

Maricopa County Sheriff's Office
Joseph M. Arpaio, Sheriff

COURT IMPLEMENTATION DIVISION

SEVENTH QUARTERLY COMPLIANCE REPORT



4TH QUARTER 2015, OCTOBER 1 – DECEMBER 31

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INTRODUCTION

This Quarterly Report assesses the Maricopa County Sheriff's Office (MCSO) level of Compliance with Judge Snow's *Supplemental Permanent Injunction/Judgment Order* (Doc. 606) of October 2, 2013; as amended the "Court Order". The reporting period for this report covers the Fourth quarter of 2015 (October 1, 2015 - December 31, 2015). This Quarterly Report is submitted to comply with the Court's Order, paragraph 11.

The Court Order, paragraph 11 requires that MCSO file with the Court, no later than 30 days before the Monitor's quarterly report is due, a report that shall:

- (i) delineate the steps taken by MCSO during the reporting period to implement this Order;
- (ii) delineate MCSO's plans to correct any problems; and
- (iii) include responses to any concerns raised in the Monitor's previous quarterly report.

Purpose

MCSO intends to achieve "Full and Effective Compliance" as the Court's Order defines it. The purpose of this Quarterly Report is to describe and document the steps MCSO has taken to implement the Court's Order and explain MCSO's plans to correct any problems. Lastly, this Quarterly Report includes responses to concerns raised in the Monitor's previous Quarterly Report filed on February 09, 2016.

PART I:

BACKGROUND AND OVERVIEW OF MCSO'S EFFORTS TOWARD COMPLIANCE

Background

The *Findings of Fact and Conclusions of Law* (Doc. 579) of May 24, 2013 and the subsequent *Supplemental Permanent Injunction/Judgment Order* (Doc. 606) of October 2, 2013, permanently enjoined the Maricopa County Sheriff's Office (MCSO) from engaging in seven distinct areas of enforcement activity involving investigation, detention, or arrest of vehicle occupants based in part or whole on a person's race, Latino ancestry, or possible unauthorized presence within the country. While the Court recognizes an exception when deputies are acting based on a specific suspect description, MCSO must ensure it only engages in race-neutral bias-free policing.

To ensure compliance with the Court's Orders, MCSO established a skilled Court Implementation Division (CID), established policies, procedures, and directives, and created the Bureau of Internal Oversight (BIO).

MCSO acquired and implemented hardware and software technology that is used to collect traffic stop data and data needed for the Early Identification System (EIS). This technology, along with inspections and audits performed by the BIO helps MCSO conduct quality assurance activities.

MCSO promulgated all Office Policies and Procedures related to Patrol Operations and completed the comprehensive instruction required in each of these substantive areas. MCSO also increased the number and activities of supervisors.

All MCSO employees have read and acknowledged the Court's *Corrective Statement* of April 17, 2014, and all supervisors have read and acknowledged the *Findings of Fact and Conclusions of Law* (Doc. 579) of May 24, 2013 and the *Supplemental Permanent Injunction/Judgment Order* (Doc. 606). In March 2015, the Court deemed MCSO in compliance, having met the requirements of the Court Order, and no longer obligated to report on compliance levels for the Court's *Corrective Statement* of April 17, 2014.

Overview of MCSO's Efforts Toward Compliance

The *Melendres* Court Order Compliance Chart (See Appendix A) was developed from information provided in the Monitor's Sixth Quarterly Report (covering the reporting period of July 1 – September 30, 2015) and then updated to reflect the continued progress MCSO has made toward compliance during the current reporting period of October 1 – December 31, 2015 (4th Quarter of 2015). According to the Monitor's Sixth Quarterly Report, the Monitor will evaluate MCSO on 89 paragraphs for compliance. The Monitor will assess these paragraphs in two phases. Phase 1 compliance is assessed based on "whether requisite policies and procedures have been developed and approved and agency personnel have received documented training on their content" (Monitor's Sixth Quarterly Report, p. 8). Phase 2 compliance is "generally considered operational implementation" and must comply "more than 94% of the time or in more than 94% of the instances being reviewed" (Monitor's Sixth Quarterly Report, p. 8).

According to the Monitor's Sixth Quarterly Report, MCSO is in compliance with 43 of the 75 paragraphs assessed for Phase 1 compliance and with 33 of the 89 paragraphs assessed for Phase 2 Compliance (fourteen paragraphs are not applicable to Phase 1 compliance as they do not require a corresponding policy or procedure).

PART II: STEPS TAKEN BY MCSO AND PLANS TO ACHIEVE COMPLIANCE WITH THE ORDER

Sections I and II of the Court Order focus on definitions, effective dates, and jurisdictional matters, for this reason, Part II of this report will begin with Section III of the Court Order.

Section III – MCSO Implementation Division and Internal Agency-Wide Assessment

MCSO has taken major steps to implement Section III of the Court Order: In October 2013, MCSO formed a division titled the Court Compliance and Implementation Division consistent with paragraph 9. In February 2015, MCSO changed the name to the Court Implementation Division (CID). Captain Fred Aldorasi, who assumed command in September 2015, heads this division comprised of eleven members with interdisciplinary backgrounds. The division members include one lieutenant, four sergeants, three deputies, one management analyst, and one administrative assistant. Captain Aldorasi has been appointed the single point of contact with the Court and the Monitor; he coordinates visits and other activities with each of the parties as the Court Order requires. In order to ensure that MCSO fully and effectively implements the Court Order throughout the Office, this division continues to report directly to the Chief Deputy who has agency-wide authority to demand full compliance.

As part of the CID's duties to coordinate MCSO's compliance and implementation activities, the division took the following steps:

A. Amendment/Creation of New Policies and Procedures

In response to paragraph 19 of the Court Order concerning review of existing Policy and Procedures, and paragraph 30 regarding timely submissions, the CID, working with the Human Resource Bureau's Compliance Division, Policy Section continues to review MCSO Policies and Procedures (see Section V). In addition, two Briefing Boards were issued to ensure prompt compliance with new or amended policy and three Administrative Broadcasts were issued (see Table #4).

B. Document Production

The CID is responsible for facilitating data collection and document production. The CID responded to ten document requests (see Table #1). Additional document production is underway as part of the CID's efforts to assist the Monitor's quarterly review.

The collection and review of the produced documents allows quality control and increased accountability among enforcement commands. In addition, the CID continues to work toward systematizing data collection and improving audit/quality assurance capabilities for a more effective response to the wide variety of record requests.

| Table #1 | |
|---|---|
| Document Production Requests | |
| Title | General Description |
| 10-06-2015 Quarterly Request | Document Request for the time period October 1 – December 31, 2015 |
| 10-19-2015 Site Visit Request | Document Request following the October 2015 Site Visit |
| October Monthly Request | Monitor's Monthly Production Request |
| November Monthly Request | Monitor's Monthly Production Request |
| 11-10-2015 MCSO Org Chart | Request for Copy of MCSO Organizational Chart |
| December Monthly Request | Monitor's Monthly Production Request |
| 12-01-2015 Policy Manual Request | Request For Copy of All MCSO Policies |
| 12-18-2015 Request for EB-2 and BB-15-38 | Request For Recently Published Policy EB-2 and Briefing Board 15-38 |
| Training Request | Several documents related to Training Lesson Plans |
| Evidence Room Request | Documents Related to the Evidence Room Request and the Destruction of Inmate Property |

C. Maintenance of Records

The CID is responsible for ensuring record maintenance as provided in the Court Order. CID collects all production requests pursuant to the Court Order with the exception of open PSB matters.

D. Assist in Providing Inspections/Quality Assurance/Audits

The Bureau of Internal Oversight (BIO) continues to develop and expand audits and inspections to provide quality assurance throughout the Office. MCSO created the BIO on September 29, 2014 to address Court Order compliance, inspections, and employee performance and misconduct. The BIO conducts audits based on General Accepted Government Auditing Standards (GAGAS). In addition to monitoring and ensuring compliance with the Court Order, some of the procedures performed by the auditors include: review programs; evaluate compliance with rules, regulations, policies and procedures; appraise the quality of performances; and evaluate safeguards in place to limit losses of all kinds in regards to department resources.

The BIO is also structured for future expansion to conduct oversight, quality assurance, inspections, and audits of jail operations and use of force by enforcement and detention personnel. In November, BIO Inspector, Sgt. Scott Massey, retired from MCSO and was replaced by Sgt. Mario Rodriguez. The BIO will add a Management Analyst position next quarter that will primarily assist the Early Intervention Unit (EIU). Inspectors continued to receive various training opportunities throughout the quarter.

During this quarter, BIO inspectors completed an extensive risk assessment of all Sheriff's Office Divisions. The comprehensive report established the basis for an audit schedule that will begin during the first quarter of 2016. Senior auditors will begin in the Patrol Bureau at each district and will conduct three separate audits that could take up to four months to complete. BIO and EIS staff continued to work on various matters with our partners from the Arizona State University, Criminology Department. BIO and EIS members, along with staff from the Technology Bureau continue to work collectively to produce an acceptable work product, which will ensure adherence to Office Policy.

