



To: Jack F. Harris *JFH*  
Police Chief

Date: April 23, 2004

From: John L. Buchanan, Assistant Chief *JLB*  
Professional Standards Division *by wcr*

Subject: INTERNAL INVESTIGATION PSB04-01

**Internal Investigators:**

Commander William C. Louis (Investigative Review)  
Lieutenant Ken Johnson (Investigative Review)  
Sergeant Clint Zeiner (Primary Investigator)  
Sergeant Patrick Kotecki (Interviews)

**Location Occurred:**

4100 North 19<sup>th</sup> Street  
Phoenix, Arizona 85016

**Date/Time Occurred:**

Wednesday, September 24, 2003  
Approximately 12:55 p.m.

**Allegation #1:**

On Wednesday, September 24, 2003, at approximately 1255 hours, while assisting in a traffic stop at 4100 North 19<sup>th</sup> Street, Officer Christopher Turiano #6426 forcibly removed a ring from Valentino Otero, attempted to force his upper body onto the trunk of a patrol car and then choked him all while he was handcuffed.

**Findings:**

**Sustained**

**Employee Involved:**

Officer Christopher Turiano #6424  
Division: Patrol Operations North  
Precinct: Squaw Peak  
Squad: 72X  
Hours: 0600-1600  
N-Days: Fri/Sat/Sun  
Date of Hire: 7/19/96

**Complainant:**

Department Initiated

**Other Employees:**

See Other Employees Section

**Witnesses:**

None

**Diagrams:**

See Diagrams Section

**Photographs:**

See Photographs Section

**Departmental Report:**

See Departmental Report Section,  
#2003-31800344

**Summary of Investigation:**

On Wednesday, September 24, 2003, at approximately 12:55 p.m., officers from the Neighborhood Enforcement Team of the 72 X-Ray Squad, assigned to the Squaw Peak Precinct conducted a high risk traffic stop at 4100 North 19<sup>th</sup> Street. The officers were attempting to apprehend a subject that was wanted on several felony charges.

During the traffic stop, the wanted subject was positively identified as Mr. Valentino Otero. Mr. Otero was removed from the vehicle, handcuffed and escorted to a marked patrol car to be searched. Officer Turiano was tasked with completing the search of Mr. Otero. During the search, Officer Turiano attempted to remove a ring from Mr. Otero's left hand, but Mr. Otero told the officer that the ring had sentimental value and resisted its removal. A disagreement ensued between the men, which resulted in Officer Turiano forcibly removing the ring from Mr. Otero's finger. Officers Peltier and DiPonzio reported that the verbal argument continued and Officer Turiano grabbed hold of Mr. Otero's back and attempted to force his upper body onto the trunk of the marked patrol car. Due to Mr. Otero's muscular size, Officer Turiano was not able to do so. Seconds later, Officer Turiano reached out with both hands and choked a handcuffed Mr. Otero for approximately three to five seconds. The two officers, who are assigned to the same squad as Officer Turiano, notified a supervisor of Officer Turiano's actions.

Criminal and internal investigations were subsequently initiated. The criminal investigation was forwarded to the Maricopa County Attorney's Office. On Monday, January 12, 2004, Officer Turiano was indicted by a Maricopa County Grand Jury for a violation of Arizona Revised Statute ARS § 13-1204.A.8, "Aggravated Assault; If the person commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired."

This internal investigation has concluded that Officer Turiano's actions are in violation of ARS § 13-1204.A.8, "Aggravated Assault," Operations Order 3.13.4.D(1) "Employees will maintain a professional approach to their duties at all times," and Operations Order 3.18, Addendum A.3.F(2)(a), "Unprofessional Conduct where elements of a felony are met, regardless of whether the employee was prosecuted or convicted."

