

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject TRAFFIC ENFORCEMENT, VIOLATOR CONTACTS, AND CITATION ISSUANCE	Policy Number EB-1 Effective Date 06-15-23
Related Information Arizona Revised Statutes CP-8, <i>Preventing Racial and Other Bias-Based Profiling</i> EA-3, <i>Non-Traffic Contact</i> EA-11, <i>Arrest Procedures</i> EB-2, <i>Traffic Stop Data Collection</i> EB-3, <i>Driving Under the Influence (DUI)</i> GC-17, <i>Employee Disciplinary Procedures</i> GE-3, <i>Property Management and Evidence Control</i> GE-4, <i>Use, Assignment, and Operation of Vehicles</i> GF-5, <i>Incident Report Guidelines</i> GG-1, <i>Peace Officer Training Administration</i> GH-2, <i>Internal Investigations</i> GH-5, <i>Early Identification System</i> GI-1, <i>Radio and Enforcement Communications Procedures</i> GJ-35, <i>Body-Worn Cameras</i>	Supersedes <p style="text-align: center;">EB-1 (04-27-22)</p>	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures regarding the enforcement of traffic laws; traffic violator contacts; procedures for the issuance of, and accountability for, traffic citations; and the development of selective traffic enforcement programs.

POLICY

It is the policy of the Office that the responsibility for enforcing traffic laws and regulations is shared by all sworn, uniformed, enforcement personnel, regardless of their duty assignment. Deputies shall identify traffic violators and issue a written warning or a citation to them in order to influence their future compliance with traffic laws. Motorists who pose an immediate danger to the public may be arrested and removed from the roadways. All traffic stops shall be conducted in a safe and professional manner and in compliance with state and federal laws.

Although this Office Policy refers to deputies throughout, this Office Policy also applies with equal force to all reserve deputies.

DEFINITIONS

Acceptable Identification (ID): Current identification documents such as a driver’s license, state-issued identification card, passport, consular identification card, or military identification card, which contains at a minimum the individual’s name, date of birth, sex, and a clear photograph. This also includes an Arizona Mobile ID (mID) digitized companion version of an Arizona driver’s license or identification card.

910MI: This call type indicates the operator of the vehicle was not able to provide the deputy with statutorily required proof of financial responsibility and/or the license plate of the vehicle is in a suspended status due to no insurance, as required by statute.

Bias-Based Profiling: The selection of an individual for law enforcement contact or action based to any degree on an actual or perceived trait common to a group, including age, nationality/national origin, immigration status, religious beliefs/religion, race, color, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical or mental disability, ethnic background, socioeconomic status, or any other identifiable group characteristic, except as part of a reliable and specific suspect description. Selection for law enforcement contact or action includes selection for a stop, detention, search, issuance of citation, or arrest. Such bias-based profiling and/or discriminatory policing is prohibited even when a deputy otherwise has reasonable suspicion or probable cause justifying the law enforcement contact or action. The establishment of reasonable suspicion and/or probable cause must remain neutral as to race and the other characteristics listed above.

Blue Team: The Early Identification System (EIS) application that allows employees and supervisors to record information in a database regarding incidents, performance, and conduct. The information from Blue Team is transferred to the IAPro Early Identification case management system.

Boilerplate: Language that is stock, unoriginal, appears repeatedly in different reports, and fails to attest to the unique facts of an incident.

Deputy: Any sworn law enforcement officer employed by the Office, and reserve deputies.

Early Identification System (EIS): A system of electronic databases that captures and stores threshold events to help support and improve employee performance through early intervention and/or to identify problematic operating procedures, improving employee performance, identifying detrimental behavior, recognizing outstanding accomplishments, and to improve the Office's supervisory response. The computerized relational database shall collect, maintain, integrate, and retrieve information gathered in order to highlight tendencies in performance, complaints, and other activities. The database allows the Office to document appropriate identifying information for involved employees, (and members of the public when applicable), and the actions taken to address the tendencies identified. Blue Team, IAPro, and EIPro are applications of the EIS.

Early Intervention Unit (EIU): The EIU is part of the Bureau of Internal Oversight. The EIU is responsible for the implementation, maintenance, and operation of the EIS and for providing training and assistance to the EIS users. The unit conducts data analysis, data input, and review of activities exceeding thresholds to address potentially problematic conduct or operating procedures and recognizes positive attributes by reviewing employee awards. The Office shall ensure there is sufficient personnel to facilitate EIS input and training.

Exigent Circumstances: The sum of the conditions and information available in any event which, taken in totality, dictates a need for immediate action.

Incident Report (IR) Memorialization: An entry generated in Blue Team by a supervisor detailing report writing deficiencies of a serious nature, or any investigatory stop, detention, or search unsupported by reasonable suspicion or are otherwise in violation of Office Policy; or stops or detentions that indicate a need for corrective action or review of Office Policy, strategy, tactics, or training. The IR *Memorialization* shall be generated if an employee's report, investigatory stop, detention, or search, contains: conclusory or boilerplate language; contains inconsistent information; lacks support for the action; has other indicia that the information in the report or form is not authentic or correct; lacks articulation of the legal basis for action; has other indicia that the information in the report or form is not authentic or correct; lacks probable cause of arrest; lacks reasonable suspicion; lacks elements of the crime; or appears to show evidence of bias-based profiling.

Passenger Contact: For the purpose of this Office Policy, a passenger contact occurs when a deputy asks any investigatory questions of a passenger, including asking passengers to identify themselves for any reason. Casual conversations unrelated to any investigation and greetings are not considered contact for the purpose of traffic stop data collection.

Racial Profiling: The reliance on race or ethnicity, to any degree, in making law enforcement decisions, except in connection with a reliable and specific suspect description.

Traffic Stop: A temporary detention, commonly called being pulled over by a law enforcement officer, usually initiated by activating the lights and/or siren of a law enforcement vehicle, to alert a driver to merge off to the side of the road, to investigate a traffic violation. Traffic stops based solely on reasonable suspicion obtained from an Attempt to Locate (ATL) are considered investigatory stops and are documented, as specified in Office Policy EA-3, *Non-Traffic Contact*.

Traffic Stop Completed: The event that occurs when the motorist is released from the scene and the Communications Division is notified with a radio call or use of the MDC of the disposition of the traffic stop as a “10-24, Assignment Completed.”

