



City of Phoenix

To: Dan Olson, Lieutenant
Patrol 63 Commander

Date: May 27, 1998

From: David Lundberg, Sergeant
63K Squad Supervisor

RECEIVED

Subject: CITIZEN COMPLAINT #98-129

AUG 24 1998

PROFESSIONAL STANDARDS BUREAU

EMPLOYEE INVOLVED: David Kanavel #5833
63K SMT 2130-0730

COMPLAINANT: Michael Sneed W/M [REDACTED]
[REDACTED]
([REDACTED])
Records Check : Pace SCN's: 880821184,
9111050316, and 9609130342 list Mr. Sneed's Police record

WITNESSES: Tracey Sneed W/F [REDACTED]
[REDACTED]
([REDACTED])

William Norton, W/M, [REDACTED]
[REDACTED]
[REDACTED]
([REDACTED])

Dara Leibick, W/F [REDACTED]
[REDACTED]
([REDACTED])

DATE/TIME: SEPTEMBER 5, 1997, 0100 hours

LOCATION: 16900 N. 32nd Street Phoenix, Arizona

ALLEGATION 1: Mr. Sneed alleges that on September 5, 1997, at
0100 hours, Officer David Kanavel, 5833, made a
traffic stop of his vehicle based solely on the fact that
Mr. Sneed pulled out of the parking lot of the North Shore Bar.

FINDINGS: UNRESOLVED

ALLEGATION 2: Mr. Sneed alleges that on September 5, 1997, at
0100 hours, Officer David Kanavel, 5833, arrested and

detained Mr. Sneed for two hours based solely on the fact he refused to take any field sobriety test.

FINDINGS:

UNRESOLVED

ALLEGATION 3:

Mr. and Mrs. Sneed allege that on September 5, 1997, at 0100 hours, Officer Kanavel, 5833, left Mrs. Sneed at 32nd Street and Bell without any transportation and in inappropriate attire without attempting to assist her in any way and refused to release the vehicle to her.

FINDINGS:

UNFOUNDED

ALLEGATION 4:

Mr. Sneed alleges that on September 5, 1997, Officer David Kanavel, 5833, handcuffed Mr. Sneed and refused to inspect or loosen his handcuffs during the entire time Mr. Sneed was in custody after Mr. Sneed repeatedly complained the handcuffs were on too tight.

FINDINGS:

UNRESOLVED

ALLEGATION 5:

Mr. and Mrs. Sneed allege that Officer Kanavel, 5833, makes numerous traffic stops on vehicles based solely on the fact they are leaving the North Shore parking lot and no enforcement action is taken unless a D.U.I. arrest is made.

FINDINGS:

UNRESOLVED

SUPERVISOR INITIATED ALLEGATIONS 6-9

ALLEGATION 6:

That on September 5, 1997, at 0100 hours, Officer David Kanavel, 5833, failed to complete an Alcohol Influence Report after arresting Michael Sneed for D.U.I.

FINDINGS:

SUSTAINED

ALLEGATION 7:

That on September 5, 1997, at 0100 hours, Officer David Kanavel, 5833, failed to accurately complete his Patrol Division Daily Log reference the arrest of Michael Sneed.

FINDINGS:

SUSTAINED

ALLEGATION 8:

That on September 5, 1997, Officer David Kanavel, 5833, failed to log Mr. Sneed in the Detained Prisoner Log at Desert Horizon Precinct or North Resource Bureau.

FINDINGS:

SUSTAINED

ALLEGATION 9:

That on September 5, 1997, at 0215 hours, Officer David Kanavel, 5833, failed to notify a supervisor of an incident that was a concern of the department due to Michael Sneed being arrested for D.U.I. and being released without charges being pursued.

FINDINGS:

SUSTAINED

ATTACHMENTS:

1. Cassette tape recording of interview with Michael Sneed.
2. Cassette tape recording of interview with Tracy Sneed
3. Cassette tape recording of interview with Officer David Kanavel dated 05/23/98.
4. Cassette tape recording of interview with Bruce Norton
5. Copy of Officer Kanavel's Daily Log dated 08-28-97
6. Copy of Officer Kanavel's Daily Log dated 09-04-97.
7. Pace G.C.I. printout for Michael Sneed on 09-05-97 at 0206 hours.
8. Spreadsheet listing Officer Kanavel's D.U.I arrest from 3/1/97 to 2/28/98.
9. Spreadsheet listing Officer Kanavel's Q.S.O.'s from 3/1/97 to 2/28/98.
10. Spreadsheet of Officer Kanavel's CNP times from 3/1/97 to 2/28/98.
11. D.P.S. printout of Officer Kanavel's G.C.I. activity from 06/01/97 through 03/7/98.
12. Defense Interview between Officer Kanavel and Mr. Calvin.
13. Court transcript State vs. Tracey Sneed.
14. Copy of Officer Kanavel's Daily Log dated 8/22/97.
15. Copy of Officer Kanavel's Daily Log dated 10/2/97.
16. Copy of Verification Letter sent to Michael Sneed.
17. Notice of Investigation served to Officer David Kanavel #5833
18. Notice of findings served to Officer Kanavel #5833
19. Copy of Letter of Findings sent to Michael Sneed.

SUMMARY OF INVESTIGATION:

On 09/05/97, Officer Kanavel #5833 stopped the complainant, Mr. Sneed, at 16900 N. 32nd Street at 0100 hours and arrested him for D.U.I.. Officer Kanavel transported Mr. Sneed to Desert Horizon Precinct (DHP) for processing, but the Intoxilyzer was inoperable. Officer Kanavel transported Mr. Sneed to the North Resource Bureau (NRB), where Officer Kanavel administered a breath test with Mr. Sneed registering .000 at 0206 hours. Mr. Sneed was released without being issued any citations. Officer Kanavel documented the incident on his Patrol Division Daily Log (worksheet) as a Quality Service Opportunity (Q.S.O.) and failed to list the times and locations he was with Mr. Sneed on the worksheet. Officer Kanavel did not complete the Alcohol Influence Report (A.I.R.) reference the arrest of Mr. Sneed.

On May 9, 1998, I received a phone call from the complainant, Mr. Michael Sneed, who wished to inform me of an incident involving Officer Kanavel on 9/5/97, when he was arrested for D.U.I.. Mr. Sneed felt he was stopped merely for pulling out of a bar parking lot. Mr. Sneed said he had not been drinking, and was arrested for D.U.I. by Officer Kanavel after refusing to take any field sobriety tests (F.S.T.'s). Mr. Sneed said he was taken to two police stations that night. At the first station the breath machine was not working so Officer Kanavel took him to another station. At the second station Mr. Sneed said he blew a .000. Mr. Sneed was then released without being cited for any violations. Mr. Sneed said his wife was also arrested by Officer Kanavel for D.U.I. after leaving the same bar a week prior to his arrest. Mr. Sneed felt that Officer Kanavel was pulling people over based solely on the fact they were leaving the bar's parking lot. When Mr. Sneed called me he said he was calling to advise me of the incident and was concerned Officer Kanavel might be doing something wrong. As a result of Mr. Sneed's call an administrative investigation was initiated.

