



City of Phoenix

Professional Standards Bureau

Discovery Review: Y N

Dishonesty, integrity, bias, moral turpitude

Reviewed by: *BN 5512*

Date: *12/13/09*

To: Jack F. Harris
Public Safety Manager

Date: September 17, 2009

From: Blake A. McClelland, Assistant Chief *BAM*
Professional Standards Division

Subject: **INTERNAL INVESTIGATION - PSB09-0040**

Internal Investigators: Commander George Richards (Investigative Review)
Lieutenant Joe Tomory (Investigative Review)
Sergeant Jerry Peterson (Primary Investigator)
Sergeant Paula Veach (Interviews)

Allegation #1: On April 15, 2009 at approximately 7:41 a.m., Officer Paul Hubert #4259 knowingly entered an inaccurate departmental report into the PACE voice writer system, by placing the name of the secondary officer on the scene as primary on the report above his own name, indicating that the other officer had authored the report.

Findings: Sustained

Employee/s Involved: Officer Paul Hubert #4259
Division: Patrol Operations North
Precinct: Cactus Park
Squad: 93B
Schedule: 0530-1530 / Tues, Wed, Thurs
Date of Hire: June 13, 1983

Complainant: Department initiated

Witness Employees: See Witness Employee section

Departmental Reports: DR# 2009-90604860 / Aggravated Assault of a Police Officer

Attachments: See Attachment section

SUMMARY OF INVESTIGATION:

On April 15, 2009, Officers Paul Hubert #4259 and Tim Smith #6617 were working in an off duty capacity at Bobby Q's Restaurant, 8501 North 27th Avenue. Shortly after 2 a.m., they attempted to clear the patrons from the parking lot, as the establishment had closed. A verbal confrontation started between two groups of males. According to Officer Hubert, while the officers attempted to intervene between the groups, one of the individuals pushed him in the chest. An on duty supervisor was contacted and responded, along with several on-duty officers, to assist with this incident. The individual who pushed Officer Hubert was booked into the 4th Avenue Jail for Aggravated Assault of a Police Officer.

After he arrived home from the off-duty job, Officer Hubert said he called in the Aggravated Assault departmental report via the PACE voice writer system. Officer Hubert told PSB investigators that he used Officer Smith's name and serial number when he called in the report. Officer Smith said he believed that one of the on duty officers at the scene was assigned to complete the original report. Officer Smith told investigators that had no idea that Officer Hubert had used his name and serial number when he called in the report.

On April 17, 2009, Officer Smith received a subpoena to appear in court regarding the Aggravated Assault report authored by Officer Hubert. On April 21, 2009, Officer Smith said Officer Hubert told him that he (Hubert) called in the original report, and he used Officer Smith's name and serial number as the author of the report.

This investigation determined Officer Hubert knowingly submitted Departmental Report # 2009-90604860 with inaccurate information. Therefore, this allegation is sustained.