Consistent with the Court Order's mandate to engage in periodic audits/inspections, the BIO conducted 38 inspections between October 1, 2015 and December 31, 2015. These included three (3) CAD and Alpha Paging Inspections; three (3) Administrative Investigation Inspections; one (1) Patrol Incident Report Inspection; three (3) Patrol Shift Roster Inspections; three (3) Traffic Stop Data Collection Inspections; four (4) District/Division Property and Evidence Inspections; three (3) County Attorney Disposition Inspections; three (3) Employee Email Inspections; nine (9) Supervisory Note Inspections-three (3) Detention, three (3) Civilian and three (3) Sworn-Patrol; three (3) District/Division Operation Inspections; and three (3) Cash Inspections. Three of the 35 inspections were traffic stop related (see Section VIII).

Inspectors reviewed these functions for compliance to existing Sheriff's Office Policy and the Court Order. An ongoing and consistent analysis of all inspection results, to include comparisons between staff members from all districts and divisions, will be instrumental in identifying the progress of various Sheriff's Office components through compliance to established procedures. Patterns or trends in compliancy rates developed over time will assist the BIO with recommendations for improvement and ultimately in sustaining adherence to Sheriff's Office Policies and the Court Order.

MCSO conducted the following inspections during the 4th Quarter of 2015:

- CAD Messaging/Alpha Paging System Inspection: The methodology includes inspection of random ten-day monthly samples for all messaging entries. The inspection complies with MCSO Policies CP-2, *Code of Conduct*, CP-3, *Work Place Professionalism*, and GM-1, *Electronic Communications and Voicemail*; and consistent with the Court Order, paragraph 23. The compliance rate was 100% in October 2015, 99% in November and 100% in December 2015.
- Administrative Investigations (Complaints) Inspection: A 50% random sampling of all closed cases from the previous month will be reviewed. The inspection complies with MCSO Policies GH-2, *Internal Investigations* and GC-17, *Employee Disciplinary Procedure*; and consistent with the Court Order, paragraphs 33 and 102. The compliance rate of administrative investigations in October 2014 was only 7.4%. The fourth quarter of 2015 compliance rates were; 96.5% in October, 72% in November and 85% in December. The decrease from October to November occurred mostly because cases were not completed in the appropriate time frame.
- Quarterly Patrol Incident Report Inspection: The Monitor Team chose random samples of incident reports from all patrol districts and divisions; from that sample 20% were randomly obtained by MCSO for inspection. The inspections comply with MCSO Policies EA-11, *Arrest Procedures*, EB-1, *Traffic Enforcement, Violator Contacts, and Citations Issuance*, EB-2, *Traffic Stop Data Collection*, CP-2, *Code of Conduct*, CP-8, *Preventing Racial and Other Biased-Based Profiling*; and are consistent with the Court Order, paragraphs 89, 90, 91, 93, 94, and 96. The fourth quarter 2015 compliance rate was 95%, which maintained at the same level from the previous quarter.

- Patrol Shift Roster Inspection: The inspection is consistent with MCSO Chief of Patrol, Deputy Chief Rodriguez's directives along with pending changes to MCSO Policy GB-2, *Command Responsibility*; and is consistent with the Court Order, paragraphs 82, 84, and 86. The compliance rate of completed rosters for the first, second and third quarters of 2015 have been nearly 100% each month. The fourth quarter of 2015 compliance rates were; 99.8% in October, 99.6% in November and 99.9% in December. The Sheriff's Office has been adhering to proper deputy to sergeant patrol squad ratios and has eliminated acting patrol supervisors.
- Traffic Stop Data Collection Inspection: The Monitor team chose a random sample of traffic stops. The inspection complies with MCSO Policies EB-1, *Traffic Enforcement, Violator Contacts, and Citations Issuance*, and EB-2, *Traffic Stop Data Collection*; and is consistent with the Court's Order, paragraphs 54 a-m, 55, 56, and 57. The fourth quarter compliance rates were; 85% compliance in October, 91.5% in November and 100% in December.
- County Attorney Disposition Inspection: MCSO conducted a 100% random sampling of all County Attorney complaint dispositions submitted. The inspection complies with MCSO Policy GF-4, *Office Reports* and ED-3, *Review of Cases Declined for Prosecution*; and is consistent with the Court's Order, paragraph 75. The fourth quarter compliance rates were; 100% compliance in October, 100% in November and 98.3% in December.
- Employee Email Inspection: MCSO generates and reviews a random sample of all Sheriff's Office employee email accounts from the previous month. The inspection complies with MCSO Policies GM-1, *Electronic Communications and Voicemail* and CP-2, *Code of Conduct*; and is consistent with the Court's Order, paragraph 23. The employee email compliance rate was 100% for each month during the fourth quarter of 2015. This inspection has continued to maintain perfect scores for the past six months.
- Supervisory Notes Inspection: MCSO conducts a random sampling of all Blue Team supervisory note entries from the prior month. The inspection complies with MCSO Policy GB-2, *Command Responsibility*; and is consistent with the Court's Order, paragraphs 85, 87, 92, 95, and 99.
 - Supervisory Notes – Sworn (Patrol): The fourth quarter compliance rates were; 100% compliance in October, 88.8% in November, and 80.1% in December.
 - Supervisory Notes – Detention: The fourth quarter compliance rates were; 88.8% compliance in October, 87.5% in November, and 96.5% in December.
 - Supervisory Notes – Civilian: The fourth quarter compliance rates were; 85.7% compliance in October, 89.5% in November, and 86.6% in December.
- District Operations Inspection: MCSO inspects district operations monthly. The BIO Chief identifies one or two districts/divisions for uniform inspections using a matrix of random facility employees. District/Division operations were inspected at the SWAT Division, Major Crimes Division, and Civil Division. The SWAT Division had a 100% compliance rate, Major Crimes had 98.2%, and Civil also had 100% rate. In all three inspections, there was no evidence that Maricopa County property or equipment was being used in any way that discriminates against or denigrates anyone.
- Cash Inspection: Cash inspections were conducted at Inmate Canteen, MASH and Legal Liaison. All inspections resulted in 100% compliance.

The following table represents the overall inspection compliancy rate for each month during the fourth quarter of 2015. The second column of each month shows the increase or decrease compared to the previous month or quarter.

| Table #2 | | | | | | |
|--|---------|-------|----------|-------|----------|-------|
| Bureau of Internal Oversight - Monthly Inspections Compliancy Rate | | | | | | |
| Inspection | October | | November | | December | |
| Patrol Shift Rosters | 99.8% | +0.8 | 99.6% | -0.2 | 99.9% | +0.3 |
| Admin. Investigations | 96.5% | -0.5 | 72.0% | -24.5 | 85.0% | +13.0 |
| Traffic Stop Data Collection | 85.0% | +5.0 | 91.5% | +6.5 | 100% | +8.5 |
| Employee Email | 100% | - | 100% | - | 100% | - |
| Supervisor Notes (Sworn) | 100% | +25.6 | 88.9% | -11.1 | 80.2% | -8.7 |
| Supervisory Notes (Detention) | 88.9% | | 87.5% | -1.4 | 96.5% | +9.0 |
| Supervisory Notes (Civilian) | 85.7% | | 89.6% | +3.9 | 86.7% | -2.9 |
| Employee CAD/Alpha Paging | 100% | - | 99.0% | -1.0 | 100% | +1.0 |
| County Attorney Dispositions (Turndowns) | 100% | +8.0 | 100% | - | 98.3% | -1.7 |
| District Operations (SWAT) | 100% | +4.0 | - | - | - | - |
| District Operations (Major Crimes) | - | - | 98.2% | -1.8 | - | - |
| District Operations (Civil) | - | - | - | - | 100% | +1.8 |
| Division Property (SWAT) | N/A | - | - | - | - | - |
| Division Property (Major Crimes) | - | - | N/A | - | - | - |
| Division Property (Civil) | - | - | - | - | N/A | - |
| Division Property (Tents Jail) | | | | | N/A | - |
| Patrol Incident Report (Quarterly) | | | | | 95.0% | - |
| Cash (Inmate Canteen, MASH,) | 100% | - | 100% | - | 100% | - |

E. Assigning Implementation and Compliance Related-Tasks to MCSO Personnel as Directed by the Sheriff or his Designee

The CID, with the Sheriff's approval, ensures the proper allocation of document production requests to the appropriate MCSO units to achieve full and effective compliance with the Court Order. These assignments are as follows:

| Table #3 | |
|---|---|
| MCSO Unit Assignments for Court Order | |
| Section | Unit Name |
| III. MCSO Implementation Unit and Internal Agency-Wide Assessment | <ul style="list-style-type: none"> • Court Implementation Division |
| IV. Monitor Review Process | <ul style="list-style-type: none"> • Court Implementation Division |
| V. Policies and Procedures | <ul style="list-style-type: none"> • Human Resources Bureau, Compliance Division - Policy Section • Court Implementation Division • Maricopa County Attorney's Office |
| VI. Pre-Planned Operations | <ul style="list-style-type: none"> • Compliance Division – Policy Section • Court Implementation Division • Detective and Investigations Bureau |
| VII. Training | <ul style="list-style-type: none"> • Court Implementation Division • Maricopa County Attorney's Office • Training Division |
| VIII. Traffic Stop Documentation and Data Collection and Review | <ul style="list-style-type: none"> • Court Implementation Division • Bureau of Internal Oversight/Early Intervention Unit |
| IX. Early Identification System (EIS) | <ul style="list-style-type: none"> • Bureau of Internal Oversight/Early Intervention Unit |
| X. Supervision and Evaluation of Officer Performance | <ul style="list-style-type: none"> • Command Staff • Human Resources Bureau, Compliance Division and Personnel Services Division • Court Implementation Division • Bureau of Internal Oversight/Early Intervention Unit • Enforcement Bureau • Maricopa County Attorney's Office • Training Division |

| | |
|-------------------------------|--|
| XI. Misconduct and Complaints | <ul style="list-style-type: none"> • Command Staff • Professional Standards Bureau • Supervisors in each unit |
| XII. Community Engagement | <ul style="list-style-type: none"> • Community Outreach Division |

