



## Maricopa County Attorney

### Allister Adel

April 19, 2021

Police Chief Jeri L. Williams  
Phoenix Police Department  
620 W. Washington Street  
Phoenix, AZ 85003

Dear Chief Williams:

As you know, from time to time during the course of our duties in reviewing evidence in cases, prosecutors have concerns about the way a particular situation is handled by officers, the way an event is described in a police report, or the information that is testified to under oath. We recognize the limitations of both police reports and video evidence when used to depict events particularly those that are fluid and chaotic. While discrepancies can sometimes be resolved with simple conversations with those who participated in the events, other times we believe it is necessary to bring these matters to the department's attention for further detailed review so the department can determine areas where training might be improved and areas where misconduct might have occurred.

During our review of the protest-related cases from October 17, our prosecutors have discovered some areas of concern which may include the credibility of officers based on the information in police reports and facts testified to under oath in comparison to what is seen in video evidence from body worn or surveillance cameras. We want to be clear that there is an extensive amount of video evidence in this case and while we have worked to review it, and believe we have reviewed what we have, it is certainly possible that we have missed some evidence in those videos or that we do not have all the videos. We also recognize that officers may have had conversations with each other that we have no documentation for that may explain some of the discrepancies we have discovered.

We believe the specific instances described below warrant further investigation in whatever manner your department chooses. Because we will need to consider whether any of these officers need to be included in our Rule 15 database, please let me know whether you will be conducting any additional investigation into these matters and the results of any investigation conducted. If an investigation is conducted, and investigators wish to interview anyone from this office about these specific issues, please contact Ryan Green, Division Chief, Training and Post-Conviction Division.

## Specific Concerns

After a thorough review of all the evidence we have, it is clear to us that Ryder Collins was not part of the group in the streets on October 17. He did not know any of the people in this group, he did not come to Phoenix that night to work with this group, and he did nothing during the night to assist this group. Unfortunately, he was ultimately arrested, however, and then indicted for assisting and conspiring with this group. This is the most concerning aspect of this case – an innocent person was ultimately arrested and charged with very serious felony offenses. As you know we are also reviewing these issues internally, but you will note that many of the specific concerns identified below are related to the reasons for this error.

### **Sgt. James Groat**

Sgt. Groat directed the arrest of Ryder Collins on the night of October 17. Mr. Collins was taking some photographs of the protest group that evening. As officers arrested the group, Mr. Collins was on the opposite side of the street. Reviewing Sgt. Groat's body worn camera from that night, he is heard directing other officers to arrest a guy with a grey backpack saying "That guy right there is one of their legal observers so he's gonna end up going too."

As the evidence began to show that Mr. Collins was not involved in this group, at our request, Det. Adam Legere interviewed Sgt. Groat to figure out why he thought Mr. Collins was part of this group and why he was being arrested. During that interview, as documented in Det. Legere's report, Sgt. Groat indicated that the officers arrested the wrong person. Our concern, based on the body worn cameras from all the officers in that area, is there does not appear to be anyone else in the area with a grey backpack other than Ryder Collins.

### **Sgt. Doug McBride**

Sgt. Doug McBride testified before the grand jury in this matter and he was a key witness because he used his gang expertise to opine that the group involved in these matters was a criminal street gang under Arizona law. His testimony included several matters that we believe should be reviewed further.

1. He testified that Ryder Collins was "in and around the group the entire night." We have not found any evidence to support this statement. There is evidence from multiple sources that Ryder Collins was not near the group until they passed him near Central and Washington. After that he is seen in some videos photographing the group but mostly from the sidewalk. In one video taken by two Arizona Patriots, who were also there taking video of the group, Mr. Collins is asking them what is going on and mentioning that he is from out of town.

During his grand jury testimony, Sgt. McBride was asked, "Did it appear as though he [referring to Ryder Collins] was working in concert with them?" He answered, "Yes it did." We do not know why Sgt. McBride believed Mr. Collins was working in concert with this group.

2. Also at the grand jury, in discussing the group arrested, Sgt. McBride testified that "they utilize a technique where they –they actually in some cases sharpen their fingernails. I don't know if you guys are familiar with that, but they'll actually put points on them, and they'll dig them into the back of our knuckles and hands. My particular thumb got disrupted. It was cut open and bleeding and still hurts..."

This testimony connected the “technique” of sharpened nails to this group and Sgt. McBride’s injury. The evidence shows that none of the people arrested that night had long sharpened nails.