PROCEDURES

1. **Enforcement of Traffic Laws:** Deputies shall take appropriate law enforcement action for each traffic law violation witnessed or reported to them. Deputies are strictly prohibited from bias-based profiling. All enforcement action taken shall reflect a professional and unbiased attitude, and will be accomplished in a firm, fair, impartial, and courteous manner. Deputies must have an articulable, reasonable suspicion of a traffic violation or criminal involvement before they may stop and detain a vehicle and its occupants. The Office prohibits the use of quotas, whether formal or informal, for stops, citations, detentions, or arrests.
2. **Types of Traffic Enforcement:** Traffic law enforcement may be accomplished through visible patrol in marked patrol vehicles, stationary observation techniques, or the use of unmarked patrol vehicles.
 - A. Visible patrol in marked patrol vehicles provides an effective deterrent to traffic law violations.
 - B. Stationary traffic observations may be initiated by the patrol deputy or may be a directed activity. Traffic observations should be concentrated in areas with high traffic accident rates or traffic flow problems. Stationary traffic observations shall be conducted in an overt manner.
 - C. Unmarked patrol vehicles may be used for traffic law enforcement functions, or other covert traffic enforcement, at the direction of the division commanders.
 1. Deputies operating unmarked patrol vehicles with emergency lights and siren shall be in full uniform with Body Worn Camera (BWC) in Event Mode when making vehicle stops for traffic violations. In situations where the vehicle the deputy is attempting to stop does not yield to the attempt to stop, such personnel shall contact Communications Division personnel to request a marked patrol unit to make the stop or at their discretion, terminate the attempt to stop the vehicle.
 2. Non-uniformed deputies operating unmarked patrol vehicles with emergency lights and siren shall not normally make vehicle stops for traffic violations. In situations where failure to act would create unreasonable risks of injury, death, or significant property damage, such personnel shall contact Communications Division personnel to request a marked patrol unit to make the stop and may, depending upon the urgency of the situation, activate emergency lights and siren to make a traffic stop.
 3. Deputies operating vehicles not equipped with emergency lights and siren shall not make motor vehicle stops unless there is imminent danger of loss of life should they fail to act. In these events, deputies shall contact Communications Division personnel to request that a marked patrol vehicle respond to the violator vehicle’s location, advise of the situation and any subsequent action they take to stop the vehicle. In other less urgent cases that demand

attention, deputies shall contact Communications Division personnel, request that a marked patrol vehicle perform the stop, and assist in directing the marked unit to the violator vehicle's location.

3. **Selective Traffic Enforcement:** The purpose of the selective enforcement assignment is to take enforcement action against those traffic violations determined to be the main cause of traffic collisions, and to develop effective countermeasures to attack specific traffic enforcement problems, such as driving under the influence (DUI) or speeding. The Chief of Enforcement or designee shall be responsible for the development and implementation of selective enforcement techniques, procedures, and equipment.
 - A. Selective traffic enforcement may involve the use of electronic speed measuring equipment, sobriety checkpoints, and data related to location and time, to aid in the distribution of equipment and the assignment of personnel to deal with specific categories of unlawful driving behavior. The deployment of selective traffic enforcement personnel should be based on traffic volume, accidents occurring in the concerned area, frequency of traffic violations, and emergency and service needs for specific locations. Such enforcement, or non-enforcement, shall never be based to any degree on race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or national origin.
 - B. Office personnel are prohibited from the selection, or non-selection, of particular communities, locations, or geographic areas for targeting traffic enforcement based to any degree on the racial or ethnic composition of the community.
 - C. Traffic enforcement shall not rely on any information received from the public, including through any hotline, by mail, e-mail, phone, or in person, unless the information contains evidence of a crime that is independently corroborated by Office personnel, such independent corroboration is documented in writing, and reliance on the information is consistent with all Office Policy.
 - D. Patrol and enforcement division commanders shall notify the chain of command of any immigration-related traffic enforcement activity involving the arrest of five or more people.
4. **Enforcement Action:** Supervisors shall provide guidance on effective traffic enforcement actions, including the prioritization of traffic enforcement resources to promote public safety. Enforcement actions may consist of the issuance of a *Written Warning*, Arizona Traffic Ticket and Complaint, or a physical arrest. If no enforcement action is taken as indicated, or a *Written Warning* or Arizona Traffic Ticket and Complaint is not appropriate, the contact shall be documented with an *MCSO Incidental Contact Receipt*.
 - A. Enforcement of traffic laws shall be performed in a fair and impartial manner, and in conformance with Office Policy and state law. The state traffic code, Arizona Revised Statute (ARS) Title 28, will be referred to when determining a civil or criminal violation of traffic laws. Parking regulations shall be enforced with reasonableness and impartiality.
 - B. A *Written Warning* may be issued for a minor traffic or vehicle-equipment violation. No verbal warning shall be issued.
 1. A *Written Warning* for minor equipment violations is appropriate when the vehicle's operator was unaware, or just became aware, of the equipment failure.
 2. When the vehicle's owner or operator is known to the deputy to be aware of the equipment failure, and chooses to ignore the problem, they may be cited for the violation.
 3. Violators of newly enacted traffic laws will normally be issued a *Written Warning* in lieu of a citation for a period of up to 30 calendar days after the effective date of the new law.

- C. Arizona Traffic Ticket and Complaints (Citations) should be issued to persons who jeopardize the safe and efficient flow of vehicular or pedestrian traffic by means of a Title 28 violation, to include but not limited to:
 - 1. Moving violations;
 - 2. Parking violations; or
 - 3. Operating an unsafe or improperly equipped vehicle.
- D. Citations or *Written Warnings* should be based on the circumstances, road and weather conditions, and the accident rate in the area of the violation.
 - 1. Citations should be issued for each hazardous traffic violation, unless the deputy is issuing an all-inclusive traffic citation, such as reckless driving.
 - 2. Citations may be issued for each violation in multiple equipment violations, unless an all-inclusive traffic citation can be used, such as an unsafe motor vehicle. An excessive number of citations to one violator is not appropriate.
- E. Arrests should be made for serious incidents, such as DUI or driving with a revoked license. Any physical arrest based on information obtained through electronic data systems is subject to human error; therefore, deputies are urged to attempt to confirm the information given, similar to verifying a warrant. When confirmation cannot be obtained, the interests of the Office may be best served by issuing a citation in lieu of detention, or releasing the individual, and completing an *Incident Report (IR)*. All arrests shall be conducted, as specified in Office Policy EA-11, *Arrest Procedures*.

5. Special Circumstances:

- A. Alcohol and Drug Offenses: Statutes referring to alcohol and drug related offenses shall be strictly enforced to reduce alcohol or drug related traffic offenses and accidents. Special training is provided to deputies by the Training Division in recognizing and apprehending alcohol or drug-impaired drivers.
 - 1. Available personnel may be assigned to those areas demonstrating a higher incidence of DUI related offenses or accidents, at the times those offenses are likely to be committed.
 - 2. Further information regarding DUI investigations is outlined in Office Policy EB-3, *Driving Under the Influence (DUI)*.
 - 3. When conducting a DUI investigation, and no enforcement action is taken due to pending furtherance of an investigation such as toxicology results, the deputy shall issue the driver an *MCSO Incidental Contact Receipt* and select *Pending Further Investigation* from the receipt dropdown list.
- B. Other Impairments: Deputies detecting a driver who appears to be incompetent, physically, or mentally disabled, or suffering from an illness or other condition that prevents them from exercising reasonable and safe operation of a motor vehicle shall complete the State of Arizona, Motor Vehicle Division (MVD) Driver Condition/Behavior report. The completed form must then be forwarded to the MVD.
- C. Commercial Vehicles: Public carrier and commercial vehicle traffic law violations shall be strictly enforced. Informational assistance may be obtained through the Vehicular Crimes Section of the Major Crimes Division concerning suspected violations of vehicle equipment, logbooks, and medical cards.

Deputies may enforce Federal Motor Carrier Regulations only after being certified by the Department of Public Safety.