Section IV – Monitor Review Process

The Court’s Order, Section IV directs submission of policies and appeals, and sets deadlines. Consistent with paragraph 14, MCSO responds expeditiously to all requests for documentation. Consistent with paragraph 15, MCSO completes resubmissions when requested (e.g., format changes to document requests, changes to training curriculum via the consultant, etc.). Additionally as per paragraphs 16 and 31, MCSO promptly disseminates Office Policies and Procedures, and other documents after the Monitor approves them.

Section V – Policies and Procedures

Consistent with paragraph 18 requirements that MCSO deliver police services consistent with the Constitution, United States, and Arizona law, MCSO continually reviews its Office Policies and Procedures. MCSO is committed to ensuring equal protection and bias-free policing. To ensure compliance with the Court Order, MCSO continues to comprehensively review all Patrol Operations Policies and Procedures, consistent with the Court Order, paragraph 19.

MCSO published two new policies relevant to the Court Order during this reporting period, Policies GF-5, *Incident Report Guidelines* and GH-5, *Early Intervention System (EIS)*. MCSO also published revisions of Policies CP-5, *Truthfulness*, CP-8, *Preventing Racial and Other Biased-Based Profiling*, EA-5, *Enforcement Communications*, GA-1, *Development of Written Orders*, GC-7, *Transfer of Personnel*, GJ-33, *Significant Operations*, and EB-2, *Traffic Stop Data Collection*.

In addition to its annual review of all Critical Policies, consistent with paragraph 34 requirements that MCSO review each policy and procedure on an annual basis to ensure that the policy provides effective direction to personnel and remains consistent with the Court Order, the Policy Section initiated its annual review of all policies relevant to the Court Order.

MCSO Policy Section is working on the following drafts:

- EA-11, *Arrest Procedures*
- EB-1, *Traffic Enforcement, Violator Contacts, and Citation Issuance*
- ED-2, *Covert Operations*
- GC-17, *Employee Discipline Procedures*
- GE-3, *Property Management*
- GF-3, *Criminal History Record Information and Public Records*
- GH-2, *Internal Investigations*
- GI-7, *Tiplines and Hotlines*
- GJ-3, *Search and Seizure*
- GJ-4, *Evidence Control*
- GJ-35, *Body-Worn Cameras*

- GJ-36, *Use of Digital Recording Devices*

Policies pending legal review:

- GC-4, *Employee Performance Appraisals*
- GG-1, *Peace Officer Training Administration*
- GJ-26, *Sheriff's Reserve Deputy Program*
- GJ-27, *Sheriff's Posse Program*

Policies submitted to the Monitors for review:

- CP-2, *Code of Conduct*

Policies pending publication:

- CP-3, *Workplace Professionalism*
- GB-2, *Command Responsibility*

To quickly implement the Court's directives, MCSO disseminated six *Briefing Boards* and one Administrative Broadcast reference court order related topics during this reporting period¹. The published *Briefing Boards* and Administrative Broadcasts are listed in the following table:

| Table #4 | | |
|--|--|-------------|
| MCSO Briefing Boards/Administrative Broadcasts | | |
| B.B. /A.B. # | Subject | Date Issued |
| BB 15-26 | Policy Publication – EA-5, <i>Enforcement Communications</i> | 10-28-15 |
| BB 15-29 | Policy Publication - GA-1, <i>Development of Written Orders</i> , GC-7, <i>Transfer of Personnel</i> , and GF-5, <i>Incident Report Guidelines</i> | 11-06-15 |
| BB 15-30 | Policy Publication –CP-5, <i>Truthfulness</i> and CP-8, <i>Preventing Racial and Other Biased-Based Profiling</i> | 11-16-15 |
| BB15-32 | Policy Publication – GJ-33, <i>Significant Operations</i> and GH-5, <i>Early Intervention System (EIS)</i> | 11-17-15 |
| BB 15-38 | Policy Publication – EB-2, <i>Traffic Stop Data Collection</i> | 12-16-15 |
| BB 15-40 | Special Briefing Board –Information Every Employee Needs to Know | 12-18-15 |
| AB 15-114 | Annual Training for 1 st and 14 th Amendments | 11-20-15 |

¹ *Briefing Boards* have the full effect of an Office Policy. MCSO Administrative Broadcasts provide written directives and information to employees on material other than Policy.

MCSO *Briefing Board* 15-26, published on October 28, 2015, announced a revised policy publication for Court Order related policies. *The Briefing Board* announced the publication of Policy EA-5, *Enforcement Communications*.

MCSO *Briefing Board* 15-29, published November 6, 2015, announced a revised policy publication for Court Order related policies. *The Briefing Board* announced the publication of Policies GA-, *Development of Written Orders*, GC-7, *Transfer of Personnel*, and GF-5, *Incident Report Guidelines*.

MCSO *Briefing Board* 15-30, published on November 16, 2015, announced a revised policy publication for Court Order related policies. *The Briefing Board* announced the publication of Policies CP-5, *Truthfulness* and CP-8, *Preventing Racial and Other Biased-Based Profiling*.

MCSO *Briefing Board* 15-32, published November 17, 2015, announced a new policy and a revised policy publication for Court Order related policies. *The Briefing Board* announced the publication of Policies GH-5, *Early Intervention System (EIS)* and GJ-33, *Significant Operations*.

MCSO *Briefing Board* 15-38, published December 18, 2015, announced reminder regarding a number of Court Order related policies. *The Briefing Board* reminded employees to review the contents of Policies CP-3, *Workplace Professionalism*, CP-5, *Truthfulness*, CP-8, *Preventing Racial and Other Biased-Based Profiling*, GC-17, *Employee Disciplinary Procedures*, as well as the appropriate use of e-mail, the employment law posters, the law enforcement's right to representation, and constructive discharge information.

MCSO Administrative Broadcast 15-114, published on November 20, 2015, announced the annual training for MCSO personnel on the 1st and 14th Amendments.

MCSO also published an additional 9 new or revised policies, 11 *Briefing Boards*, and 19 Administrative Broadcasts not relevant to the Court Order during this reporting period.

Consistent with the Court Order, paragraph 31 requirements regarding MCSO personnel's receipt and comprehension of the policies and procedures, MCSO implemented the E-Policy system in January 2015. MCSO utilizes the system to distribute and require attestation of all *Briefing Boards* and published policies. E-Policy memorializes and tracks employee compliance with the required reading of MCSO Policy and Procedures, acknowledging an understanding of them, and expressing an agreement to abide by the requirements of the policies and procedures. MCSO makes available the Critical, Detention, Enforcement, and General Policies via E-Policy as a resource for all MCSO personnel.

During this reporting period, MCSO utilized the E-Policy system to distribute and obtain attestation of 15 policies, including four policies related to the Court Order (Policies GF-5, *Incident Report Guidelines* and GH-5, *Early Intervention System (EIS)*, CP-5, *Truthfulness*, CP-8, *Preventing Racial and Other Biased-Based Profiling*, EA-5, *Enforcement Communications*, GA-1, *Development of Written Orders*, GC-7, *Transfer of Personnel*, GJ-33, *Significant Operations*, and EB-2, *Traffic Stop Data Collection*).

Section VI – Pre-Planned Operations

The Court's Order, paragraph 36 requires that MCSO develop a written protocol including a statement of operational motivations and objectives, parameters for supporting documentation, operational plans, and instructions for supervisors, deputies, and posse members. To comply with paragraph 36, MCSO developed and disseminated Office Policy, GJ-33, *Significant Operations*. GJ-33 includes protocol

templates and instructions for Significant Operations and Patrols as the Court Order, Section VI directs. MCSO completed training for this policy on December 31, 2014

On January 6, 2015, MCSO ceased any active, pending, and future investigations related to ARS §13-2009(A)(3) and the portion of ARS § 13-2008(A)² that address actions committed “with the intent to obtain or continue employment.” Additionally, MCSO disbanded the Criminal Employment Unit (CEU) and reassigned CEU deputies effective January 19, 2015.

The MCSO did not conduct any significant operations during this rating period.

Section VII – Training

The Court’s Order requires MCSO to develop three types of training: 1) Bias-Free Policing consistent with paragraphs 48 and 49; 2) Detentions, Arrests, and Immigration-Related Laws consistent with paragraphs 50 and 51; and 3) Supervisor and Command Level Training consistent with paragraphs 52 and 53.

