

**CITY OF PHOENIX  
PERSONNEL DEPARTMENT**



**DISCIPLINE NOTICE  
(CLASSIFIED EMPLOYEE)**

**Instructions:** Complete boxes 1 through 17. Leave shaded areas blank. Keep copy for department control. Take original to Law Department and Personnel Department for signatures in boxes 18 through 20. After serving employee, fill out boxes 21 through 23 and make two copies; one copy for department and one copy for employee. Send original and department copy to Personnel Administration for processing.

**EMPLOYEE DATA**

1. NAME (Last, First, Middle) McNeil, Jarrett F		2. Emp ID [REDACTED]	3. CLASS CODE # 62210	Incident # 5640
4. FLSA STATUS Nonexempt	5. CLASS TITLE Police Officer	6. DEPARTMENT # B2031	7. DEPARTMENT Police Dept: South Mount Precnt	
8. EMPLOYEE'S HOME ADDRESS [REDACTED]		MAILING ADDRESS [REDACTED]		

**DISCIPLINARY ACTION**

9. DATE APPOINTED TO PRESENT CLASS 03/01/2004	10. DATE HIRED BY CITY: 10/13/2003
11. DISCIPLINE TYPE Suspension Number of work hours and days suspended: 160 hrs / 16 days	
12. EFFECTIVE DATE: NOV 24, 2005, JAN 26, 2007, FEB 9-12, FEB 23-26, MARCH 9-12	
13. EMPLOYEE STATUS IN PRESENT CLASSIFICATION: Regular (completed probation); ENTITLED TO APPEAL RIGHTS	

14. EXPLANATION OF ACTION AND REASON(S) FOR DISCIPLINE (SEE ATTACHED)

Page 1 of 5

**ENDORSEMENTS**

15. Supervisor [Signature]	16. Division Head [Signature] 3052	17. Department Head [Signature]
18. Law Dept. [Signature]	19. Personnel Dept. [Signature]	20. City Manager (Delegated to Dept Head) [Signature]
21. SERVICE OF NOTICE: Personally 12-24-06 Date Served: SGT SCANTON By Whom:	22. Employee Signature [Signature] 7905	23. Certified Mail, return receipt requested Date Mailed: Certified Mail Receipt#

24. APPEAL PROCEDURES: SEE PAGE 2

25. CIVIL SERVICE BOARD

## **APPEAL PROCEDURES**

The requirements for filing a request for an appeal before the Civil Service Board are outlined in Personnel Rule 22, and are summarized here.

### **Time Limit on Submitting and Requesting an Appeal**

- ✓ If an eligible employee is served in person with a discipline notice regarding his/her suspension, demotion, or dismissal, the employee must submit a request for a hearing to the Civil Service Board no later than fourteen (14) calendar days (including weekends and holidays) from the date of service.
- ✓ If an eligible employee is not served in person with a discipline notice, but instead the discipline notice is sent to the employee by certified mail, a request for a hearing must be submitted to the Civil Service Board no later than twenty-one (21) calendar days (including weekends and holidays) from the date the discipline notice was mailed to the employee.
- ✓ Failure to submit a request for a hearing by the applicable deadline as set forth above shall result in the employee forfeiting his/her right to a hearing, and the disciplinary action taken shall be final with no further ability for the employee to appeal.

### **How to Appeal and Request a Hearing**

- ✓ A request for a hearing must be in writing.
- ✓ The written request must be addressed to the Civil Service Board and be personally delivered to the Board or deposited in the United States mail, certified, return receipt requested, postage prepaid, addressed to the office of the Civil Service Board, Attention: Personnel Department Administration, 135 North 2nd Avenue, Phoenix, AZ 85003, within the time frame mentioned above. Only appeal letters received at this address will be considered valid.

### **What Should be Included in a Written Request for a Hearing**

- ✓ The appeal should state the employee's specific disagreements with the allegations in the discipline notice.
- ✓ The appeal should also mention whether the employee would like the hearing to be conducted as a public or private hearing before the Civil Service Board.
- ✓ The appeal should include whether the employee will be representing himself or herself or whether someone else will be his/her representative before the Civil Service Board.
- ✓ The employee's signature must appear on all appeal requests, including cases where the employee will be represented by another person. If an employee is represented by another person, the appeal letter must include the name, address, and telephone number of the employee's representative.

### **What Happens Next?**

- ✓ The employee shall immediately file copies of the appeal letter with his/her department head and the City Attorney.

***If you have questions on filing an appeal,  
please call the office of the Civil Service Board at 602-262-6609.***

Suspension 2006-55 Police Officer Jarrett McNeil #7905

Pursuant to the provision of Personnel Rule No. 19, you are hereby notified that you are suspended, without pay, for 160 working hours for violations of Personnel Rules Nos. 21b3, 21b16, and 21b18; Operations Order 3.13.2.D, Operations Order 3.13.6.A (1) & (2), Operations Order 3.13.6.B (3), Operations Order 3.13.6.B (4), Operations Order 3.18 Addendum A 3.B (1) (a), Operations Order 3.18 Addendum A 3.D (4) (a), and Operations Order 3.18 Addendum A 3.E (1) (f).