- D. Out-of-county or out-of-state drivers are subject to the same enforcement considerations as area residents. For serious criminal traffic violations only, out-of-county or out-of-state drivers should be booked, rather than cited in lieu of detention, when it is the deputy's belief that the subject will not appear in court. When a citation is issued in lieu of detention, the violator should be advised to contact the appropriate court, prior to leaving the state, or shall be given the information necessary to resolve the matter by mail.
 - E. Out-of-state students should not be cited for failure to obtain an Arizona driver's license or Arizona license plate for their motor vehicle. Full time or part-time employment does not affect this status.
 - F. A juvenile may be issued a citation for any civil or misdemeanor violation of the traffic statutes. The juvenile will be advised that they must be accompanied to the court appearance by one of their parents or a guardian. The deputy will inform the juvenile of the court date and time as they appear on the citation. Prior to the release of the juvenile, a warrant check will be completed. Issuance of civil or criminal citations will be in compliance with this Office Policy.
 - G. Other Uses of Roadways: Deputy contacts with bicycle and pedestrian offenders should be instructive in nature. Deputies should enforce traffic laws where collisions between vehicles and pedestrians or bicycles have become frequent or severe.
 - H. Within the patrol areas of Maricopa County, frequent traffic violations occur as the result of the operation of off-road motorcycles and all-terrain vehicles (ATVs). Deputies shall evaluate all circumstances surrounding the violation and enforce traffic laws regarding the unlawful use of these vehicles. Collisions involving off-road motorcycles and ATVs shall be investigated, in accordance with Office Policy.
6. **Ensuring Bias-Free Traffic Enforcement:** To ensure bias-free traffic enforcement, deputies are prohibited from:
- A. Racially profiling in the enforcement of traffic laws, including the selection, or non-selection, of which vehicles to stop, based to any degree on race or ethnicity, even when a deputy has reasonable suspicion or probable cause to believe a violation is being, has been, or is about to be committed. The presence of probable cause or reasonable suspicion does not necessarily mean that a deputy's action is race neutral.
 - B. Detaining any individual based on actual or suspected "unlawful presence" in the United States without probable cause that the individual is committing, has committed, or is about to commit a crime.
 - C. Initiating a pretextual vehicle stop, when the deputy has reasonable suspicion or probable cause to believe a traffic or equipment violation has been or is being committed, in order to determine whether the driver or passenger is unlawfully present.
 - D. The selection or non-selection of which motor vehicle occupants to question or investigate, based on any degree of race or ethnicity.
 - E. The use or non-use of particular tactics or procedures on a traffic stop based on race or ethnicity.

7. **Use of the Radar or Lidar Unit:** Only certified deputies will be permitted to operate a radar or lidar unit. Certification requires attendance in a radar and/or lidar operator’s certification class which is provided through the Training Division.
 - A. Each certified deputy is responsible for the proper care and readiness of the radar or lidar unit. The radar and lidar units will be stored in its protective case when not in use. Only those radar and lidar units with current certification shall be used. Lidar units, and other radar units to include their tuning forks shall be tested at least annually and certified for accuracy. Each division commander or designee shall maintain certification or calibration records, and ensure that radar units are recertified, as appropriate. Deputies are prohibited from using personally owned radar or lidar units.
 - B. Any radar unit with damaged, missing, or defective parts, or otherwise exhibiting abnormal operating characteristics, shall be promptly removed from service, and reported to the district administrative personnel. Radar units requiring repair or recertification shall be taken to the approved repair facility by district administrative personnel.
 - C. Before use, deputies shall examine the unit to ensure it is operating correctly by following the manufacturer’s calibration check guidelines. Upon arrival at the selected location for speed checks, another internal calibration check shall be completed. If operating at a location for an extended period, periodic checks shall be completed.
 - D. The use of lock-in features and the practice of showing speed readings to violators shall be left to the discretion of the deputy. If requested, and time and safety permit, violators may be shown the radar unit, and given an operational demonstration.
 - E. Lidar units **shall not** be pointed at any aircraft at any time.
8. **Speed Pacing Techniques:** The speedometer in each patrol vehicle should be certified, and the original certification card should be maintained at the vehicle’s assigned division and a copy placed in the vehicle’s glove box. Each division commander or designee shall maintain certification or calibration records and ensure that speedometers are recertified at least annually.
 - A. If a deputy observes irregularities or malfunctions of the patrol vehicle’s speedometer, the problem shall be documented for repair and recertification. Speed pacing enforcement action shall not be taken unless the vehicle’s speedometer is properly certified, and the certification document is current.
 - B. When using the speed pacing technique, deputies should pace the suspected violator for a distance of at least one-quarter of a mile. A constant speed and interval between the vehicles should be maintained for the duration of the pace.
9. **Stopping the Vehicle:**
 - A. **Body-Worn Cameras:** Deputies and supervisors assigned a body-worn camera, shall place the body-worn camera in Event Mode as soon as the decision to stop a vehicle is made. Once the body-worn camera is activated, deputies and supervisors shall continue to record until the completion of the traffic stop. The traffic stop will be considered completed when the motorist is released from the scene and the deputy or supervisor clears the call through the Communications Division with a radio call or utilizing the MDC as “10-24, Assignment Completed.” The use of a body-worn camera shall be documented in all IRs and noted on all traffic receipts, if applicable, as specified in Office Policy GJ-35, *Body-Worn Cameras*.
 - B. **Radio Communication:** Deputies shall provide Communications Division personnel information, as specified in Office Policy GI-1, *Radio and Enforcement Communications Procedures*.

1. The deputy shall advise Communications Division personnel by radio of the pertinent information before the deputy activates emergency lights and/or siren to initiate a traffic stop and before the violator's vehicle comes to a complete stop in all instances where it is possible and practical to do so. In the event this is not possible or impractical to do so, the deputy shall provide Communications Division personnel of the following pertinent information prior to contacting the driver, unless exigent circumstances make it unsafe to do so:
 - a. Initiation of the vehicle stop;
 - b. Location of the stop;
 - c. License plate number and state; and
 - d. Reason for the stop.
 2. The deputy shall advise Communications Division personnel, when applicable and by radio contact prior to the completion of the traffic stop, the following but not limited to information:
 - a. If a consent search, probable cause search, or pat down search is conducted;
 - b. If contraband or evidence is seized; and/or
 - c. If any inquiry into immigration status is conducted with the United States Immigration and Customs Enforcement (ICE)/U.S. Customs and Border Protection (CBP).
 3. The deputy shall advise Communications Division personnel by radio contact or use of the MDC, the Final Disposition of the stop. This would include either of the following but not limited to:
 - a. *A Written Warning;*
 - b. *A Citation;*
 - c. An Arrest; or
 - d. *An MCSO Incidental Contact Receipt.*
- C. **Appropriate Location:** The deputy should select an appropriate location to stop the violator. Consideration should be given to safe locations with ample space and appropriate lighting. Every effort should be made to avoid stops on hills or curves, intersections, private drives, or business locations which have limited parking.
- D. **Initiating the Stop:** The deputy should signal the violator to stop by activating the emergency lights and, when necessary, the siren.
- E. **Directing the Stop:** The violator should be directed to the right side of the roadway close to the curb, per ARS 28-775A2, or onto the shoulder of the roadway. On multi-lane roadways, the deputy should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.

- F. Positioning of the Patrol Vehicle: Once the violator has parked in a safe location, the deputy should position the patrol vehicle in such a manner as to ensure the safety of the violator, the deputy, and other traffic.
- G. Approaching the Vehicle: When the deputy exits the patrol vehicle, they should be alert for any suspicious movements or actions made by anyone in the violator's vehicle, but without appearing apprehensive.
 - 1. At night, the spotlight and the take down lamps should be used to illuminate the interior of the violator's vehicle by aiming the spotlight at the driver's rearview or side mirror.
 - 2. If there are occupants only in the front seat, the deputy should approach from the rear of the violator's car, look into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. From this position, the deputy can communicate with the violator, while keeping them in a position of disadvantage.
 - 3. If there are occupants in the front and rear seats, the deputy should approach from the rear of the violator's car, look into the rear seat area to a point near the trailing edge of the left rear door. The deputy should be especially alert for any unusual actions on the part of the occupants and maintain a safe distance so the door cannot be used as a weapon. From this position, the deputy can communicate with the violator and keep all occupants in view.
 - 4. When a traffic stop is made by a two-person patrol vehicle, the passenger deputy, and/or authorized personnel, will position themselves so they can observe the activity of the other deputy and the persons inside the violator's vehicle. The passenger deputy, and/or authorized personnel, is responsible for all radio communications and MDC usage and shall provide necessary assistance for the other deputy.
 - 5. Other approaches to the vehicle, such as from the right side of the vehicle, may be warranted dependent upon such factors as roadway conditions or other officer safety considerations at the deputy's discretion.