The Training Division will ensure that all relevant personnel receive training initially and annually thereafter consistent with paragraphs 48, 50, and 52. To assist in this compliance, the Training Division initiated a revision of Policy GG-1, formerly titled Basic Training Program, renamed to Law Enforcement Training Administration. This policy will combine policies and protocols from the previous GG-1 and GG-2, Training Administration. (The “new” GG-2 will solely focus on detention related training and administration.) Policy GG-1, Law Enforcement Training Administration delineates the required initial and subsequent annual training related to the Court Order; in addition to lesson plan development, instructor criteria, course assessments and remediation, master calendar, and records. The MCSO submitted a draft GG-1, Law Enforcement Training Administration, to the Monitor in September 2015. The MCSO received comments from the Monitor Team and is revising the policy to incorporate the Monitor’s comments.

The Training Division received approval on the final lesson plan of the Annual Combined Training. The first training day was December 14th, 2015 and continued thru the 19th until the holiday break, a total of 6 classes. Classes would resume at the start of the New Year, 2016. The classes were made up of Sworn, Reserve and Posse personnel.

During this quarter, the Training Division submitted a draft to all parties of the Supervisory Training Lesson plan. MCSO submitted a list of proposed instructors for this training, based on Monitor input; the Training Division has revised the list of proposed instructors and started to develop those instructor files. No final lesson plan was approved during this reporting period.

During this reporting period, the Training Division administered one in-person, two-day Bias-Free Policing and Detention, Arrests, and Immigration Related Laws training to the Deputy Academy Graduating Class #137, which also included reserve deputies and posse members. The deputies, reserve deputies, and posse members took the test “in-person” immediately following the conclusion of the second day of instruction.

² Pursuant to U.S. District Judge David G. Campbell’s January 5, 2015 Order in *Puente Arizona v. Joseph Arpaio* (previously distributed via CID).

The Training Division administered training to the remaining Deputies and Reserve Deputies during this quarter on the subject of TraCS. There were a total of 32 classes administered, in person during this quarter. The final class was administered was in December for the graduating Deputy class #137.

The Training Division conducted 13 body worn camera classes between 10-01-2015 and 12-31-2015. All sworn personnel with the exception of those on leave have attended and passed all required examinations during this quarter.

During this reporting period, the Training Division administered one in-person Blue Team training classes to the Deputy Graduating Class #137 and to detention officers in the training academy.

Consistent with the Court Order, paragraph 31 requirements regarding receipt and comprehension of the policies and procedures by MCSO personnel, MCSO implemented the e-Policy system in January 2015. It is a web based system that operates similar to e-Learning and is now utilized to distribute and obtain attestations of all Briefing Boards and published policies. E-Policy memorializes and tracks employee compliance with the required reading of MCSO Policy and Procedures, acknowledging an understanding of them, and expressing an agreement to abide by the requirements of the policies and procedures. MCSO imports all information regarding completed policy modules into Skills Manager, from which a report can be generated. The Critical, Detention, Enforcement, and General Policies are available via e-Policy as a resource for all MCSO personnel to view.

During this reporting period, MCSO utilized the E-Policy system to distribute and obtain attestation of 15 policies, including four policies related to the Court Order (Policies GF-5, *Incident Report Guidelines* and GH-5, *Early Intervention System (EIS)*, CP-5, *Truthfulness*, CP-8, *Preventing Racial and Other Biased-Based Profiling*, EA-5, *Enforcement Communications*, GA-1, *Development of Written Orders*, GC-7, *Transfer of Personnel*, GJ-33, *Significant Operations*, and EB-2, *Traffic Stop Data Collection*).

Section VIII – Traffic Stop Documentation And Data Collection And Review

In the Court ordered related training, MCSO disseminated and delivered, two traffic-related policies, EB-1, *Traffic Enforcement, Violator Contacts, and Citation Issuance* and EB-2, *Traffic Stop Data Collection*. The policies specifically address traffic stop requirements, ensuring that they are bias-free. By disseminating and training staff on these policies, MCSO complies with the Court's Order, paragraph 54.

Between October 1, 2015 and December 31, 2015, the BIO conducted three traffic stop related inspections to comply with the Court's Order, paragraph 64 (see Section III-D). The inspections were for traffic stop data, consistent with paragraphs 54-57, to ensure that MCSO: a) collected all traffic stop data to comply with MCSO Policy, EB-2, *Traffic Stop Data Collection*; b) accurately completed all forms; c) closed and validated all TraCS forms; d) used the correct CAD codes and sub codes; and e) supervisors review and memorialize Incident Reports within guidelines. The fourth quarter compliance rates were; 85% compliance in October, 91.5% in November and 100% in December.

MCSO implemented TraCS to electronically collect existing handwritten traffic stop data as the Court Order requires. The goal of TraCS is to minimize collecting required data on paper forms and to transition to collecting electronic data only, as paragraph 60 requires.

Further, MCSO implemented a system that allows deputies to input traffic stop data electronically. As of March 31, 2015 MCSO installed all of the approximately 178 marked patrol vehicles assigned to the Patrol Bureau with the electronic equipment, including the TraCS system, to capture traffic stop data that paragraph 54 requires; and issue a contact receipt to the vehicle occupants.

During this reporting period, MCSO changed the TraCS system to more accurately track data. MCSO made the following changes:

| Table #5 | | |
|------------------------------|---|---|
| Summary of TraCS Changes | | |
| Entity | Issue | Resolution |
| Additional Deputy Camera Log | Needed a way to record Body Camera usage for Deputies who were on scene but not in primary unit during a traffic stop. | New form – Additional Deputy Camera Log is available. |
| Citation | Contained inaccurate HELP text | Corrected. |
| Citation | Emails are sent to Records Department notifying them when Criminal Citations are issued and rules were not in place to prevent that from happening in the new TraCS environments (Training and Pre-Production). | Added rules to prevent email notifications from being sent to Records Department when TraCS is being used in TRAINING or Pre-Production environments. |
| Contact | Changes were need to support additional reporting to court monitors | <ul style="list-style-type: none"> • ‘Arrested Flag?’ added. • Arrest Time will populate Contact End Time if used. • ‘Cam Active Yes/No’ added for primary and second person in unit. If NO a reason is required. • Number of Additional Deputies field added. When greater than 1, the appropriate number of additional deputy entries will be added to the form. • No Passenger Groups will appear on the form until the ‘Number of Occupants’ is entered. • Search and Items Seized checkboxes have been replaced with drop down lists. • If Driver or Passenger are Arrested an arrest type is required (Booked/Cited and Released). • ‘Squad’ was added. |
| Contact | Data entered on Contact does not always match CAD | Some CAD data can be retrieved from CAD as follows: 1. When cursor is in Event Type and an |

| | | |
|------------------|--|---|
| | | <p>Event Number and Primary Deputy Serial # have been entered, a button – ‘Search CAD’ – will be available in the databar – like the search for Violations. Clicking on the button will retrieve IR, Event Type, Contact End Time and Unit Call Sign from CAD if those fields have not already been filled in on the form.</p> <p>2. When cursor is in ‘Number of Additional Deputies’, a button – ‘GET from CAD’ will be available in the databar. When clicked it will add entries for all additional deputies that were on scene according to CAD.</p> <p>NOTE: THESE 2 NEW BUTTONS WILL NOT WORK IN OFFLINE MODE.</p> |
| Contact | Rules error allowed a Contact in VOIDED status to be edited. | Corrected rule. |
| Property Receipt | Needed a way to document items taken from an individual. | Added new Property Receipt form. |
| Tow Sheet | Incorrect addresses for a couple of Tow yards. | Corrected. |
| Warning | Data was often missing from Warnings because rules were not in place to require entry. | Added rules requiring entry of additional warning data. As with citations, if a DL or Plate is not available then ‘NONE’ is an acceptable response. |
| Help Files | No documentation regarding Web Services vs. Workstation mode for MDCs. | Added new entry to MCSO HELP TOPICS. |
| Easy Street Draw | TraCS did not support current release of Easy Street Draw diagramming tool. | Updated TraCS software because new MDC image will contain Easy Street Draw. Availability of new image is dependent on the roll-out schedule. |
| Contact | Deputy Name was not being auto populated from other forms. | Correct auto populate rule |

