

ADMINISTRATIVE COMPLAINT CONTROL FORM

entered 2-18-99

Supervisor initiated (NO CONTROL NEEDED) Citizen complaint of police misconduct (CONTROL REQUIRED)

Attachments: Yes No

Control Number 51 99-0029

Complainant: LAST NAME FIRST NAME M.I. ORIGIN SEX DOB SS NUMBER

Address: NUMBER AND STREET CITY STATE ZIP CODE TELEPHONE NUMBER

Employer: COMPANY AND ADDRESS ZIP CODE TELEPHONE NUMBER WORK HOURS

R & I Checked: No Record See narrative I. A. Checked: No history See narrative

Employee Involved: Dave Pallas 4805 83G
NAME SERIAL NUMBER DUTY ASSIGNMENT

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ATTACHMENT

Witness: LAST NAME FIRST NAME M.I. ORIGIN SEX DOB SS NUMBER

Address: NUMBER AND STREET CITY STATE ZIP CODE TELEPHONE NUMBER

Employer: COMPANY AND ADDRESS ZIP CODE TELEPHONE NUMBER WORK HOURS

Witness: LAST NAME FIRST NAME M.I. ORIGIN SEX DOB SS NUMBER

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Complaint received: In person Telephone Letter Fax

Received by: (SUPERVISOR ONLY) TELEPHONE NUMBER DATE TIME ROUTED TO

Verification letter sent to complainant: Yes No If not, why?

Investigating Supervisor: Sgt. Ben Leuschner #5351 Duty Assignment: 83G

Findings of Complaint: Sustained

Complainant contacted at conclusion of investigation: Yes No Notice of Findings served Yes N/A

If not, why? Location of occurrence: 6180 West Encanto Blvd Date: 10-19-98 Time: 0120

Complaint/Incident (summary): Officer Pallas allegedly falsified a police report regarding an HGN examination he conducted and then made a false statement to a supervisor regarding the HGN examination.

Copy to Chief Bennett (Tape) 3-25-99
Copy of tape of investigation to Commander Davila
COMPLAINANT ROUTING: Sgt. Southard
INVESTIGATOR [] Manuel
CHIEF'S OFFICE, ADMINISTRATIVE COMMANDER []
INVESTIGATOR'S BUR/PCT COMMANDER [] 2-4-98
INVESTIGATOR'S SIGNATURE: Sgt. Ben Leuschner 5351
INVESTIGATOR'S BUREAU/PRECINCT COMMANDER: Manuel Davila 2894



City of Phoenix

To: Dave Kelly, Lieutenant
Maryvale Precinct

Date: October 19, 1998

From: Ben Leuschner, Sergeant 
Maryvale Precinct, 83G Squad

Subject: MISCONDUCT INVESTIGATION

Officer Involved: Dave Pallas #4805
83G Squad, 1530-0130, WTF

Date/Time of Occurrence: October 19, 1998, 0120 hours

Location: Maryvale Precinct
6180 West Encanto

Allegation #1: Officer Pallas filed a false police report concerning an HGN examination he conducted at 3100 West Van Buren Street.

Allegation #2: Officer Pallas made a false statement to a supervisor regarding the HGN examination.

Findings: SUSTAINED on both allegations.

Suspect Involved: Armondo Garcia, H/M, 08-09-58

Attachments: 1) Notice of Investigation/Notice of Finding for Officer Pallas.
2) Audio cassette of interviews with Officer Pallas, Officer Kriplean, and Officer Gabrick.
3) Copy of Alcohol Influence Report.

Summary of Investigation:

On 10-19-98 at approximately 0043 hours, Officer Dave Pallas #4805 attempted to perform a horizontal gaze nystagmus (HGN) test on a DUI suspect at 3100 West Van Buren Street. The suspect did not perform the test. At approximately 0120 hours, Officer Pallas allegedly falsified a police report by indicating that the suspect had performed the HGN test and that he had all the indications of being impaired. When confronted with this contradiction, he said that he had observed all the listed cues for impairment. He then changed his mind and changed the documentation on the report to indicate that no HGN test was administered.

After a thorough investigation and interviews with everyone involved, it has been concluded that the allegation regarding Officer Pallas' filing a false police report and then making a false statement to a supervisor is SUSTAINED.