10. Contacting the Vehicle Occupants:

- A. Once the deputy has approached the vehicle closely enough to communicate with the driver, the deputy shall provide a self-introduction and explain to the subject the reason for the contact as soon as practical, unless providing this information will compromise the investigation or the safety of deputies or other persons. In ordinary vehicle stops, this information should be provided before asking for the violator's driver's license, vehicle registration, and proof of insurance, or other identification.
 - 1. Only the violator, or the reasonably suspected violator, including any driver or passenger, found or suspected to be in violation of any state, county, or local statute, law or ordinance, or federal criminal law, may be required to produce identifying documents. Other persons in the vehicle may be requested to produce identifying documents, but such documents shall not be required or demanded, and no law enforcement action shall be taken because of a refusal to produce identifying documents.
 - 2. The violator must produce acceptable identification that shall contain all of the following information, consistent with Arizona state law:
 - a. The person's full name;
 - b. The person's date of birth;

- c. The person's residential address;
 - d. A brief physical description of the person, including the gender, weight, height, and eye color; and
 - e. The person's signature; or
 - f. A consular identification card issued by a foreign government containing a biometric identity verification feature consistent with ARS 41-5001, where further identifying information is presented through a barcode scan feature. The deputy is not required to research the barcode feature for further verification of the person.
3. An Arizona Mobile ID (mID) may be provided to a deputy by an individual through a smartphone Arizona Department of Transportation (ADOT) application on a personal device. The voluntary mID is not a replacement of the physical plastic credential issued by MVD.
 - a. ADOT recommends physical plastic IDs still be carried on-person. However, when asked by a deputy for either their driver's license or ID and the person can *only* provide the deputy their Arizona mID, the digital mID version shall be accepted for identification verification purposes.
 - b. The deputy may either take a digital image of the person's mID information and/or the mID barcode utilizing their Office issued cellular phone and use that image or write down the identification information. For their verification process, the deputy shall not take into their patrol vehicle the person's personal smartphone device to obtain or scan the person's mID information.
 4. Deputies are prohibited from asking for the social security number of any motorist who has provided a valid form of identification.
 5. Deputies shall only question violators about alienage or immigration status, as specified in this Office Policy.
- B. The deputy shall inform the violator of the traffic law they violated. Enforcement action taken should be based upon the violator's driving behavior, not their attitude or other factors prohibited by this Office Policy.
 - C. Vehicle occupants may be required to exit the vehicle so long as that law enforcement action does not involve factors or considerations prohibited by the law or Office Policy.
 - D. All violators shall have licenses and warrants checks performed on them promptly, and without unreasonably extending the duration of the stop, unless exigent circumstances exist. For data collection purposes, the results of the performed checks shall be attached to the traffic stop in Computer Aided Dispatch (CAD). If an exigent circumstance does occur, deputies should document on the *Vehicle Stop Contact Form* (VSCF) what the exigent circumstance was.
 - E. Deputies are prohibited from extending the duration of the traffic stop longer than the time that is necessary to address the original purpose for the stop and/or to resolve any apparent criminal violation for which the deputy has, or acquires, reasonable suspicion or probable cause to believe a crime has been, is being, or is about to be committed.

- F. In the event a deputy detains a vehicle occupant and seeks to question and/or search in regard to matters other than those for which the vehicle was initially stopped, the deputy shall document in the IR and/or on the *VSCF*, the facts or circumstances that made it lawful and appropriate to diverge from the business of the initial stop in order to investigate other matters.
- G. Once the deputy has completed the traffic stop, the deputy will clear the call “10-24, Assignment Completed,” as soon as possible by radio contact or use of the MDC. Immediately following the traffic stop clearance, the deputy shall be placed “Out of Service” or “2513, Traffic Violation Follow-Up” in order to complete paperwork related to the stop or traffic stop data entry on the MDC. The TraCS system will use the unique identification number (Event Number) from the traffic stop to link the information contained on the *VSCF* with the traffic stop. Once the paperwork or data entry is complete, the deputy shall advise Communications Division personnel they are “10-8, Available for Service,” and provide the appropriate disposition code.
- H. Deputies shall ensure documentation of all traffic stops and investigatory detentions are completed in TraCS and are submitted to their supervisors by the end of shift in which such action occurred.
 - 1. If the TraCS system is not available at the time of the contact, deputies shall manually complete the documentation and enter the data electronically into the TraCS system.
 - a. The data shall be entered electronically into TraCS prior to the end of the shift.
 - b. However, if circumstances exist preventing the entry of the data, the data shall be entered electronically into TraCS no later than 48 hours after the end of shift in which the action occurred. A notation should be made into the “Comments” field of the *VSCF*, documenting the circumstances for the delay of the data entry.
 - 2. Deputies shall provide supervisors with hardcopies of all manually completed forms prior to the end of shift in which the action occurred for supervisory signature and date.
 - 3. Supervisors shall forward a copy of all signed, manually prepared forms to the Early Intervention Unit (EIU).
- I. Incident Reports (IRs) generated during a DUI task force where the subject is cited and released for a DUI shall be submitted, as specified in Office Policy GF-5, *Incident Report Guidelines*.
- J. The use of a body-worn camera shall be documented in all IRs and noted on all traffic receipts, if applicable. If a body-worn camera was not used, deactivated, or interruptions in the recording occurred, the reason for non-use, deactivation, or interruption shall be documented in the IR and/or traffic receipt, if applicable, as specified in Office Policies GJ-35, *Body-Worn Cameras* and GF-5, *Incident Report Guidelines*.
- K. All Office vehicles shall have a supply of the current version of the *Comment and Complaint Forms*, in both English and Spanish, for distribution to any member of the public, upon request, as specified in Office Policy GE-4, *Use, Assignment, and Operation of Vehicles*. All employees and volunteers shall provide individuals with information about how to file a complaint, their name and serial number, and the contact information, including telephone number and email address of their immediate supervisor, as specified in Office Policy GH-2, *Internal Investigations*.