| | | |
|--------------------------------|---|--|
| Warning | Phone Number was required before form was issued. | Removed the requirement that phone number be entered before form is issued. Once issued, the phone number field will be unlocked so it can be entered after the form is signed. |
| Crash | Error occurs when attaching files | Corrected database mapping file for Crash form. |
| Connectivity | Forms occasionally fail to open due to 'Timeout' error, particularly Crash forms. | Database connection parameters have been increased so TraCS will attempt to load form for a longer period of time before the timeout occurs. NOTE: Please let TraCS team know if you continue to get the 'Timeout' error. Unfortunately TraCS does not advise when a timeout occurs so the only way we know is if you tell us. |
| Contact | There was confusion about the Arrest Time populating Contact End Time. | Once a physical arrest is made the violator is no longer allowed to leave so the traffic stop is considered over. Therefore the Arrest Time populates Contact End Time. To help clarify, the field label has been changed from 'Arrest Made?' to 'Booked Arrest Made?' |
| Contact | New radio codes were added in dispatch | Updated list of radio codes in TraCS. |
| Warning | 'Unknown' is not a valid choice for Driver Ethnicity | Replace drop-down list with the same list used for Driver Post-Stop Ethnicity on Contact form which does not contain 'Unknown'. |
| Tow Sheet | Address for PJ's Towing was wrong. | Corrected address. |
| Tool Bar | 'Non Reportable' button on 'Actions' tab in Form Viewer serves no purpose. | The button has been removed. |
| Citation, Contact, and Warning | Performance. | These forms are being set to 'preload' meaning that they will be loaded when TraCS is started rather than the first time they are used. This will cause TraCS to start a little slower but forms will load faster the first time they are used. |

| | | |
|------------------|--|--|
| Connectivity | Forms occasionally fail to open due to 'Timeout' error, particularly Crash forms. | Database connection parameters have been increased so TraCS will attempt to load form for a longer period of time before the timeout occurs. |
| Admin Per Se | Changes required by MVD | Form and reports updated |
| Crash Supplement | Some text of report is dropped when page breaks | Installed updates from ADOT |
| Violations | Violations table included non-chargeable codes | Removed non-chargeable codes. |
| Contact | Tabbing was wrong when Contact Conclusion was a citation and Number of Occupants was > 2 | Corrected tabbing. |

MCSO is committed to developing and implementing a system for the audio and video recording of traffic stops and a protocol for storing and reviewing the recordings pursuant to the Court's Order, paragraphs 61-63. On October 10, 2014, the Court amended its Order because MCSO and the Plaintiffs agreed to MCSO purchasing, utilizing, and maintaining on-person audio and video equipment. The BIO and the Technology Management Bureau visited the Oakland Police Department to learn about usage, maintenance, and security of audio and video recording equipment.

MCSO compared body cameras offered. The Monitor and Plaintiff approved the Taser Axon Flex camera system. This system is worn around the head area and provides different wear options, enabling the camera to specifically look where the user is looking. The EVIDENCE.com cloud platform provides a storage solution for digital evidence captured from the camera.

On January 21, 2015 Maricopa County approved the contract between Maricopa County and Taser International (14113-IGA) to purchase 700 Taser Axon Flex camera systems, docking stations, CAD integration with EVIDENCE.com digital storage solution, and additional storage.

On June 24, 2015 Office Policy GJ-35, Body-Worn Cameras, along with the Body Camera Inspection Methodology and Body Camera Inspection Checklist, were published and disseminated via e-Policy.

A proof of concept at District 6, Queen Creek, was initiated the first week of November. After end-to-end testing for a week, the project went live on November 12, 2015 for one squad. The entire District was live by December 1, 2015. The plan was to roll out one site a week beginning with District 1 the first week of December with a target to complete implementation by the end of the month.

However, during the pilot, several issues were identified that required further follow-up and resolution before proceeding. First among those was the question of battery life. Preliminary reports were that battery life was limited to six to eight hours. We are following up with Taser International to determine if

there is a problem with the batteries deployed. Other issues to be addressed included video tagging on evidence.com. The Technology Bureau is working with Taser International to address the problems.

Additional site implementations were postponed until after the holidays to allow time to address the matters identified. As of the end of December, infrastructure was in place to support Body Worn Cameras in all locations except Lakes, District 4, Enforcement Support and SWAT.

Section IX – Early Identification System (EIS)

The Early Identification System (EIS) continues to evolve as the Early Intervention Unit (EIU) moves to refine its processes to improve efficiency. EIU command and supervision continues to build upon and enhance the EIS program working closely with the MCSO Technology Bureau, Arizona State University and IA Pro vendor, CI Technologies.

During this reporting period, the IA Pro system triggered 1322 alerts:

- The EIU forwarded 277 alerts to supervisors for further review
- 151 of these alerts were completed and 126 alerts remain open

The EIU processed and quality-assured the following:

- County Attorney Actions – 385
- Notices of Claim / Law Suits / Summons – 50
- Supervisor Notes – 12,911
- Briefing Notes – 843
- Commendations – 153
- Firearm Discharges – 3
- Forced Entries – 5
- IR Memorialization – 7
- Line Level Inspections - 341
- Vehicle Accidents - 29
- Vehicle Pursuits - 7
- Uses of Force - 71
- Other Tracked Behavior - 3,371

(Off-Duty Police Contact; Loss of Badge/ID; Loss of Equipment; Exposure/Injuries; Failure to Show for Training; Missed Logbook Entry; Missed Security Walks; Money Shortages; Property and Evidence Rejection; Security Breaches; Unscheduled Absences; TraCS Incidental Contacts; TraCS Citation Rate Deviation; TraCS Post-Stop Perceived Race/Ethnicity 30% deviation from benchmark; TraCS Unknown Post-Stop Ethnicity)

The EIU continues to work with faculty members from Arizona State University in the development of methodology for monthly, quarterly, and annual traffic stop data analysis. During this quarter, ASU continued to work on the analysis of the annual traffic stop data encompassing July 1, 2014 through June 30, 2015. Areas of improvement in the data collection, analysis, and reporting methods were identified and will be adjusted accordingly.

The EIU continues to work toward addressing an increasing number of “false” alerts triggered within the EIS during this quarter. Various contributing factors have been identified and methods to address these factors are under development.

Section X – Supervision and Evaluations of Officer Performance

The Court Order requires increased deputy supervision. To increase deputy supervision, MCSO Supervisors mandated that their subordinates read the required court documents; they achieved 100% completion. Additionally, the Patrol Bureau Chief held regular meetings with District Commanders to discuss progress and future measures to take in accordance with the Court Order. Most notably, supervisor training *will* reinforce supervisory duties.

The Patrol Bureau Deputy Chief continues to review supervisory staffing levels and assignments throughout patrol to ensure continued compliance with the 12 to 1 ratio requirements consistent with paragraph 82; and that deputies are assigned to a single, consistent, and clearly-identified supervisor, consistent with paragraphs 84 and 86. The BIO also conducts a monthly inspection of shift rosters to ensure the supervisory ratio and that deputies are assigned to and work the same days and hours as their supervisor. Through the EIU and the EIS, quality assurance efforts will occur as implementation continues. Blue Team captures data to ensure supervisors discuss the stops made by each deputy they supervise and the BIO inspects supervisors' monthly notes to ensure that supervisors document those discussions, consistent with the Court's Order, paragraph 85.

The BIO conducts office wide audits and inspections, further ensuring supervisory responsibility and accountability. The BIO conducts inspections to ensure 1) deputies notify a supervisor before initiating an immigration related investigation and before affecting an immigration related arrest consistent with the requirements of paragraph 89; 2) document detentions and stops, and submit incident reports by the end of shift consistent with paragraphs 90 and 93; and 3) all detentions and arrests are supported by reasonable suspicion and probable cause consistent with paragraphs 91 and 94.

The Training Division continues to work diligently with the Monitor and Parties to develop and finalize the Supervisor Training lesson plan, practical scenarios, and approved instructor list. Please refer to Section VII for further information related to Supervisor Training.

The Human Resources Bureau, Personnel Services Division and Policy Section, continue to revise MCSO Policy GC-4, Employee Performance Appraisals. Comments regarding the proposed changes to Policy GC-4 and the EPA Form have been received from the Monitor and Parties. MCSO is continuing to work with the Monitor and Parties to finalize Policy GC-4 and the EPA Form. Neither Policy GC-4 nor the EPA Form was finalized during this reporting period.

Section XI – Misconduct and Complaints

During this reporting period, the PSB continued to focus on the training and development of the members of the PSB.

In order to enhance the investigative abilities and performance of PSB investigators; to assist the investigators' accountability for conducting quality investigations; and to ensure that MCSO continues to conduct quality administrative investigations, it is now a requirement of all PSB personnel to obtain their detective certification. Currently, three sworn sergeant, administrative investigators; three sworn criminal detectives, including their sworn sergeant and lieutenant; and two detention sergeants and their lieutenant are certified. A Detective Certification 40-hour course is anticipated to begin at the MCSO Training Facility in March 2016, in which several investigators from PSB are scheduled to attend.

Additionally, in October 2015 six members of PSB attended the Public Agency Training Council's Internal Affairs 2.5 day course; and six members attended the Public Agency Training Council's Internal

Affairs Conference and Certification Course in November 2015. These conferences provided PSB personnel with an enhanced understanding of various elements of the professional standards system, including investigative control measures, proactive administrative enforcement, and training in administrative interviews, issues concerning Garrity, Brady/Giglio, and civil litigation. Seven additional members of PSB will attend the Public Agency Training Council's Internal Affairs 2.5 day course; four in February and three in March 2016.

Lastly, three members of PSB will attend the Reid Interview and Interrogation course in January 2016.