When asked about the basis for this opinion months later, Sgt. McBride responded with the following email:

[https://youtu.be/IR\\_EUwnHUjs](https://youtu.be/IR_EUwnHUjs)

Here is a video link. That being said I know it was a video similar to this one. I don't remember who's social media it was found under. Also in general I have personally experienced individuals (criminals gang members) letting their nails grow and sharpening them. This goes all the way back to the early 90's when I worked at Adobe many of them sharpened their fingernails to give them an advantage when fighting. I also came across this from my gang detective days. I hope this answers all of your questions.

This video in the link does not provide any information about protest groups, gangs, or anyone else using a technique of sharpening their fingernails to a point to use them to fight or assault officers. Sgt. McBride references his past experience of people doing this, but we do not have any evidence of this group, or any protest group, specifically sharpening their fingernails to use as weapons against police.

3. Sgt. McBride provided several expert opinions that, based on the evidence we have, do not appear to be reasonable. We understand that these are his opinions, but we believe further investigation into the basis for these opinions is warranted. These opinions include that he compared the group referred to as ACAB in his testimony as having a similar philosophy to Hells Angels, he equated ACAB with the Hells Angels or Mexican Mafia, and he testified that chanting “All Cops are Bastards” or “ACAB,” a slogan that has been used by many in different contexts and different parts of the world, was a form of self-identification for purposes of our gang statutes.
4. He testified that “this group is specifically setting out almost on a weekly basis to disrupt police, commit violent acts of aggravated assault against police, throw incendiary devices at police.” This broad statement does not appear to be supported by the evidence we have. While there were weekly, even nightly, protests occurring around Maricopa County during this time, there is little evidence that this particular group of people was “setting out” on a weekly basis to commit violent acts of aggravated assaults and throw incendiary devices at police. It is certainly possible that Sgt. McBride has information and evidence that we do not but based on the arrest records of the defendants he was testifying about and evidence we have, we cannot find support for this statement.

### **Officer Jeffrey Raymond**

Officer Jeffrey Raymond also testified before the grand jury. He testified that it was “our contention” that Ryder Collins was part of the group of marchers. He also answered “yes” to the prosecutor’s question that asked if Ryder Collins “ran up on officers and tr[ie]d to impede their ability” to make arrests. He also answered “yes” to the prosecutor’s question about police having to give Ryder Collins “several commands to move back.” As noted above, we have not found evidence to support these statements about Mr. Collins’ involvement.

**Officer Alexander Volk**

One of the defendants is Suvarna Ratnam. Ratnam was on release for a charge of Aggravated Assault arising out of an incident in August. Officer Volk wrote the primary police report in that case, IR2020-1394037, and described an umbrella as having a "sharpened tip." This led some prosecutors to believe the tip of the umbrella had been modified to a sharp metal point. The evidence, however, shows that the umbrella design has a cone shape on the top, but it had not been modified to be sharper than originally designed. We believe this statement needs additional investigation or explanation.

Officer Andrew Volk also wrote/or electronically signed the Form 4 related to Ryder Collins. The Form 4 contains information about Mr. Collins' involvement that, as discussed above, we do not have evidence to support.

**Officer Joseph Crowley**

This concern involves statements about Ryder Collins' involvement. Officer Crowley's report states that he "witnessed sergeant Groat #6179 at 100 W Van Buren St give a lawful order to Ryder to stop moving towards the mass arrest that was occurring to be lawfully detained for unlawful assembly, riot, and obstructing a thoroughfare. Immediately, Ryder ignored Sergeant Groat's commands and started to walk southbound on N 1<sup>st</sup> Ave before being placed under arrest...." Our concern with this portion of the report is that the video evidence shows that Sgt. Groat never gave such a command and Mr. Collins was never moving toward the mass arrest as it was occurring.

Officer Crowley also interviewed Ryder Collins and summarized the interview in his report writing,

...after Ryder understood his Miranda rights, Ryder admitted to following the protest group around the downtown area while taking photographs of them and the police. Ryder admitted that he did hear the announcements by police and apologized for not leaving the area when lawfully ordered to do so. Ryder told me that he was moving around the group and police while the protest occurred to get different angles of photos.

