

Department of Veterans Affairs

VA Police
Phoenix

Investigative Report

Investigative Report#: 201311041113-8706

VA Facility: Phoenix

Date/Time Printed 6/19/2015 13:21

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Date/Time Received 11/4/13 11:13 AM

Date/Time of Offense: 11/4/13 11:13 AM

Location: Ward 4D

Investigating Officer: LIAM DAVIS

Incident Synopsis: VA Police responded to a call from 4D staff reference a patient attempting to leave while on an active medical hold. Officers caught up to staff several minutes later outside the Emergency Department. The medical staff advised that the patient (b) (6), (b) (7)(C) was across the street. After receiving supervisory approval, an officer left property and with a medical staff member, made voluntary contact with (b) (6). VA Police were able to convince (b) (6) to return to the hospital to see a doctor before (b) leaves (b) (6), (b) (7)(C) was given a ride back to the ED entrance. Medical staff were about to escort (b) (6) upstairs, when the VA Police Criminal Investigator advised Officers to take (b) (6) into custody and place (b) (6) in the holding cell for suspicion of possession of drugs and drug paraphernalia. Acting on good faith, Officers placed (b) (6) in handcuffs and escorted (b) (6) to the VA Police headquarters. Officers then charged (b) (6), with 38 CFR 1.218 (a) (5) Disorderly Conduct which prevents the normal operation of a service or operation of the facility. The drug paraphernalia was placed in evidence for destruction.

Classification Code:

Final Disposition:

Initial Disposition: Closed

Case Status: REOPENED

Use of Force

OC Weapon used: No

Baton Used: No

Firearm Drawn: No

Firearm Used: No

Complainant

Name: SUBJECT UNKNOWN

Status:

Work Address

Work Phone

Statement

Victim

Name: UNITED STATES GOVERNMENT

Gender: Ethnicity:

Status:

Facility: Phoenix

IR#: 201311041113-8706

Driver's License:

State: GENERAL

Work Address:

N/A
N/A, US

Work Phone:

Treatment:

No

Suspect

Name: (b) (6), (b) (7)(C)

SSN: [REDACTED]

DOB: (b) (6), (b) (7)(C)

Age: (b) (6), (b) (7)(C)

Gender: [REDACTED]

Ethnicity: [REDACTED]

Height: [REDACTED]

Weight: [REDACTED]

Hair Color: [REDACTED]

Eye Color: [REDACTED]

Skin Tone: [REDACTED]

Mark: [REDACTED]

Status: [REDACTED]

Driver's License Number: (b) (6), (b) (7)(C)

License State: (b) (6)

Home Address: [REDACTED]

Home Phone: [REDACTED]

Work Address: (b) (6), (b) (7)(C)

Work Phone: [REDACTED]

Offense(s): (b) (6), (b) (7)(C)

Violation(s): [REDACTED]

Witness

Name: (b) (6), (b) (7)(C)

Work Address: [REDACTED]

Work Phone: [REDACTED]

Statement: See Investigation.

Notification

Agency: Phoenix Police Records (P.A.C.E)

Contact: Dispatcher A3415

Date & Time of Notification: 11/4/13 1146

Instructions Received: No wants. No warrants.

Narrative

Origin On Monday, November 4th, 2013 at about 1113hrs, VA Police responded to a phone call from Ward 4D staff, reference a patient attempting to leave while on an active medical hold.

Initial Observation See Investigation.

Investigation Sgt. Placer and Officer Davis conducted a sweep of the last known location of the missing patient. About ten minutes into the search, officers caught up to ward 4D staff outside the Emergency Department (ED) South entrance. The medical staff advised that the patient (b) (6), (b) (7)(C) was across the street at CVS.

After receiving supervisory approval, I left property and with a medical staff member, made voluntary contact with (b) (6), (b) (7)(C) at 998 E Indian School Rd. Staff were able to convince (b) (6), (b) (7)(C) to return to the hospital to see a doctor and attempt to conclude (b) (6), (b) (7)(C) treatment before leaving.

(b) (6), was given a ride back to the ED entrance. Upon arrival (b) (6), exited the vehicle on (b) own accord and proceeded to the smoking shelter to smoke before heading back the medical ward.