To assure that MCSO's actions comply with the Court Order and the high standards the Office expects, MCSO took a multiple-step approach to address misconduct and complaints:

First, PSB Lieutenants took a proactive approach and continued to review all division level investigations and provide written feedback to division level investigators and their chains of command in order to improve the thoroughness of the investigations, obtain structure and consistency in format, ensure the inclusion of proper forms, and provide assistance with future investigations. The intent of the feedback is to evaluate, educate, assist and provide suggestions for future division level investigations. The PSB also provided feedback regarding the efficiency and thoroughness with which the divisions undertake and complete administrative investigations.

By utilizing the Administrative Investigation Checklist and revised investigative forms that the Monitor approved during this rating period (see below), the new paper flow will allow the PSB to review division level cases for quality control, prior to final submission to the appointing authority.

Second, although MCSO revised, disseminated, and delivered during the Court Order-related training (4th Quarter 2014), Policy GH-2, *Internal Investigations*, the PSB is working with the Policy Section to revise Office Policy GH-2, to include the investigative process, direct guidance in conducting a preliminary inquiry and to provide a clear definition of "procedural complaints."

The PSB continues to build a training curriculum related to administrative investigations conducted at the division level to ensure quality and efficiency. The PSB created an Administrative Investigation Checklist to ensure investigators complete all required tasks during an administrative investigation; and revised administrative investigative forms to ensure consistent investigative reporting. The Monitor reviewed and approved the checklist and associated forms. The PSB worked on creating a training curriculum for the implementation of these forms and once approved, PSB is scheduled to disseminate the checklist and the investigative template to the division level, along with instruction on how to use the forms, during the next reporting period.

The PSB also conducted an inventory of all administrative and criminal investigations; created a tracking mechanism to systemize data collection, and improve quality assurance capabilities for a more effective response to the Monitor and the Court Implementation Division; and generated new reporting formats for the Monitor's monthly document requests.

Lastly, the PSB participated in a Risk Assessment with the Bureau of Internal Oversight (BIO) to identify and manage organizational risks and reduce liabilities.

Consistent with the Court's Order, paragraph 104, requiring deputies to cooperate with administrative investigations and requiring supervisors be notified when a deputy under their supervision is summoned as part of an administrative investigation, the Administrative Investigation Checklist will collect the data necessary to track compliance with this paragraph. Consistent with the Court's Order, paragraph 105, requiring investigators to take into account collected traffic stop and patrol data, training records,

discipline history, performance evaluations, and past complaints, the investigative format will also collect the necessary data to track compliance with this paragraph.

Consistent with the Court's Order, paragraph 102, the MCSO mandated that any internal or external misconduct allegations must be reported to the PSB. Whenever misconduct is alleged, the PSB must assign an IA case number. During this reporting period, the PSB assigned 192 IA case numbers and completed and closed 179 IA cases. PSB assigned 9 CIA (criminal) cases and closed 16 CIA cases.

Consistent with the Court's Order, paragraph 102, requiring all personnel to report without delay alleged or apparent misconduct by other MCSO personnel, PSB received 111 internal complaints during this reporting period, demonstrating compliance with the Court's Order. Of the 111 internal complaints received, 105 were administrative investigations and 6 were criminal investigations.

Consistent with the Court's Order, paragraph 32, requiring that all patrol operations personnel report violations of policy; PSB received 80 complaints from patrol personnel during this reporting period.

Consistent with paragraph 103, requiring MCSO to conduct regular, targeted, and random integrity audit checks, the PSB command staff will research the concept and purpose of integrity checks and develop a policy and/or operational manual for conducting such investigations, as current PSB personnel is unfamiliar with conducting integrity checks and proactively investigating employees who may be engaging in improper behavior. The PSB will work with the BIO to identify some of the inspections currently conducted, which may relate to compliance with this paragraph; and will collaborate with the Monitor to determine what types of activity would constitute a "random integrity audit check."

In addition to the PSB's efforts to address misconducts and complaints, the EIU continues to utilize IA Pro and Blue Team to monitor and analyze behavior that may lead to misconduct (see Section IX) and the BIO continues to address Court Order compliance by conducting audits and inspections of employee performance and misconduct (see Section III).

Section XII – Community Engagement

The Maricopa County Sheriff's Office is committed to sustainable relationships with residents of our community and local businesses, fostering mutual respect, and enhancing public safety. Building strong relationships will develop trust and loyalty among residents and business owners. The MCSO Community Outreach Division builds and strengthens community relationships through community engagement interactions with the public - where residents may express their concerns and receive input from MCSO representatives to resolve matters, and promote clear unbiased public safety practices and policies. For this reporting period, MCSO personnel participated in 98 public events, a list of these events can be found in Appendix D.

PART III: RESPONSE TO CONCERNS RAISED IN THE MONITOR'S PREVIOUS QUARTERLY REPORT

The Monitor filed a copy of their Sixth Quarterly Report, on February 09, 2015. In review of their report, MCSO responds to the following concerns:

Page 14, Paragraph 19:

“Additionally, MCSO has not completed a review of all Patrol policies and procedures for potential conflicts with the Order’s requirements.”

In response to this statement, MCSO requests the Monitor to identify what patrol policies and procedures are pending review to be compliant with this paragraph.

CONCLUSION

The Maricopa County Sheriff's Office continues to make advancements towards achieving compliance with the Court's Order. The MCSO has increased Community Outreach and is engaged in building confidence and trust in MCSO and in the reform process.

MCSO Training has made significant improvement this quarter. MCSO Training received final approval for the Annual Combined Training (4th and 14th Amendment and Bias Free Policing) and began delivering the training during this Quarter. MCSO Training also continued to work with the Monitor and the Parties on developing the Supervisor Training. MCSO is optimistic the Monitor, Parties, and MCSO can agree on a final lesson plan for the Supervisor Training soon. MCSO is eager to start delivering and implementing the Supervisor Training.

As the MCSO implements training, promulgates additional policies and procedures, and inspects quality assurance in each of the areas addressed by this Order; the MCSO steadily progresses towards full compliance. In the area of quality assurance, the Bureau of Internal Oversight (BIO) has made great strides in inspecting areas addressed in the Order including traffic stop data collection, ensuring MCSO property or equipment is not being used in any way that is discriminatory, supervision and evaluation of performance, and misconduct and complaints.

Appendix A: MCSO Melendres Court Order Compliance Chart

| MCSO Melendres Court Order Compliance Chart | | | | | | | | | | Completed on: Feb. 9, 2016 |
|--|---|--|----------|-------------------|----------------|-------------------------|----------|-------------------|-------------------------|----------------------------|
| Paragraph # | Requirement | Phase 1: Development (Policy & Training) | | | | Phase 2: Implementation | | | Date of Full Compliance | |
| | | In Compliance | Deferred | Not in Compliance | Not Applicable | In Compliance | Deferred | Not in Compliance | | |
| Section III. MCSO Implementation Unit and Internal Agency-wide Assessment | | | | | | | | | | |
| 9 | Form a Court Order Implementation Unit | X | | | | X | | | Apr. 16, 2015 | |
| 10 | Collection and Maintenance of All Data and Records | X | | | | X | | | Oct. 16, 2015 | |
| 11 | MCSO Quarterly Report | X | | | | X | | | Sep. 18, 2014 | |
| 12 | MCSO Annual Internal Assessment | X | | | | X | | | Feb. 9, 2016 | |
| 13 | MCSO Annual Internal Assessment | X | | | | X | | | Feb. 9, 2016 | |
| Section V. Policies and Procedures | | | | | | | | | | |
| 19 | Conduct Comprehensive Review of All Policies | | | X | | | | X | | |
| 21 | Create and Disseminate Policy Regarding Biased-Free Policing | X | | | | | X | | | |
| 22 | Reinforce Discriminatory Policing is Unacceptable | X | | | | | | X | | |
| 23 | Modify Code of Conduct Policy (CP-2): Prohibited Use of County Property | X | | | | X | | | Feb. 9, 2016 | |
| 24 | Ensure Operations are Not Motivated, Initiated, or Based on Race or Ethnicity | | | X | | | | X | | |
| 25 | Revise Policies to Ensure Bias-Free Traffic Enforcement | X | | | | X | | | Apr. 16, 2015 | |
| 26 | Revise Policies to Ensure Bias-Free Investigatory Detentions and Arrests | X | | | | X | | | Oct. 16, 2015 | |
| 27 | Remove LEAR Policy from Policies and Procedures | X | | | | X | | | Sep. 18, 2014 | |
| 28 | Revise Policies Regarding Immigration-Related Law | X | | | | X | | | Apr. 16, 2015 | |
| 29 | All Policies and Procedures shall Define Terms Clearly, Comply with Applicable Law and Order Requirements, and Use Professional Standards | | | | X | X | | | Apr. 16, 2015 | |
| 30 | Submit All Policies to Monitor within 90 Days of Effective Date; and Have Approval by Monitor Prior to Implementation | | | | X | X | | | Apr. 16, 2015 | |
| 31 | Ensure Personnel Receive, Read, and Understand Policy | | | X | | | X | | | |
| 32 | All Personnel shall Report Violations of Policy; and Employees shall be Held Accountable for Policy Violations | X | | | | | | X | | |
| 33 | Personnel Who Engage in Discriminatory Policing shall be Subject to Discipline | X | | | | | X | | | |
| 34 | On Annual Basis, Review Policy and Document It in Writing | | | X | | | X | | | |

