

PSB21-0082

On October 17, 2020 [REDACTED] was arrested during protests in the City of Phoenix downtown area after he was found to be in the area of a larger group of protestors, who were also arrested near North 1st Avenue and West Van Buren Street. Former Officer Joseph Crowley #10213 arrested [REDACTED] after he mistakenly believed Sergeant James Groat #6179 ordered his arrest. Through PSB interviews, PSB investigators determined Sergeant Groat did not give an order to arrest [REDACTED] and former Officer Crowley misunderstood Sergeant Groat's statements that night. Former Officer Crowley never verified probable cause for [REDACTED] arrest with Sergeant Groat and then authored a supplemental Incident Report (IR) about the arrest which contained false information. Body-worn camera (BWC) footage from the incident clearly refuted information within former Officer Crowley's supplemental IR.

PSB investigators also determined the false and inaccurate information within former Officer Crowley's supplemental IR caused Sergeant Doug McBride #6187 and Officer Jeffrey Raymond #10170 to unknowingly provide false hearsay testimony during a Grand Jury (GJ) hearing regarding the arrests. This was investigated in internal investigation PSB21-0123.

Therefore, the allegations former Officer Crowley unlawfully arrested [REDACTED] and knowingly submitted an IR with false information are sustained.

Former Officer Alex Volk #9733 submitted the Form IV statement of probable cause for [REDACTED] which was found to have false or inaccurate information. Through interviews, PSB investigators determined former Officer Crowley actually entered the Form IV information under former Officer Volk's booking credentials. Officer Volk was not involved in [REDACTED] arrest and did not have any knowledge about the details of his arrest. Former Officer Volk only became involved in [REDACTED] booking process after he was discovered as the last prisoner at Central City Precinct (CCP), when all other prisoners were processed and transported.

Therefore, the allegation former Officer Volk submitted a Form IV statement of probable cause with false information is unfounded.

Several months after [REDACTED] arrest, Sergeant Groat was interviewed by Detective Adam Legere #9002 to get clarifying information about [REDACTED] involvement with the larger group of protestors. Sergeant Groat provided a verbal report to Detective Legere as he watched his own BWC and described events and details from the incident, including some details that were not captured on BWC. Sergeant Groat indicated he made certain statements during the incident which were regarding a different subject, and not [REDACTED]. PSB investigators determined Sergeant Groat did not order the arrest of [REDACTED] and former Officer Crowley heard these statements and made the arrest on a false assumption about who Sergeant Groat was referring to.

Therefore, the allegations Sergeant Groat ordered the arrest of [REDACTED] and provided false information to Detective Legere are unfounded.

Officer Christopher Turiano #6424 was also involved in the protest arrests on October 17, 2020. Officer Turiano was acting as a grenadier during the arrests and during a review of the protest arrests, an independent investigator alleged Officer Turiano assaulted an unknown citizen by pushing him off a set of steps at 302 North 1st Avenue. PSB investigators reviewed BWC footage and interviewed Officer Turiano about the incident and determined his actions did not meet the elements of assault.

Therefore, the allegation Officer Turiano assaulted an unknown citizen during the protest arrests is unfounded.

PSB21-0123

On August 23, 2020, [REDACTED] was arrested during protests in the City of Phoenix downtown area after she assaulted officers and resisted arrest in the area of North 1st Avenue and West Monroe Street. After her arrest, former Officer Alex Volk #9733 completed the Incident Report (IR), and his statement of probable cause indicated [REDACTED] stabbed Sergeant George Herr #7737 with the sharpened tip of an umbrella she was carrying at the time. Sergeant Herr sustained an injury to his hand during the incident with [REDACTED] and she was ultimately charged with aggravated assault, a class two (2) felony. Former Officer Volk's description of the umbrella led the Maricopa County Attorney's Office (MCAO) to believe it was modified to be sharper than originally designed. Photographs of the umbrella used by [REDACTED] showed it had not been altered and did not have a sharpened or modified tip, as described by former Officer Volk. After significant media coverage on the incident and further review from MCAO, all of [REDACTED] charges were dismissed.

Therefore, the allegation former Officer Volk knowingly submitted an IR with false information is sustained.

On October 17, 2020, protests continued in the City of Phoenix downtown area and several protestors were arrested for various crimes after they were observed blocking traffic, throwing smoke bombs in the street, and ignoring police commands. After their arrests, former MCAO Deputy County Attorney (DCA) [REDACTED] set the case for a Grand Jury (GJ) hearing, where the protestors faced several felony charges, including assisting a criminal street gang. During the GJ hearing, Sergeant Douglas McBride #6187 testified on behalf of the state and used his street gang expertise to testify about the applicability of the additional street gang charges as it related to this group of protestors, who were classified as the "All Cops Are Bastards (ACAB)" criminal street gang. Sergeant McBride further testified about some of the criminal activity committed by ACAB and compared them to other criminal street gangs, including the Hell's Angels and Mexican Mafia. Although Officer Jeffrey Raymond #10170 was not involved in the

arrest of [REDACTED] he was selected to testify on behalf of the state at the GJ hearing about [REDACTED] arrest and his involvement with the ACAB group. The circumstances surrounding [REDACTED] arrest were reviewed in internal investigation PSB21-0082, however, Officer Raymond's testimony regarding the arrest was reviewed in this internal investigation.

Professional Standards Bureau (PSB) investigators determined Sergeant McBride's GJ testimony was based on his previous experiences, his personal opinion, and was hearsay based on information he reviewed prior to the hearing. This included several IR's, a supplement documenting [REDACTED] arrest authored by former Officer Joseph Crowley, other Departmental records, and body-worn camera (BWC) footage from the incident. The GJ hearing took place approximately ten (10) days after the arrests, and Sergeant McBride did not have time to thoroughly review and confirm the accuracy of these sources of information. Although Sergeant McBride's GJ testimony was not perjurious, PSB investigators determined the overstated facts about ACAB undermined the credibility of the witnesses and criminal investigation itself. The overstated description of events distorted the factual narrative presented to the GJ, which ultimately led to charges being pursued that were not fully supported by objective evidence or additional testimony. The GJ testimony required further clarification and investigative/prosecutorial review before the charges were ultimately dismissed. These clarifications were necessary to ensure the record accurately reflected the evidentiary support and verified facts. PSB investigators determined Sergeant McBride would have been better served to deliver testimony clearly grounded in supported evidence and factual observations that could be distinguished from his interpretations or perceptions. Therefore, the allegation Sergeant McBride's actions, including his GJ testimony, jeopardized the status of a criminal investigation is sustained.

PSB investigators also determined Officer Raymond was not directly involved in [REDACTED] arrest and it is unknown why he was selected by MCAO DCA [REDACTED] to provide GJ testimony. Officer Raymond's testimony about [REDACTED] arrest was not based on his involvement and was solely based on hearsay, specifically, former Officer Crowley's IR supplement he wrote to document [REDACTED] arrest. The IR supplement authored by former Officer Crowley and used by Sergeant McBride and Officer Raymond to provide hearsay testimony was found to have false or inaccurate information about [REDACTED] arrest. PSB investigators determined Officer Raymond answered questions in the GJ hearing to the best of his ability and based on what he knew at the time. Once again, Officer Crowley's conduct and the allegations against him were investigated under PSB21-0082.

Therefore, the allegation Officer Raymond provided false testimony during a GJ hearing is unfounded.