Understanding that the recording of an interview is the most complete and accurate source of information about what was said in an interview and that summaries in police reports are intended to be summaries of the most important information, the summary in this report omits some potentially exculpatory things Mr. Collins said. These include the following:

- 1) Mr. Collins was already downtown doing street photography with two friends who are photographers;
- 2) He was in the area of the hotel/skybridge when he first saw the protesters;
- 3) He did not know the other people taking pictures of the group;
- 4) When it ended he was "catty corner" from the area of the arrests;
- 5) He is an amateur photographer

Based on everything known today, it is fairly obvious that the conversation between Officer Crowley and Mr. Collins includes a misunderstanding between the two about the exact time period during the evening the other is referring to. For example, Mr. Collins appears to be focused on a time prior to when the arrests were made when an officer told him to get out of the street when he had stepped into the street to take pictures. The result is that the two seemed to talk past each other, both misunderstanding what the other was asking

about or saying. Whatever the cause of the confusion, the end result was that the summary of this interview in the report was a contributing factor to an innocent person being wrongfully charged with serious felony offenses.

Below is a portion of the interview where Officer Crowley directs Ryder's attention to the interaction with the "sergeant" and the following conversation occurs:

**OC:** Now, there was a police officer. There was a sergeant who was the first one to contact you when you were walking up with your camera when the group was actively resisting the police officers.

**RC:** OK.

**OC:** So he gave you orders. Do you remember hearing any of those orders? Right before you turned around and immediately ran away from...do you remember that?

**RC:** Well I think so...can I tell you what I remember...?

**OC:** So, so, remember, you're being recorded. I was out there when it happened. And I witnessed him talking to you, and exactly what you did. OK.

**RC:** Can I tell you the first time I heard, I heard two orders actually, to leave. So I'll be honest with you...

**OC:** Well, I think he told you something different.

**RC:** Oh OK.

**OC:** He pointed at you. Specifically you, because you were by yourself on the east side of the street.

*[Mr. Collins then explains taking a photo from the street when the group of protesters was a couple blocks ahead of him. He took a picture down low looking "way down the street." A police officer pulled over and talked to him].*

**RC:** ...and what I heard was if I give you another warning you'll be charged with obstructing a roadway or something.

**OC:** That's what you heard from that sergeant?

**RC:** Yes

**OC:** He didn't tell you that you were under arrest? He didn't point specifically at you and tell you that?

**RC:** There was a light shining in my face, I was about a half a block away walking...

**OC:** So he was standing probably about maybe 10 yards from any police car, 5 -10 yards

**RC:** OK. I just, I remember somebody talking to me in a car, I think

**OC:** No he was outside the car

**RC:** OK

**OC:** And he pointed directly at you and he gave you a lawful order and you immediately turned around and evaded what he was telling you to do.

**RC:** Uh OK. I wish I would have heard him. I would have just left

**OC:** Does that make sense?

**RC:** Ok. I don't remember that. But I would have just left. Fair enough.

**OC:** Well he gave you a lawful order to stay where you were. I don't think leaving, I think leaving is the reason you're here.

**RC:** Oh Sorry. OK. Well I didn't even hear that. I understand OK.

**OC:** Does that make sense?

**RC:** It does. I get it. Yeah. I got no issue with it, I apologize.

**OC:** From what I saw, he gave you the order and you immediately turn around and immediately started to walk away. Not listening to any of us. 'Cause I started to follow you too.

**RC:** Oh OK.

**OC:** And then we had to send two officers who were supposed to respond to the group that was actively resisting to deal with you.

**RC:** Fair enough. I get that. OK.

The confusion is made worse by the fact that Officer Crowley's memory of what Sgt. Groat "commanded" was also wrong based on the video evidence. Sgt. Groat never commanded Mr. Collins to do anything or told him he was under arrest. Instead, Sgt. Groat's commands were directed to another officer saying "watch that guy right there" and "he's going to end up going too." In fact, based on the video evidence, Sgt. Groat's earlier orders to "get out of the road" were more likely directed to the two female members of the Arizona Patriots, not Mr. Collins. As previously discussed, nothing in this interview provides any support for the idea that Mr. Collins was interfering with any arrests or that he was moving toward the mass arrests. Indeed, in the interview Officer Crowley focused on the fact that Mr. Collins was *walking away* not walking toward anything.

### Conclusion

We recognize that errors and mistakes happen. At this point MCAO has not made any credibility determinations about any of these officers and some of these issues may be classified as training issues but we felt we needed to bring them to your attention so they could be further investigated so specific finding and conclusions can be made. Please let me know what, if any, actions are taken and the results of any investigations that may occur.

If there is anything additional I can do to assist you in these matters, please do not hesitate to let me know.

Sincerely,



Allister Adel  
County Attorney