



City of Phoenix

To: Daniel V. Garcia
Chief of Police

Date: September 10, 2013

From: Eric P. Hailey, Commander
Professional Standards Bureau *EH*

Subject: INTERNAL INVESTIGATION - PSB13-0032

Internal Investigators:

Lieutenant Clinton Zeiner (Investigative Review)
Sergeant Tadd Cline (Primary Investigator)
Sergeant Jeffrey Webbe (Interviews)

Allegation #1:

On March 28, 2013, at approximately 10:26 a.m., Officer Dustin Dionne #8554, while off-duty, committed the elements of a felony when he recklessly displayed a firearm during a traffic altercation while at
in Scottsdale, Arizona.

Findings:

Sustained

Allegation #2:

On March 28, 2013, Officer Dustin Dionne #8554 provided a false verbal report to Sergeant Jeffrey Nielsen #5020 regarding his involvement in a traffic altercation that incepted on the Loop 101 Freeway.

Findings:

Sustained

Allegation #3:

On March 28, 2013, Officer Dustin Dionne #8554 provided false and misleading statements to an officer from the Scottsdale Police Department regarding a criminal investigation.

Findings:

Sustained

Employee/s Involved:

Officer Dustin Dionne #8554
Division: Patrol
Precinct: Central City
Squad: 51F
Schedule: 1300-2300 / Wed, Thur, Fri
Date of Hire: May 8, 2006

Complainant: Department Initiated

Civilian Witnesses: See Civilian Witness section

Diagrams: See Diagram section

Photographs: See Photograph section

Outside Agency Reports: Scottsdale Police Department / 13-07211

Attachments: See Attachment section

SUMMARY OF INVESTIGATION:

On March 28, 2013, Officer Dustin Dionne #8554 was involved in an off-duty traffic altercation with another motorist, Mahdi Jawad, as he was traveled north on the 101 Freeway in Scottsdale. Officer Dionne told Professional Standards Bureau investigators that he followed the other motorist off of the freeway at Cactus Road and to a business complex several miles away at

Mr. Jawad parked, exited his vehicle and approached Officer Dionne's vehicle. In response, Officer Dionne displayed his duty weapon. However, Mr. Jawad was empty-handed, did not block Officer Dionne's vehicle movement, and yelled profanities.

Statements made by Mr. Jawad and Officer Dionne revealed Mr. Jawad did not use or attempt to use unlawful physical force against Officer Dionne, which would have legitimately caused Officer Dionne to defend himself by displaying his firearm. Furthermore, the investigation revealed there were other alternatives available to Officer Dionne to handle this situation without having to confront Mr. Jawad about his driving. This investigation has determined Officer Dionne displayed unprofessional conduct where elements of a felony were met, and Allegation #1 is Sustained.

Within minutes and hours of the incident, Officer Dionne told Scottsdale police and a Phoenix police sergeant a divergent chain of events, the most significant fact being he had been followed by Mr. Jawad into the business complex. Officer Dionne provided false and misleading statements to an officer from the Scottsdale Police Department regarding a criminal investigation and a false verbal report to an on-duty Phoenix patrol sergeant regarding his involvement in a traffic altercation that incepted on the Loop 101 Freeway. Therefore, Allegations #2 & #3 are Sustained.

The Scottsdale Police Department submitted one felony charge on Officer Dionne to the Maricopa County Attorney's Office. One count of ARS 13-2904.A.6 - Disorderly Conduct, "A person commits

disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person: Recklessly handles, displays, or discharges a deadly weapon or dangerous instrument.” The Maricopa County Attorney’s Office did not file a criminal charge against Officer Dionne.

