified (146 of 220 stops).

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

MCSO achieved a compliance rate of 96.67% in the Post Stop Ethnicity Inspection for January 2020, 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	Compliance Rate
Drivers with Hispanic surnames identified as "White" on VSCF: Deputy's perception is consistent with inspector (review of BWC)	1	9	90.00%
Hispanic surname drivers with passengers listed as "Unknown-Vision Obstructed": Deputy's perception is consistent with inspector (review of BWC)	0	5	100.00%
Hispanic drivers with Passenger Post Stop Ethnicity identified: Deputy's perception is consistent with inspector (review of BWC)	0	10	100.00%
Overall Compliance with inspection requirements	1	24	96.67%

The following deficiencies were noted during the inspection period:

District	MC#	Date of Event	Deputy	Supervisor	Commander:
District III	MC20000186	1-Jan-20	Deputy	Lieutenant	Captain
Perceived Deficiency					
Deputy checked drivers post stop perceived race/ethnicity as "White" on the VSCF. The BWC video indicates the driver appears to be Hispanic. Policy EB-2.2H					

Unless noted above in the deficiency table, there were not prior BIO Action Forms similar in nature or supervisor notes addressing the deficiencies.

Action Required:

With the resulting 96.67% compliance, *Inspection BI2020-0013* a total of 1 BIO Action Forms are requested from the affected division. **The form shall be completed utilizing Blue Team.**

Recommendations:

Supervisors should continue to discuss the importance of accurate pre-stop and post-stop ethnicity selections by deputies and should be diligent in reviewing traffic stop data to ensure that deputies are adhering to Policy. Supervisors should also refer to the Hispanic Surname Briefing section of the 2017 SRELE course (which can be located on the U-Drive under the Training folder, titled, "Hispanic Surname Briefing") and provide periodic refreshers to deputies regarding the importance of using their training, professional and life experiences to make an accurate selection of a person's perceived ethnicity.

We recommend supervisors take an additional step, as part of their review of Vehicle Stop Contact Forms (VSCF), when they identify a driver with a Hispanic surname marked "White". Specifically, we recommend supervisors do their own assessment of the driver's race/ethnicity by reviewing the body worn camera footage. If they disagree with the deputy's assessment, we recommend they ask the deputy to review their body camera footage and reassess. If the Deputy's assessment does not change, we recommend supervisors add a note in Tracs stating they asked the Deputy to reassess the post stop race/ethnicity and the Deputy's assessment remained the same. If supervisors agree with the deputy's assessment, we recommend they document their agreement in a TraCS note.

Any deficiency found in the MCSO Contact Form needs to be corrected. The data from the MCSO Contact Forms are utilized in the EIS process of completing the statistical analysis of traffic stops. These analyses occur monthly, quarterly and annually, and having accurate information on the VSCF will reduce erroneous data in the analysis. Therefore, any errors found by the supervisor during their reviews and discussions should be corrected. Any errors found from an inspection should be corrected. An example from above would be as follows: A deputy reassess the Post Stop perceived race/ethnicity and decides to change it to a different race/ethnicity. The supervisor needs then to reject the form so the deputy can change the identified Post Stop perceived race/ethnicity and then validate the form.

Date Inspection Started: 02/05/2020
 Date Completed: 02/12/2020
 Timeframe Inspected: January 1 – 31, 2019
 Assigned Inspector(s): Kateryna Ellis B4299

I have reviewed this inspection report.

Lt. Todd Brice

3-23-20

Lt. Todd Brice S1767
 Commander, Audits & Inspections Unit
 Bureau of Internal Oversight

Date