| Paragraph # | Requirement | Phase 1: Development (Policy & Training) | | | | Phase 2: Implementation | | | Date of Full Compliance |
|---|---|--|----------|-------------------|----------------|-------------------------|----------|-------------------|-------------------------|
| | | In Compliance | Deferred | Not in Compliance | Not Applicable | In Compliance | Deferred | Not in Compliance | |
| Section VI. Pre-Planned Operations | | | | | | | | | |
| 35 | Monitor shall Regularly Review Documents of any Specialized Units Enforcing Immigration-Related Laws to Ensure Accordance with Law and Court Order | X | | | | X | | | Feb. 9, 2016 |
| 36 | Ensure Significant Ops or Patrols are Race-Neutral in Fashion; Written Protocol shall be Provided to Monitor in Advance of any Significant Op or Patrol | X | | | | X | | | Apr. 16, 2015 |
| 37 | Have Standard Template for Op Plans and Standard Instructions for Supervisors, Deputies, and Posse Members | X | | | | X | | | Apr. 16, 2015 |
| 38 | Create and Provide Monitor with Approved Documentation of Significant Op within 10 Days After Op | X | | | | X | | | Apr. 16, 2015 |
| 40 | Notify Monitor and Plaintiffs within 24 hrs. of any Immigration Related Traffic Enforcement Activity or Significant Op Arrest of 5 or More People | X | | | | X | | | Apr. 16, 2015 |
| Section VII. Training | | | | | | | | | |
| 42 | Selection and Hiring of Instructors for Supervisor Specific Training | | | X | | | | X | |
| 43 | Training at Least 60% Live Training, 40% On-line Training, and Testing to Ensure Comprehension | | | X | | | | X | |
| 44 | Training Schedule, Keeping Attendance, and Training Records | | | X | | | | X | |
| 45 | Training may Incorporate Role-Playing Scenarios, Interactive Exercises, and Lectures | | | | X | | | X | |
| 46 | Curriculum, Training Materials, and Proposed Instructors | | | | X | | | X | |
| 47 | Regularly Update Training (from Feedback and Changes in Law) | | | X | | | | X | |
| 48 | Bias-Free Policing Training Requirements (12 hrs. Initially, then 6 hrs. Annually) | | | | X | X | | | Apr. 16, 2015 |
| 49 | Bias-Free Policing Training shall Incorporate Current Developments in Federal and State Law and MCSO Policy | | | | X | X | | | Apr. 16, 2015 |
| 50 | Fourth Amendment Training (6 hrs. Initially, then 4 hrs. Annually) | | | | X | X | | | Apr. 16, 2015 |
| 51 | Fourth Amendment Training shall Incorporate Current Developments in Federal and State Laws and MCSO Policy | | | | X | X | | | Apr. 16, 2015 |
| 52 | Supervisor Responsibilities Training (6 hrs. Initially, then 4 hrs. Annually) | | | | X | | | X | |
| 53 | Supervisor Responsibilities Training Curriculum | | | | X | | | X | |

| Paragraph # | Requirement | Phase 1: Development (Policy & Training) | | | | Phase 2: Implementation | | | Date of Full Compliance |
|--|---|--|----------|-------------------|----------------|-------------------------|----------|-------------------|-------------------------|
| | | In Compliance | Deferred | Not in Compliance | Not Applicable | In Compliance | Deferred | Not in Compliance | |
| Section VIII. Traffic Stop Documentation and Data Collection and Review | | | | | | | | | |
| 54 | Collection of Traffic Stop Data | X | | | | X | | | Oct. 16, 2015 |
| 55 | Assign Unique ID for Each Incident/Stop, So Other Documentation can Link to Stop | X | | | | X | | | Dec. 15, 2014 |
| 56 | Maintaining Integrity and Accuracy of Traffic Stop Data | X | | | | X | | | Feb. 9, 2016 |
| 57 | Ensure Recording of Stop Length Time and Providing Signed Receipt for Each Stop | X | | | | | | X | |
| 58 | Ensure all Databases Containing Individual-Specific Data Comply with Federal and State Privacy Standards; Develop Process to Restrict Database Access | X | | | | X | | | Sep. 18, 2014 |
| 59 | Providing Monitors and Plaintiffs' Representative Full Access to Collected Data | | | | X | X | | | Sep. 18, 2014 |
| 60 | Develop System for Electronic Data Entry by Deputies | X | | | | X | | | Feb. 9, 2016 |
| 61 | Installing Functional Video and Audio Recording Equipment (Body-Cameras) | X | | | | | | X | |
| 62 | Activation and Use of Recording Equipment (Body-Cameras) | X | | | | | | X | |
| 63 | Retaining Traffic Stop Written Data and Camera Recordings | | | X | | | | X | |
| 64 | Protocol for Periodic Analysis of Traffic Stop Data and Data Gathered for Significant Ops | | | X | | | | X | |
| 65 | Designate Group to Analyze Collected Data | | | X | | | | X | |
| 66 | Conduct Annual, Agency-Wide Comprehensive Analysis of Data | | | X | | | | X | |
| 67 | Warning Signs or Indicia of Possible Racial Profiling or Other Misconduct | X | | | | | | X | |
| 68 | Criteria for Analysis of Collected Patrol Data (Significant Ops) | X | | | | X | | | Dec. 15, 2014 |
| 69 | Supervisor Review of Collected Data for Deputies under Their Command | | | X | | | | X | |
| 70 | Response to/Interventions for Deputies or Units Involved in Misconduct | | | X | | | | X | |
| 71 | Providing Monitor and Plaintiffs' Representative Full Access to Supervisory and Agency Level Reviews of Collected Data | | | | X | X | | | Apr. 16, 2015 |
| Section IX. Early Identification System (EIS) | | | | | | | | | |
| 72 | Develop, implement, and maintain a computerized EIS | | | X | | | | X | |
| 73 | Create Unit or Expand Role of MCSO IT to Develop, Implement, and Maintain EIS | | | X | | | X | | |
| 74 | Develop and Implement Protocol for Capturing and Inputting Data | | | X | | | | X | |

| Paragraph # | Requirement | Phase 1: Development (Policy & Training) | | | | Phase 2: Implementation | | | Date of Full Compliance |
|---|--|--|----------|-------------------|----------------|-------------------------|----------|-------------------|-------------------------|
| | | In Compliance | Deferred | Not in Compliance | Not Applicable | In Compliance | Deferred | Not in Compliance | |
| 75 | EIS shall Include a Computerized Relational Database | | | X | | | | X | |
| 76 | EIS shall Include Appropriate ID Info for Each Deputy | X | | | | X | | | Dec. 15, 2014 |
| 77 | Maintaining Computer Hardware and Software, All Personnel Have Ready and Secure Access | | | | X | X | | | Apr. 16, 2015 |
| 78 | Maintaining All Personally Identifiable Information | | | X | | | | X | |
| 79 | EIS Computer Program and Hardware will be Operational, Fully Implemented, and Use in Accordance of Policies and Protocol | | | X | | | | X | |
| 80 | EIS Education and Training for all Employees | | | X | | | | X | |
| 81 | Develop and Implement Protocol for Using EIS and Information Obtained From It | | | X | | | | X | |
| Section X. Supervision and Evaluation of Officer Performance | | | | | | | | | |
| 83 | Provide Effective Supervision of Deputies | X | | | | | | X | |
| 84 | Adequate Number of Supervisors (1 Field Supervisor to 12 Deputies) | | | X | | | X | | |
| 85 | Supervisors Discuss and Document Traffic Stops with Deputies | X | | | | | | X | |
| 86 | Availability of On-Duty Field Supervisors | | | X | | | | X | |
| 87 | Quality and Effectiveness of Commanders and Supervisors | | | X | | | | X | |
| 88 | Supervisors in Specialized Units (Those Enforcing Immigration-Related Laws) Directly Supervise LE Activities of New Members | X | | | | X | | | Feb. 9, 2016 |
| 89 | Deputies Notify a Supervisor Before Initiating any Immigration Status Investigation and/or Arrest | X | | | | | | X | |
| 90 | Deputies Submit Documentation of All Stops and Investigatory Detentions Conducted to Their Supervisor By End of Shift | X | | | | | | X | |
| 91 | Supervisors Document any Investigatory Stops and Detentions that Appear Unsupported by Reasonable Suspicion or Violate Policy | X | | | | | | X | |
| 92 | Supervisors Use EIS to Track Subordinate's Violations or Deficiencies in Investigatory Stops and Detentions | | | X | | | | X | |
| 93 | Deputies Complete All Incident Reports Before End of Shift. Field Supervisors Review Incident Reports and Memorialize Their Review within 72 hrs. of an Arrest | X | | | | | | X | |