11. Alienage or Immigration Status Questioning:

- A. Deputies are prohibited from questioning the violator as to alienage or immigration status, unless the deputy has probable cause to believe the individual has committed, is committing, or is about to commit a crime; and reasonable suspicion that the person is in the country unlawfully.
 - B. Deputies are required, before any questioning as to alienage or immigration status is initiated, or before any contact with ICE or CBP is initiated, to check with a supervisor to ensure that the circumstances justify such an action under Office Policy and receive approval to proceed with questioning. Deputies must also document in every such case on the *VSCF* and/or the IR:
 - 1. The reason or reasons for making the immigration-status inquiry or contacting ICE/CBP;
 - 2. The time supervisor approval was received;
 - 3. When ICE/CBP was contacted;
 - 4. The time it took to receive a response from ICE/CBP, if applicable; and
 - 5. Whether the individual was then transferred to ICE/CBP custody.
 - C. Deputies are prohibited from transporting or delivering an individual to ICE/CBP custody from a traffic stop unless a request to do so has been voluntarily made by the individual.
 - D. Deputies shall notify a supervisor before initiating any immigration-related investigation and before effectuating an arrest following any immigration-related investigation or for an immigration-related crime, or for any crime related to identity fraud or lack of identifying document.
 - 1. Supervisors shall approve or disapprove the deputy's investigation or arrest recommendation based on available information and in accordance with Office Policy.
 - 2. Supervisors shall take appropriate action to address any deficiencies in the deputy's investigation or arrest recommendations, including releasing the subject, recommending non-disciplinary corrective action for the involved deputy, and/or referring the incident for administrative investigation.
12. **Types of Traffic Stop Receipts Issued:** Every person contacted and asked to identify themselves during a traffic stop shall be issued one of three types of receipts, to include passengers if asked any investigatory questions. The issuance of a traffic stop receipt includes any event that originates as a traffic stop, and results in other action; to include, but not limited to, an arrest. When this occurs, the *VSCF* shall include in part, the outcome of the traffic stop, the receipt information, and the subsequent outcome of the other action. The three types of receipts are as follows and available in TraCS:
- A. Citations:
 - 1. If a citation is issued, the deputy should provide the violator with the following information:
 - a. The action for which they were cited, including the appropriate statute number;
 - b. The name and address of the court into which the violator was cited; and
 - c. The date and time of the court appearance.
 - 2. If available, a court provided mail-in fine envelope may be provided to the violator.

3. The violator shall be directed to contact the appropriate court for additional information, or mandatory duty to appear requirements, as established by the specific court.
4. If the citation is a civil offense, the deputy should explain the citation is a summons to appear in court and the signature is only an acknowledgment of receipt. If the violator refuses to sign or is unable to, the deputy will note the refusal on the citation.
5. If the citation is a criminal offense, the deputy should explain to the violator that their signature is not an admission of guilt, but a promise to appear in court on the designated date. A refusal by the violator to sign the citation shall result in their arrest and subsequent incarceration. If an arrest is made, the action shall be taken as specified in Office Policy EA-11, *Arrest Procedures*.
6. The deputy shall explain any other necessary information to the violator prior to their release from the scene.

B. Written Warning:

1. If a *Written Warning* is issued, the deputy will inform the violator of the minor traffic violation in order to gain voluntary compliance with the state traffic code, ARS Title 28.
2. The deputy shall request the violator's signature on the *Written Warning* and explain the signature is only an acknowledgement of receipt. If the violator refuses to sign or is unable to, the deputy will note the refusal on the warning. When the deputy completes the *VSCF* they will note that the *Written Warning* was served by selecting the "Signature Not Obtained" box and enter the reason for the signature not obtained in the comments section of the *VSCF*.

C. MCSO Incidental Contact Receipt: In cases where the deputy has contact with a driver, or with any of the vehicle passengers and a citation or *Written Warning* is not appropriate, the deputy shall issue an *MCSO Incidental Contact Receipt*.

1. When completing the *MCSO Incidental Contact Receipt*, the deputy shall search from the contact receipt dropdown list and select the reason why no enforcement action is being taken at the time.
2. Issuance of a receipt to a passenger shall only be required when the deputy has contact with a passenger and asks any investigatory questions, including asking them to identify themselves for any reason. Casual conversations unrelated to any investigation and greetings are not considered contact for the purpose of traffic stop data collection and therefore no receipt is required for the passenger.
3. If any vehicle passenger lawfully refuses to identify themselves, the deputy shall indicate "REFUSED" in the applicable fields when completing the receipt.
4. Upon issuance of a receipt no signature shall be obtained from the driver or any passenger.

13. Seizure of Arizona License Plates and Driver's Licenses:

A. Seizure of Arizona License Plates:

1. Civil Traffic Violations:

- a. If at the conclusion of a traffic stop, where the deputy issues a citation for a civil traffic violation without any property impounded or an IR obtained, the deputy shall use the clearance Disposition of 7 for the traffic stop.
 - b. If at the conclusion of a traffic stop, where the deputy issues a citation for a civil traffic violation, which also includes a violation of ARS 28-4139, the deputy shall impound the license plate for evidence. The deputy shall use the clearance Disposition of 7P, indicating property was seized.
 - (1) A license plate seizure under ARS 28-4139 cannot occur without the issuance of a citation for violation of ARS 28-4139. Additionally, the suspended plate shall not be left with the in-state violator at the time of citation.
 - (2) The deputy shall obtain an IR number for a 910MI, and complete the IR utilizing the TraCS system. Upon review and approval by a supervisor in TraCS, the supervisor shall forward the IR through TraCS to the DR Section of the Records and AFIS Division within 10 calendar days, as specified in Office Policy GF-5, *Incident Report Guidelines*.
 - (3) The documentation required for the 910MI will be the TraCS forms required when conducting a traffic stop, in addition to the *Property Receipt* available through the TraCS system and the Property Invoice that is generated by the Property and Evidence/QueTel system.
 - (a) The deputy shall check the “License Plate Seizure” box on the TraCS Citation form.
 - (b) The violator copy of the citation and a copy of the *Property Receipt* shall serve as a seizure receipt to the violator.
 - (4) The license plate shall be impounded into Property Management as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 - c. If the license plate seizure performed under ARS 28-4139 is part of a traffic collision investigation, the license plate shall be impounded under the appropriate traffic collision IR for the incident. Such seizure shall be documented in the narrative portion of the IR.
 - d. If there are criminal charges, in addition to the civil violation of ARS 28-4139, the license plate shall be impounded under the appropriate criminal IR for the incident. Such seizure shall be documented in the narrative portion of the IR.
 - e. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.
 - f. Supervisors are responsible for ensuring that seized property is entered into the Property and Evidence/QueTel system prior to the end of shift in which it was seized, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
2. Criminal Traffic Violations:

- a. If at the conclusion of a traffic stop, where the deputy issues a citation for a criminal traffic violation without any property impounded, no search was conducted, and it is not an In Custody IR, the deputy shall obtain an IR number and either complete the narrative in the citation or complete a full criminal IR, as appropriate. The clearance Disposition of 6T for the traffic stop shall be used.
 - b. If at the conclusion of a traffic stop, where the deputy issues a citation and writes an IR for a criminal violation, which also includes a violation of ARS 28-4139 or other such criminal statutes which mandate the impounding of the license plate, the deputy shall impound the license plate as evidence. The deputy shall use the clearance Disposition of 6TP for the traffic stop, indicating property was seized.
 - (1) The deputy shall obtain an IR number for a 910MI, and complete the IR utilizing the TraCS system. Upon review and approval by a supervisor in TraCS, the supervisor shall forward the IR through TraCS to the DR Section of the Records and AFIS Division within 10 calendar days, as specified in Office Policy GF-5, *Incident Report Guidelines*.
 - (2) The documentation required for the 910MI will be the TraCS forms required when conducting a traffic stop, in addition to the *Property Receipt* available through the TraCS system and the Property Invoice that is generated by the Property and Evidence/QueTel system.
 - (a) The deputy shall check the “License Plate Seizure” box on the TraCS Citation form.
 - (b) The violator copy of the citation and a copy of the Property Receipt shall serve as a seizure receipt to the violator.
 - (3) The license plate shall be impounded into Property Management as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 - c. Arizona license plates seized under state criminal statutes shall be impounded as evidence under the criminal IR and properly documented in the narrative. Criminal violations that require a license plate to be seized include, but are not limited to, violations of ARS 28-2531(B).
 - d. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.
 - e. Supervisors are responsible for ensuring that seized property is entered into the Property and Evidence/QueTel system prior to the end of shift in which it was seized, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- B. Seizure of Arizona Driver’s Licenses: A deputy shall seize and impound all suspended, revoked, or canceled driver’s license as evidence only when an individual presents a suspended, revoked, canceled, or otherwise unlawfully displayed license in a traffic-related situation. Traffic violations that require a driver’s license to be seized include, but are not limited to, violations of ARS 28-3473, ARS 28-3478, or ARS 28-3482.
- 1. Civil Traffic Violations:

- a. If at the conclusion of a traffic stop, where the deputy issues a citation for a civil traffic violation without any property impounded or an IR obtained, the deputy shall use the clearance Disposition of 7 for the traffic stop.
 - b. If at the conclusion of a traffic stop, where the deputy issues a citation for a civil traffic violation, which also includes a violation of ARS 28-3482, the deputy shall impound the driver's license as evidence. The deputy shall use the clearance Disposition of 7P, indicating property was seized.
 - (1) A driver's license seizure under ARS 28-3482 cannot occur without the issuance of a citation for violation of ARS 28-3482. Additionally, the suspended driver's license shall not be left with the in-state violator at the time of citation.
 - (2) The deputy shall obtain an IR number for a 910S, and complete the IR utilizing the TraCS system. Upon review and approval by a supervisor in TraCS, the supervisor shall forward the IR through TraCS to the DR Section of the Records and AFIS Division within 10 calendar days, as specified in Office Policy GF-5, *Incident Report Guidelines*.
 - (3) The documentation required for the 910S will be the TraCS forms required when conducting a traffic stop, in addition to the *Property Receipt* available through the TraCS system and the Property Invoice that is generated by the Property and Evidence/QueTel system.
 - c. The deputy shall check the "License Seizure" box in the TraCS Citation form and an IR with relevant charges shall document such seizure.
 - d. The violator copy of the traffic citation and a copy of the *Property Receipt* shall serve as a seizure receipt to the violator.
 - e. The driver's license shall be impounded as evidence into the Property Management Division, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 - f. If the driver's license seizure is part of a traffic collision investigation, the driver's license shall be impounded under the appropriate traffic collision IR for the incident. Such seizure shall be documented in the narrative portion of the IR.
 - g. If there are criminal charges, in addition to the civil violation of ARS 28-3482, the driver's license shall be impounded under the appropriate criminal IR for the incident. Such seizure shall be documented in the narrative portion of the IR.
 - h. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.
 - i. Supervisors are responsible for ensuring seized driver's licenses are entered into the Property and Evidence/QueTel system prior to the end of shift in which it was seized, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
2. Criminal Traffic Violations:

- a. If at the conclusion of a traffic stop, where the deputy issues a citation for a criminal traffic violation without any property impounded, no search was conducted, and it is not an In Custody IR, the deputy shall obtain an IR number and either complete the narrative in the citation or complete a full criminal IR, as appropriate. The clearance Disposition of 6T for the traffic stop shall be used.
- b. If at the conclusion of a traffic stop, where the deputy issues a citation and writes an IR for a criminal violation, which also includes a violation of ARS 28-3473, ARS 28-3478, or ARS 28-3482, or other such criminal statutes which mandate the impounding of the driver's license, the deputy shall impound the driver's license as evidence. The deputy shall use the clearance Disposition of 6TP for the traffic stop, indicating property was seized.
 - (1) A driver's license seizure under ARS 28-3473, ARS 28-3478, or ARS 28-3482 cannot occur without the issuance of a citation for violation of ARS 28-3473, ARS 28-3478, or ARS 28-3482. Additionally, the suspended driver's license shall not be left with the in-state violator at the time of citation.
 - (2) The deputy shall obtain an IR number for a 910S and complete the IR utilizing the TraCS system. Upon review and approval by a supervisor in TraCS, the supervisor shall forward the IR through TraCS to the DR Section of the Records and AFIS Division within 10 calendar days, as specified in Office Policy GF-5, *Incident Report Guidelines*.
 - (3) The documentation required for the 910S will be the TraCS forms required when conducting a traffic stop, in addition to the *Property Receipt* available through the TraCS system and the Property Invoice that is generated by the Property and Evidence/QueTel system.
- c. The deputy shall check the "License Seizure" box in the TraCS Citation form and an IR with relevant charges shall document such seizure.
- d. The violator copy of the traffic citation and a copy of the *Property Receipt* shall serve as a seizure receipt to the violator.
- e. The driver's license shall be impounded as evidence into the Property Management Division, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- f. If the driver's license seizure is part of a traffic collision investigation, the driver's license shall be impounded under the appropriate traffic collision IR for the incident. Such seizure shall be documented in the narrative portion of the IR.
- g. Arizona driver's licenses seized under state criminal statutes shall be impounded as evidence under the criminal IR and properly documented in the narrative. Criminal violations that require a driver's license to be seized include, but not limited to, violations of ARS 28-3473 or ARS 28-3478.
- h. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.

- i. Supervisors are responsible for ensuring seized driver’s licenses are entered into the Property and Evidence/QueTel system prior to the end of shift in which it was seized, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 3. A fictitious or altered driver’s license constitutes other crimes under Arizona law, and therefore, with probable cause, seizure for evidentiary purposes is appropriate and a criminal IR with relevant charges shall document such seizure. The narrative of the IR shall specifically document the seizure of the license and the license shall be impounded into Property Management Division, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 - a. The exception to this requirement occurs when driver’s licenses are mailed to the Motor Vehicle Division (MVD) as required by the *DUI Implied Consent Admin Per/Se* form.
 - b. The disposition of the driver’s license shall be documented in the narrative of the IR.
 4. Deputies shall not normally seize other types of identification during traffic stops or other contacts, unless prior to the item’s seizure, probable cause exists to indicate the documents are fraudulent, forged, or otherwise illegal. If such items are seized, deputies shall impound them, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- C. Documentation and Packaging of Seizures:
 1. In all cases when a license plate or driver’s license is seized, the deputy shall properly document the seizure and impound the evidence in the Property and Evidence/QueTel system, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 2. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.
 3. Supervisors are responsible for ensuring that seized driver’s licenses or license plates are entered into the Property and Evidence/QueTel system prior to the end of shift in which it was seized, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 4. In cases where the MVD status of a license plate or driver’s license is the reason for the seizure, for example if the driver’s license is suspended, revoked, or otherwise not valid, the Mobile for Public Safety (MPS), CAD, or Justice Web Interface (JWI) response showing the MVD status at the time of the traffic contact shall be included in the documentation of the stop.
 - a. In civil cases, the deputy shall electronically copy and paste the status from MVD into the “Officer’s Narrative” section of the Office copy of the traffic citation.
 - b. In criminal cases, the MVD status shall be printed out, or electronically attached to the IR.
 5. Packaging of seized License Plates and Drivers’ Licenses: All seized license plates, drivers’ licenses, passports, and ID cards shall be packaged as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- D. Out of State License Plates and Driver’s Licenses:

1. When there are violations of Arizona state law, out of state license plates or driver's licenses should not normally be seized for traffic code violations.
 2. The appropriate criminal or civil citation may be issued, the violator shall be advised of the status of the license plate or driver's license, and that they cannot legally operate a vehicle.
 3. The driver's license or other documents shall be returned to the violator.
 4. A fictitious or altered license constitutes other crimes under Arizona law, and therefore, with probable cause, seizure for evidentiary purposes is still appropriate, and a criminal IR with relevant charges shall document such seizure.
 5. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.
 6. Supervisors are responsible for ensuring that seized driver's licenses and license plates are entered into the Property and Evidence/QueTel system prior to the end of shift in which it was seized, as specified in Office Policy, GE-3, *Property Management and Evidence Control*.
- E. Found License Plates and Driver's Licenses: If a license plate or driver's license is encountered in a Maricopa County Office vehicle or Maricopa County Office facility which has not been impounded, the finder shall immediately impound such item and complete a memorandum documenting the circumstance for which the item came into their possession. The memorandum shall be forwarded to the Court Implementation Division (CID) through the employee's chain of command. CID shall forward the memorandum to the Professional Standards Bureau (PSB). Any recovered, lost, surrendered, abandoned, or otherwise received license plates or driver's licenses that are non-evidentiary and are turned over to a public agency where the owner may or may not be known shall be impounded, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
14. **Traffic Stop Data Collection:** Deputies shall collect accurate data on all traffic stops in TraCS using Forms which will auto-populate the *VSCF*.
- A. The *VSCF*, as well as an *MCSO Incidental Contact Receipt*, a *Written Warning* or citation, or a criminal arrest, shall be completed after every traffic stop. The *VSCF* documents pertinent information regarding the stop including, but not limited to, the following:
1. Name, serial number, and call sign of each deputy, employee, and/or volunteer;
 2. The date, time, and location of the stop;
 3. The specific law enforcement reason for the stop, recorded prior to contact with the vehicle's occupants, including a description of the traffic or equipment violation observed, and any indicators of criminal activity developed before or during the stop;
 4. The ARS offense classification (civil traffic, criminal traffic, criminal offense, petty offense);
 5. The license plate state and number of the vehicle;
 6. The total number of occupants in the vehicle;
 7. The deputy's subjectively perceived race, ethnicity, and gender of the driver and any passengers based on the deputy's subjective impression at the time the stop was initiated and

- at the time it was completed. Deputies, employees, and volunteers are not required to, and shall not inquire, as to the occupant's ethnicity;
8. Whether the deputy contacted any passengers, the nature of the contact, and the reasons for such contact;
 9. The time the decision to stop was made, the time the motorist departed the scene without a citation or contact end time, the time an arrest was made, the time the violator was released and departed the scene with an issued citation, the time a transport began with the violator, or the time the deputy's departure from the scene or contact end time. The start and end time of the traffic stop is auto populated from the CAD system;
 - a. In the event a deputy needs to manually change the auto-populated contact start or end time of a traffic stop on the *VSCF* in TraCS, the deputy shall complete the reason for the change by typing the information in the mandatory comment text field on the form. Reasons to manually change the time may include, but are not limited to, the following:
 - (1) The deputy not having radio reception;
 - (2) The radio channel being busy with emergency traffic;
 - (3) The CAD call for service being left open due to being preempted for emergency traffic;
 - (4) An exigent reason where the deputy is unable to call out the stop at the exact moment the stop was initiated; or
 - (5) Technological issues occurring with the CAD system. This may include an entry error or hitting the wrong key by either the deputy or the dispatcher.
 - b. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation within 72 hours.
 10. Whether any inquiry as to immigration status was conducted and whether ICE/CBP was contacted and if so, the facts supporting the inquiry or contact with ICE/CBP; the time the supervisor approval was sought, the time ICE/CBP was contacted, the time it took to complete the immigration status investigation or receive a response from ICE/CBP, and whether ICE/CBP took custody of the individual;
 11. Whether a request was made for a consent to search any individual person, property, or vehicle, and the response to such request; whether a probable cause search was performed on any individual person, property, or vehicle, and legal basis for the search; or whether a pat-and-frisk search was performed on any individual;
 12. Whether any contraband or evidence was seized from any individual, their property, or vehicle, and the nature of the contraband or evidence;
 13. The final disposition of the stop, including whether a citation was issued, an arrest made, or a release was made without a citation; and
 14. If applicable, document in the notes/comment section whether there is anything unique and, or noteworthy of the traffic stop that is not already captured in the *VSCF*.

- B. The *VSCF* form or its data that has been entered into TraCS shall be collected and reviewed by the Early Intervention Unit (EIU), as specified in Office Policy EB-2, *Traffic Stop Data Collection*.
- C. Failure to complete data collection or other paperwork required by Office Policy shall result in disciplinary action, as specified in Office Policy GC-17, *Employee Disciplinary Procedures*. Without delay, employees shall report any misconduct that appears to constitute an intentional failure to complete data collection requirements by other employees.

15. **Return of Documents:**

- A. The deputy shall return the violator's driver's license or other form of acceptable identification, registration, proof of financial responsibility unless seized, as specified in this Office Policy. Additionally, the deputy shall provide the violator a copy of the citation, *Written Warning*, or *MCSO Incidental Contact Receipt*.
- B. When required by the nature of the contact, the deputy shall return the passenger's driver's license or other form of acceptable identification, unless seized, as specified in this Office Policy. Additionally, the deputy shall provide the passenger with a copy of the citation, *Written Warning*, or *MCSO Incidental Contact Receipt*. If a situation exists requiring the receipt to be provided to the passenger at a later time, the deputy shall document the reason and action in the *VSCF*.
- C. When appropriate, the deputy will assist the violator in safely entering the traffic flow.

16. **Arizona Traffic Ticket and Complaint Books (Citation Books):** In the event that the computer system is not functioning properly, hand-written citations shall be used and shall be manually entered into TraCS as soon as it is feasible. Citation books will be issued and recorded by the district administrative personnel, or other designated individuals. Once the information is recorded in the appropriate logbook, the Attachment A, *Traffic Citation Checkout Form* shall be completed and filed at the issuing district.

- A. Issuing District: The issuing district shall record and track the issuance of Citation Books. Recorded information shall include the name and serial number of the deputy being issued the citation book, their assigned district or unit, the sequential citation numbers issued, and the date of issuance.
- B. Issued Handwritten Citations: The court copy, hand-written citation must be forwarded to the appropriate court as the post entry into the CAD system cannot be sent to the court electronically.
- C. Retention of Hand-Written Citation: Each district or unit shall maintain the law enforcement copy of the citation, by the issuing deputy's name, in the individual unit or district files. This copy shall be retained for a period of at least five years and will serve as a backup copy to the citation manually entered into TraCS. TraCS citations are stored online and available from a TraCS Terminal. TraCS citations do not need to be printed or retained at the division or unit level since they are available electronically.
- D. Destroyed or Lost Citation: When a citation book or individual citation is destroyed or lost, a memorandum shall be submitted by the deputy to their supervisor. The memorandum shall state the circumstances of the loss and the citation numbers not issued. The supervisor shall forward a copy of the memorandum to the division commander for approval. It shall then be filed, in the individual unit or district, for one year.
- E. Voided Citation: When a hand-written citation is voided, the deputy shall write "VOID" across the face of the citation, submit a memorandum to the supervisor stating the reason for the nullification, and attach the citation to the memorandum. The memorandum and appropriate copy of the citation shall be forwarded through the chain of command to the Records and ID Division.