Medical staff were about to escort (b) (6), (b) (7)(C) upstairs, when the VA Police Criminal Investigator advised Sgt. Placer and I to take (b) (6), into custody and place (b) (6) in the holding cell for drug paraphernalia. Acting on good faith, I placed (b) (6), in handcuffs, double locked them. I then escorted (b) (6), to the VA Police headquarters (HQ) (b) (7)(D) D106.

I arrived at the VA Police HQ and placed (b) (6), in the temporary holding cell (D106C) at about 1143 hrs. I searched (b) (6), and secured (b) (6) in the holding cell bench. The VA Police Criminal Investigator then entered the holding cell and read (b) (6), the VA Police Pre Questioning Advice of Constitutional Rights (VA Form 1430) After (b) (6), verbalized consent, VA Criminal Investigator, Lt. Mueller questioned (b) (6), about drug paraphernalia found in (b) patient room on Ward 4D.

While the interview was being conducted, VA Police dispatch conducted a Motor Vehicles Division (MVD) check was conducted and cross referenced with the information provided to confirm (b) (6), (b) identity. The check revealed that (b) (6), had a suspended (b) Driver License (b) (6), (b) (7)(C) (b) (7) (6)

I requested dispatch to conduct an (ACJIS) Arizona Criminal Justice Information System inquiry on (b) (6), (b) (7)(C) The inquiry had negative results for wants and warrants.

Sgt. Placer also conducted a check on the Decentralized Hospital Computer Programs (DHCP) and (VAPS) Veterans Affairs Police System, for prior contact with VA Police. VAPS revealed the following:

VA Police contacted (b) (6), (b) (7) on 10/13/2013 Theft of Services. No Charges were filed.

VA Police contacted (b) (6), on 11/03/2013 for Disorderly Conduct. No Charges were filed.

Further, VA Police Dispatch then conducted a Police Automated Computer Entry (PACE) System inquiry on (b) (6), Dispatcher A# 3415 of the City of Phoenix Records and Identification Bureau was contacted at about 1146 hrs. The inquiry revealed that (b) (6), had no active warrants with the City of Phoenix. (b) (7)

After the interview was completed, the investigation was continued with Ward 4D staff (b) (6), (b) After Lt. Mueller concluded the interview with (b) (6), it was determined that the suspected drug paraphernalia was dropped off to medical staff by (b) (6), (b) (7)(C) mother (b) (6), (b) (7)(C) claimed to have dropped off the item to VA medical staff because (b) (6), found it in (b) (6), (b) (6), residence and did not know what to do with it. Sgt. Placer secured the evidence which was a clear glass pipe resembling a classic "crack pipe" containing the burnt residue of an unknown substance. Sgt. Placer obtained the evidence from Head Nurse, (b) (6), (b) (7) in room D408 and secured the evidence in temporary Evidence Locker # 2 located in the VA Police HQ room D106. The evidence was marked for destruction.

Investigating Officer: LIAM DAVIS
Badge: 3226-ON
Printed by: ROBERT MUELLER

Signature: _____
Date: 6/19/13

<<< End of Report >>>

Released to R Mueller #4:
19 Jun 2013

Follow Up

Investigator: LIAM DAVIS **Date/Time:** 11/6/2013 9:07:42PM

I requested CVB violation # 3138479 be voided. I am requesting a void on this citation because I was pressured to write this citation by a supervisor in order to justify their prolonged unlawful detention of the named defendant. I protested this citation and the detention to the supervisor in the presence of the physical security specialist. Further, I was told by the criminal investigator to lie and include false statements in the PC statement. The criminal investigator told me to include statements that were false three times in the presence of my supervisor and the department's secretary. Further, the medical hold detention was affected by the VA Police under VA Policy Memorandum No. MH&BSS/116A-07 which states on page 1, 2. POLICY: "in accordance with Arizona Revised Statutes Title 36, subsection 520, 531 and 548. As VA Police under proprietary jurisdiction, we can not enforce state codes. Also, the subject in this case never made any threats, threatening movements or made any statements referencing harming [REDACTED] or others. The subject never became loud or argumenative. The subject never cursed or failed to follow the instruction of Officers.

Investigator: ROBERT MUELLER **Date/Time:** 12/7/2014 3:21:32PM

About 5 Dec 2014 item of evidence associated with this case was destroyed in my presence by [REDACTED] Inventory Management. VA FM 3524 and Evidence ledger Updated.