| Paragraph # | Requirement | Phase 1: Development (Policy & Training) | | | | Phase 2: Implementation | | | Date of Full Compliance |
|--|--|--|----------|-------------------|----------------|-------------------------|----------|-------------------|-------------------------|
| | | In Compliance | Deferred | Not in Compliance | Not Applicable | In Compliance | Deferred | Not in Compliance | |
| 94 | Supervisor Documentation of Any Arrests that are Unsupported by Probable Cause or Violate Policy | X | | | | | | X | |
| 95 | Supervisors Use EIS to Track Subordinate's Violations or Deficiencies in Arrests and the Corrective Actions Taken | | | X | | | | X | |
| 96 | Command Review of All Supervisory Review Related to Arrests that are Unsupported by Probable Cause or Violate Policy | X | | | | | | X | |
| 97 | Commander and Supervisor Review of EIS Reports | | | X | | | | X | |
| 98 | System for Regular Employee Performance Evaluations | | | X | | | | X | |
| 99 | Review of All Compliant Investigations, Complaints, Discipline, Commendations, Awards, Civil and Admin. Claims and Lawsuits, Training History, Assignment and Rank History, and Past Supervisory Actions | | | X | | | | X | |
| 100 | Quality of Supervisory Reviews Taken into Account in Supervisor's Own Performance Evaluation | | | X | | | | X | |
| 101 | Eligibility Criteria for Assignment to Specialized Units | X | | | | X | | | Feb. 9, 2016 |
| Section XI. Misconduct and Complaints | | | | | | | | | |
| 102 | Reporting Alleged or Apparent Misconduct | X | | | | | | X | |
| 103 | Audit Check Plan to Detect Deputy Misconduct | | | X | | | | X | |
| 104 | Deputy Cooperation with Administrative Investigations | X | | | | | | X | |
| 105 | Investigator Access to Collected Data, Records, Complaints, and Evaluations | X | | | | | | X | |
| 106 | Disclosure of Records of Complaints and Investigations | | | | X | | | X | |
| Totals: | | 43 | 0 | 32 | 14 | 33 | 6 | 50 | |

| Legend |
|---|
| Paragraphs 18, 20, 41, & 82 are Introductory Paragraphs; no compliance requirement |
| Section I. Definitions; no compliance requirement |
| Section II. Effective Dates, Jurisdiction and Party Representatives; no compliance requirement |
| Section XII. Community Engagement (Monitor's responsibility); no compliance requirement |
| Section XIII. Independent Monitor and Other Procedures Regarding Enforcement; no compliance requirement |

Appendix B: List of MCSO Acronyms

| | |
|--------|-------------------------------------|
| ATU: | Anti-Trafficking Unit |
| BIO: | Bureau of Internal Oversight |
| CAD: | Computer Aided Dispatch |
| CID: | Court Implementation Division |
| CEU: | Criminal Employment Unit |
| EIS: | Early Identification System |
| EIU: | Early Intervention Unit |
| FMLA: | Family Medical Leave Act |
| MCAO: | Maricopa County Attorney's Office |
| PPMU: | Posse Personnel Management Unit |
| PSB: | Professional Standards Bureau |
| SID: | Special Investigations Division |
| SRT: | Special Response Team |
| TraCS: | Traffic Stop Data Collection System |

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Appendix D: List of Public Events MCSO participated in during 4th Quarter 2015

1. Mesa United Way Book donations – Community Outreach
2. G.A.I.N. (getting Arizona involved in Neighborhoods) - District 3
3. Home Safety Day – Chain Gang Unit and District 6
4. Moon Valley High School Tour Tent City Jail - SRT (Special Response Team)
5. Spanish Language Citizens Academy
6. Public Safety Day – District 4
7. MCSO Top Golf Tournament for Special Olympics – Community Outreach Division
8. Community Jail tour - Tents Jail
9. Community Jail tour - 4th Avenue Jail
10. Spanish Language Citizens Academy- Multiply Divisions
11. Mesa Celebration Breakfast – Community Outreach Division
12. Taste of Cave Creek – Command
13. Mi Mundo Azul – Community Outreach Division
14. Special Olympics Fall Games – Law Enforcement Torch Run
15. Jail Tour of 4th Ave Jail and Courts – Court Operations
16. Guadalupe Neighborhood transformation learning lab – Community Outreach Division
17. Coffee With a Cop – All MCSO Districts participated
18. Glendale Parks & Recreation Touch A Truck Event – Chain Gang & Lake Patrol
19. Child help Children’s Center Dedication – Command
20. Maricopa K9 Educational Event – Lake Patrol
21. MADD (Mothers Against Drunk Drivers) Victim Impact Panel - District 1
22. EPCOR Water Health & Safety Fair – Enforcement Support and Community Outreach
23. Ironwood High School Presentation – SRT (Special Response Team)
24. Arizona faith-Based Council Meeting - Community Outreach
25. Tough Tents Anti-Crime/Anti-Drug Program – Multiply Divisions
26. Mesquite Junior High School Career Day - SRT (Special Response Team)
27. Sheely Farms PRA Fall Festival – Community Outreach
28. Sonoran Heights Elementary School Public Safety Day – District III
29. Home Depot Safety Day – Lake Patrol/Community Outreach
30. Missing in Arizona Community Event – Community Outreach Division
31. SCW Posse Open House - Command/District 3
32. Pink Hearts Tour – District 3

33. Alta E. Butler Elementary School Red Ribbon Week – Lake Patrol
34. West Valley Human Services Alliance meeting – Community Outreach Division
35. Queen Creek Elementary School Red Ribbon Week – District 6/SWAT
36. Valley vista High School Demo – SRT (Special Response Team)
37. Mesa Community College civic Engagement Board Meeting – Community Outreach
38. Monte Vista elementary School 1st Grade Class discussion – Enforcement Support
39. Multiply Community Jail Tours – 4th Avenue Jail
40. Fuel of Dreams – Multiply Districts along with the Community Outreach
41. Litchfield Park Elementary school G.A.I.N. Event – District 2
42. Trunk or Treat Atonement Lutheran Church/School District 3
43. Turning Leaf Community Church Fall Festival – District 2
44. Room Store 1st Responder’s Day – District 2
45. Pet Costume Judging - Avenue of Fountains, Fountain Hills, AZ - Command
46. Pinnacle High School Presentation – Special Response Team (SRT) and SWAT
47. Multiple Mexican Consulate Inmate Visit Lower Buckeye Jail - Community Outreach
48. Latino Community presentation and book donation - Community Outreach
49. Pinnacle High School Presentation - Special Response Team/SWAT
50. Phoenix Animal Care Coalition Panel Discussion – Command
51. First Things First Meeting - Community Outreach
52. Paseo Hills Elementary School Veterans Day Event – Multiple
53. Multi- Facility Tour - Tents Jail
54. Phoenix College Criminal Justice Class – SRT (Special Response Team)
55. Daisy Mountain Veterans Day Parade – Command
56. Junior League of Phoenix Touch-A-Truck Events – Multiple
57. Legacy Traditional School Fall Festival – SWAT
58. Spanish Language Citizens Academy Graduation – Multiple
59. Relay For Life - Community Outreach
60. Veterans Day Parade – Command
61. Veterans Day Event - District 4
62. VOZ Lucha Promotor Luis Sanchez & Rosa Pastrana - Community Outreach
63. Boy Scout Field Trip – District 4/Enforcement Support
64. Eternal Gospel Ministries Chaplain Training - Community Outreach
65. Five-O Car Show Special Olympics Benefit - Community Outreach
66. Town of Queen Creek Breakfast & Touch-A-Truck - District 6

67. Scott Libby Elementary Fall Festival - SWAT
68. Sancocho Reunion - Community Outreach
69. Special Olympics/Law Enforcement Torch Run Mtg - Community Outreach
70. MCC Civic Engagement Board Meeting - Community Outreach
71. Queen Creek Family Resource Center Presentation - Community Outreach
72. Facility Tour - Gilbert High School – Tents Jail
73. Bill Coleman Memorial Run – Training
74. La Unika Radio Interview - Community Outreach
75. For Our Kids Lunch & Learn Educational Series - Community Outreach
76. St. Vincent de Paul Food Reclamation Project – Training
77. Adams Traditional School Visit – Aviation
78. Tough Tents Anti-Drug Program – Detention
79. Gilbert Parade – Command
80. Anthem Neighborhood Watch - District 4
81. Vista del Rio Retirement Community – Command
82. Thanksgiving Meals Event (Giving Thanks) - Bureau of Internal Oversight
83. Fountain Hills Thanksgiving Day Parade – Command
84. Tempe Fantasy of Lights Parade – Command
85. Holiday Posse Mall Program Launch - Command
86. Reading to 1st grade class - District 4
87. Holiday Parade - District 6
88. Youngtown Winter Event - District 3
89. Cross River Christmas event - District 3
90. Mendoza Elementary School Multiple Boy Scout Meeting – Patrol
91. Shop with the Sheriff - MCSO Youth Assistance Foundation
92. Queen Creek Christmas Car Show Toy Drive - District 6
93. Sheriff Joe & his Deputies Annual Holiday Toy Give Away - MCSO Youth Assistance Foundation
94. Maricopa Medical Center Burn Unit Toy Drive/Give Away - 4th Ave
95. Cardons Children's Hospital toy give away - 4th Ave
96. Holiday Sponsor a family event - District 3
97. Aguila Elementary School Christmas Party - District 3
98. St Vincent de Paul - Toy Drive Distribution - MCSO Youth Assistance Foundation