17. **Dismissal of Citations:** When a deputy wishes to dismiss a hand-written or TraCS issued citation, the deputy shall forward a memorandum through the chain of command to the Chief of Enforcement for approval. The memorandum shall include the deputy's name and serial number, the reason for the dismissal, the citation number, and the charge. This will not apply to a dismissal requested, or as recommended by a court or County attorney in the interests of justice.

18. **Supervisory Responsibilities:** The Office utilizes data from the Early Identification System (EIS) to support effective supervision, evaluation, and management of employees in order to promote lawful, ethical, and professional police practices; to identify behavior that represents a risk to the employee, community, or the Office; and to evaluate Office operating procedures, as specified in Office Policy GH-5, *Early Identification System*.
 - A. Deputies shall submit accurate documentation of all stops and investigatory detentions to their supervisors by the end of the shift in which the actions occurred. IRs generated during a DUI task force where the subject is cited and released for a DUI, shall be submitted, as specified in Office Policy GF-5, *Incident Report Guidelines*. Absent exceptional circumstances, within 72 hours of receiving such documentation, supervisors shall independently review the reports. If the incident did not include an arrest or detention, the supervisor shall review the reports within seven calendar days, absent exigent circumstances.
 - B. Supervisors are responsible for reviewing the *VSCF* to ensure accuracy and proper documentation.
 - C. Supervisors are responsible for ensuring that any seized property is accurately entered into the Property and Evidence/QueTel system and impounded, as specified in Office Policy GE-3, *Property Management and Evidence Control*.
 - D. Supervisors shall review all IRs prior to submission to the DR Section of the Records and AFIS Division. Supervisors shall review and approve IRs electronically in the TraCS system which auto-populates the date and time of the review and approval. If the IR is not ready for approval and requires correction, the supervisor shall reject the report in TraCS to the authoring deputy. A supervisor's signature indicates their agreement that the report contains all of the necessary elements of the legal basis for the action or all of the elements of a reported crime, if applicable.
 1. Supervisors shall review reports and forms for accuracy, brevity, completeness, boilerplate or conclusory language, inconsistent information, lack of articulation of the legal basis for the action, or other indicia that the information in the reports or forms is not authentic or correct. Noticeable grammar and punctuation errors shall be corrected prior to submission to the Records and ID Division. Supervisors shall address any concerns with the report author through non-disciplinary or disciplinary action as appropriate.
 2. When a subordinate's report writing reveals deficiencies of a serious nature, the reviewing supervisor shall complete an *Incident Report Memorialization Form*. Supervisors shall generate an *Incident Report Memorialization Form* using Blue Team if an employee's report contains conclusory or boilerplate language; contains inconsistent information; lacks support for the action; has other indicia that the information in the report or form is not authentic or correct; contains no probable cause for arrest; contains no reasonable suspicion; is missing elements of the crime; or is bias-based profiling.
 - a. Conclusory language contains only an inference and has no stated proof.
 - b. Boilerplate language is stock, unoriginal language that appears repeatedly in different reports and fails to attest to the unique facts of an incident.

- c. These deficiencies are related because the use of conclusory language can lead to boilerplate language. For example, an employee may write “I noticed the subject was drunk.” This language is conclusory, because it is not supported by fact; when repeated across reports, the language is also boilerplate.
 - (1) Based on the unique facts of the incident, the report could avoid conclusory language by stating: “*I noticed the subject had a strong odor of an alcoholic beverage emitting from his person, his eyes were bloodshot and watery, he staggered as he walked toward me, and his speech was slurred as he spoke. It appeared the subject was under the influence of alcohol.*”
 - (2) Although this new language is not conclusory, it can become boilerplate through repeated use in reports; this problem often arises through use of a template. Supervisors should therefore look for repeated language even if it is not conclusory.
- 3. Supervisors shall document on an *Incident Report Memorialization Form* any investigatory stops or detentions that appear unsupported by reasonable suspicion are otherwise in violation of Office Policy; or stops or detentions that indicate a need for corrective action or review of Office Policy, strategy, tactics, or training. Supervisors shall take appropriate action to address all violations or deficiencies in investigatory stops or detentions, which may include non-disciplinary corrective action or referring the incident for administrative or criminal investigation. The information from the *Incident Report Memorialization Form* shall be documented through Blue Team by selecting the proper reason that the IR is memorialized in the allegations tab. The *Incident Report Memorialization Form* shall be sent to the EIU through the chain of command, using Blue Team.
- 4. Supervisors shall document on the *Incident Report Memorialization Form* any arrests that appear unsupported by probable cause or are otherwise in violation of Office Policy; or indicate a need for corrective action or review of Office Policy, strategy, tactics, or training. Supervisors shall take appropriate action to address violations or deficiencies in making arrests, which may include notification to prosecuting authorities, non-disciplinary corrective action, and/or referring the incident for administrative or criminal investigation. The information from the *Incident Report Memorialization Form* shall be documented through Blue Team. The *Incident Report Memorialization Form* shall be sent to the EIU through the chain of command, using Blue Team.
- E. Supervisors shall conduct monthly reviews of each traffic stop and collected data for the deputies under their command. First line supervisors shall individually discuss the traffic stops made by each deputy under their supervision generated during the review period, at least one time per month. The discussion shall include whether the deputy detained any individuals, the reason for such detention, and whether any stops involved immigration issues.
 - 1. These reviews shall be conducted and discussed with the deputies, utilizing the TraCS database, to determine whether there are warning signs or indicia of possible racial profiling, unlawful detentions and arrests, or improper enforcement of immigration-related laws.
 - 2. Supervisors shall acknowledge the interactions through the use of the “Discussed with Deputy” indicator function within the TraCS Form Manager for each individual stop and associated forms discussed with their deputy. The supervisor shall ensure that they select the proper note from the drop-down list in Blue Team when documenting the monthly

review and shall indicate in the note when they met with the deputy to discuss the monthly reviews.

3. This process shall be completed for each individual stop and collected data reviewed, to include each individual *VSCF*. Supervisors are prohibited from selecting multiple traffic stops and applying the “Discussed with Deputy” indicator function at one time. The reviews will then be inputted into Blue Team from TraCS.
- F. Supervisors shall take appropriate action to address all violations or deficiencies in investigatory stops or detentions, including non-disciplinary corrective action for the deputy, or referring the incident for administrative or criminal investigation. Supervisors shall track, through the EIS Blue Team Supervisor Notes, each deputy’s deficiencies or violations and the corrective action taken, in order to identify deputies who need repeated corrective action. Supervisors shall:
1. Address performance deficiencies, as specified in Office Policy GH-5, *Early Identification System*.
 2. Notify the Professional Standards Bureau (PSB), if misconduct occurred, as specified in Office Policy GH-2, *Internal Investigations*; and
 3. Ensure each violation is documented in the deputy’s performance evaluations.
- G. Supervisors shall unequivocally and consistently reinforce to subordinates that bias-based profiling and/or discriminatory policing are unacceptable, as specified in Office Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*.
- H. As stated in this Office Policy, the Office prohibits quotas, whether formal or informal, for stops, citations, detentions, or arrests. However, this prohibition does not pertain to review of deputy activity for the purpose of assessing overall effectiveness or assessing whether a deputy is engaging in unconstitutional policing.
19. **Training:** All deputies, including supervisors and chiefs, as well as posse members and deputy services aides (DSAs) shall attend training related to the Fourth Amendment, including detention, arrests, and the enforcement of immigration-related laws, as specified in Office Policy GG-1, *Peace Officer Training Administration*.