

ADMINISTRATIVE COMPLAINT CONTROL FORM

ENTERED
SI 00-0065

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

Attachments: Yes No Control Number

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

Employee Involved: Officer Nicholas Pittatsis 6680
NAME SERIAL NUMBER DUTY ASSIGNMENT

Employee Involved: NAME SERIAL NUMBER DUTY ASSIGNMENT

Employee Involved: NAME SERIAL NUMBER DUTY ASSIGNMENT

Witness: DeVito, Gina, N/A, W, M, N/A, N/A
LAST NAME FIRST NAME M.I. ORIGIN SEX DOB SS NUMBER

Address: N/A
NUMBER AND STREET CITY STATE ZIP CODE TELEPHONE NUMBER

Employer: Maricopa County, 301 W. Jefferson 85008 506-5862 M-F, 0800-1600
COMPANY AND ADDRESS ZIP CODE TELEPHONE NUMBER WORK HOURS

Witness: Det. Thomas Van Dorn #6081
LAST NAME FIRST NAME M.I. ORIGIN SEX DOB SS NUMBER

Address: N/A
NUMBER AND STREET CITY STATE ZIP CODE TELEPHONE NUMBER

Employer: City of Phx Police, 620 W. Washington 85008 262-7047 M-F, 0700-1500
COMPANY AND ADDRESS ZIP CODE TELEPHONE NUMBER WORK HOURS

Complaint received: In person Telephone Letter Fax

Received by: Sergeant Steve Rother #4304 495-5009 6-12-99 2000 Patrol
(SUPERVISOR ONLY) TELEPHONE NUMBER DATE TIME ROUTED TO

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

Investigating Supervisor: Sergeant Steve Rother #4304 Duty Assignment: 91J/ III

Findings of Complaint: Sustained

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

If not, why? N/A

Location of occurrence: 301 W. Jefferson Date: 5-26-99 Time: 1400

Complaint/incident (summary): On May 26, 1999, at 1400 hours, Officer Pittatsis made statements to Ms. Gina DeVito after a defense interview stating that during an investigation he had become "buddy buddy" with a defendant after the defendant asked for a lawyer. These statements caused two felony charges to be dropped against the defendant. On October 30, 1998, at 1545 hours, Officer Pittatsis made a false statement while testifying at West Phoenix Justice Court by saying, "I have made between 100 and 125 drug arrests."

Complaint Routing: INVESTIGATOR'S SIGNATURE

Investigator [] INVESTIGATOR'S LIEUTENANT

Investigator's Bur/Pct Commander [] INVESTIGATOR'S BUREAU/PRECINCT COMMANDER

Signature of Steve Rother #4304
Signature of Lt. Jim J. Kulesa #4453
Signature of [unclear]

THIS SECTION TO BE COMPLETED BY INVESTIGATOR AND SENT TO THE POLICE CHIEF'S OFFICE UPON COMPLETION OF THE INVESTIGATION.

RELATED REPORTS:

Recovered Stolen Vehicle, 90185545

Burglary, 90196170

ATTACHMENTS:

1. Memorandum completed by Sergeant Eric Edwards.
2. Copies of FAX sent to Detective Van Dorn from Public Defender's office dated April 19 & 20, 1999.
3. Copy of FAX sent to Detective Van Dorn from Ms. Gina DeVito dated May 27, 1999.
4. Notice of Investigations served to Officer Nicholas Pittatsis #6680, dated 6-26-99 and 9-4-99.
5. Copy of FAX sent by Ms. DeVito to defense attorney, Mr. Thomas Thinnes dated June 1, 1999.
6. One cassette tape recording of interview of Officer Pittatsis.
7. Copy of West Phoenix Justice Court proceeding dated 10-30-98
8. Notice of Findings for Officer Pittatsis.
9. IRC form for Officer Pittatsis.

ALLEGATION #1: On May 26, 1999, at 1400 hours, Officer Nicholas Pittatsis made statements to Maricopa County Attorney, Ms. Gina DeVito, after a defense interview while at the Office of the County Attorney, 301 W. Jefferson. The statements were about how the defendant involved in the case had invoked his right to speak and that Officer Pittatsis became "buddy buddy" with the defendant. The defendant subsequently confessed to two burglaries. Officer Pittatsis' actions are in violation of Operations Order 3.18.3, which states, "Conduct unbecoming an employee; that which tends to bring discredit on the department."

FINDINGS: SUSTAINED

ALLEGATION #2: On October 30, 1998, at 1545 hours, Officer Pittatsis made a false statement while under oath and testifying at the West Phoenix Justice Court. Officer Pittatsis stated "I estimate I have made between 100 and 125 drug arrests" when the actual number of drug arrests by Officer Pittatsis was approximately fourteen. These actions would be a violation of Operations Order 2.9.1.G (1), which states, "Testifying: Employees will be truthful at all times while under oath."

FINDINGS: SUSTAINED

SUMMARY OF INVESTIGATION:

On October 30, 1998, at 1545 hours, during a preliminary hearing at the West Phoenix Justice Court located at 527 W. McDowell, Officer Pittatsis stated "I estimate I have made between 100 and 125 drug arrests." This statement was made while under oath and testifying on the stand in reference to a prior drug arrest. It was later determined that the number of drug arrests made by Officer Pittatsis between January and October of 1998 was approximately fourteen.

On May 26, 1999, at 1400 hours, Officer Pittatsis was interviewed by a representative from the Public Defender's Office in reference to the arrest of Douglas G. Dewitt. This interview was held at the County Attorney's Office, 301 W. Jefferson and Ms. Gina DeVito was the Deputy County Attorney assigned to the case. After the interview was completed, Officer Pittatsis asked Ms. DeVito what type of action was going to be taken in the case. During the conversation, Officer Pittatsis told Ms. DeVito that after he had advised Mr. Dewitt of his Miranda rights, Mr. Dewitt asked for a lawyer. Officer Pittatsis then advised Ms. DeVito that he became "buddy buddy" with the defendant Mr. Dewitt, and was able to get a confession on two other burglaries. Due to these statements by Officer Pittatsis, Ms. DeVito felt obligated to drop two felony charges against the defendant.