This is the result of an incident that occurred on January 22, 2006, at approximately 3:21 a.m., when you conducted a traffic stop in the area of 5200 South 7<sup>th</sup> Avenue. You initiated the traffic stop because the vehicle was weaving within its' traffic lane. During the traffic stop, you exchanged flirtations with the sole occupant of the vehicle. Part of the flirting included the topic of the driver's bust size. Also during the traffic stop, the driver gave you a personal card with her name and phone number. You released the driver from the traffic stop without taking any enforcement action.

A few minutes after the traffic stop, you arrived unannounced at the driver's residence and continued flirting with her. You offered to take her on a ride along in your patrol vehicle, which she accepted. You placed her in the back seat.

You left her residence, traveled a short distance, and parked your patrol vehicle in a darkened spot behind a residential area at 8200 South 7<sup>th</sup> Avenue. While in the back seat of the patrol vehicle, she completely exposed herself and you fondled her breasts. She claims you also brushed her vaginal area, however you deny doing so.

On January 23, 2006, she contacted another Phoenix Police Officer and advised the officer of her contact with you. This officer advised you of the allegations she was making and suggested you contact your supervisor.

After your conversation with the other Phoenix Police Officer, you went to the residence of the driver to question why she had reported the contact between the two of you.

You then contacted your immediate supervisor and advised him of the traffic stop that occurred on January 22, 2006. You intentionally gave your supervisor an account that intermingled the two contacts you had with the driver and omitted the sexual contact.

Suspension 2006-55 Police Officer Jarrett McNeil #7905

On February 15, 2006, Professional Standards Bureau investigators interviewed the driver from your traffic stop. She gave her account of the traffic stop and the subsequent contact that happened shortly thereafter and the next day. During the interview, she stated she felt verbally coerced into the sexual contact.

On February 17, 2006, you were interviewed by Professional Standards Bureau investigators. During the interview you gave your account of the traffic stop and admitted to flirting with the driver. You admitted going to her residence after the traffic stop, offering her a ride along in your vehicle, and taking her to a vacant lot. You admitted to fondling her breasts when she was in the back of your patrol vehicle, however contend the contact was mutually agreed upon. During the interview, you also admitted to having a second contact with her the next day after learning that she had approached another Phoenix Police Officer regarding the incident. In addition, you admitted to investigators that you were less than truthful when reporting your conduct to your supervisor. You stated you intentionally omitted the information about the sexual contact to lessen the severity of your conduct.

Your actions violated the following Operations Orders:

O.O.3.13.2.D, "Employees will maintain a professional approach to their duties at all time."

O.O.3.13.6.A (1) & (2), "Employee Truthfulness" ... "Employees will not lie during any department criminal and/or administrative investigation or in matters of legitimate concern to the department, which includes but is not limited to: submission of departmental reports, testifying in court, responses to questions by department employees, questions about operations issues, and employee initiated statements."

O.O.3.13.6.B (3), "Employees will not engage in sexual activity or contact at any time while on-duty or off-duty at any police department facility and/or grounds."

O.O.3.13.6.B (4), "Employees will not attempt to convert an enforcement contact, (suspect, investigative lead, informant, traffic violator, etc.), into a social relationship.

O.O.3.18, Addendum A 3.B (1) (a), "Attempt/s to convert an enforcement contact (suspect, IL, informant, traffic violator) into a social relationship (on-duty contact).

O.O.3.18, Addendum A 3.D (4) (a), "Consensual sexual contact on duty, during a work shift, or at a police facility."

Suspension 2006-55 Police Officer Jarrett McNeil #7905

O.O.3.18, Addendum A 3.E (1) (f), "Untruthful verbal report (not related or in response to questioning pursuant to a criminal or internal investigation).

The Police Department, in determining the length of this suspension, considered your disciplinary and performance history. Any future infraction will result in further disciplinary action up to and including dismissal.

Details of the investigation are available to the employee by written report, PSB 06-09, given prior to the scheduling of the Disciplinary Review Board.



# City of Phoenix

**To:** Joseph G. Yahner  
Chief of Police

**Date:** October 27, 2015

**From:** Joseph S. Knott, Commander  
Professional Standards Bureau

*PSB 4037  
10-27-15*

**Subject:** INTERNAL INVESTIGATION – PSB15-0033

**Internal Investigators:** Lieutenant Chris Tucker (Investigative Review)  
Sergeant Rosemary Nelson (Primary Investigator)  
Sergeant Paul Perez (Secondary Investigator)

**Allegation #1:** On February 5, 2015, Officer Jarrett McNeil #7905 willfully omitted information about a previous suspension during a defense interview when questioned about the circumstances of his prior discipline.

**Findings:** Sustained

**Employee Involved:** Off Jarrett F Mcneil #7905  
South Mountain Precinct, 41K

**Complainant:** Department Initiated

**Attachments:** See Attachments Section

---

## **SUMMARY OF INVESTIGATION:**

On February 5, 2015, at 10:30 A.M., Officer Jarrett McNeil #7905 attended a defense interview reference a felony criminal matter in which he assisted another unit with a traffic stop. The driver was arrested for possession of narcotic drugs. When asked about his discipline history, Officer McNeil told the defense attorney, Ms. Shifa Alkhatib, he was suspended for 160 hours, but indicated he did not recall exactly the reason for which he was suspended, even after having been asked twice by the defense attorney. Immediately after the interview, Deputy County Attorney Samantha Caplinger followed up with Officer McNeil about his recollection of the suspension. Ms. Caplinger told investigators that Officer McNeil told her he could not recall

exactly the nature of the suspension, but indicated it was for something silly, and alluded to running a license plate.

---

