



Memorandum

To: Chris Hillman
City Manager

From: Michael T. Frazier
Chief of Police

Cc: Mayor Sharon Wolcott
Vice Mayor Jim Biundo
Councilmember Richard Alton
Councilmember John Williams
Councilmember Roy Villanueva
Councilmember Leo Mankiewicz
Councilmember Skip Hall
Assistant City Manager Jeff Mihelich

Date: June 13, 2013

Re: Department Review of SPD Contacts Involving Mr. Jessie Thornton

In light of the recent attention on the dismissed misdemeanor DUI citation involving a Surprise resident and the provocative and sensationalized statements made about the Department's history with the resident, I requested a report of the Department's contacts with Mr. Jessie Thornton, based on our records. This represents the professional and deliberate approach I committed to publicly earlier this week. That report is now complete.

As you will see, all of our contacts with Mr. Thornton were traffic related. This report is a chronological narrative of those contacts and the outcome of each. I am sharing this report with you as I believe it is critical that you and our residents have accurate information on this matter.

The City's receipt of a Notice of Claim has placed the matter in the legal arena, which limits our public comments. The Department will not engage in sensationalism or a back and forth argument in the media involving parties who have announced their intent to take legal action. Our professional commitment is to due process, deliberation, and sticking to the facts, in the best interests of all our residents.

Thank you.



Memorandum

To: Michael T. Frazier
Chief of Police

From: Randy Rody
Lieutenant

Date: June 13, 2013

Re: Executive Summary – Department Review of SPD Contacts Involving Mr. Jessie Thornton

SUMMARY

The Executive Summary that follows is a detailed description of interaction between the Surprise Police Department (SPD) and Mr. Jessie Thornton between the dates of March 6, 2009, the first record of contact, and December 8, 2012, the last record of contact.

By researching information contained within the SPD records management system, call notes entered by officers via computer-aided dispatch technology, and non-investigatory interviews, the Department has compiled a detailed history of seven traffic-related contacts with Mr. Thornton. Six were traffic stops related to observed driving violations, one was a traffic collision in which Mr. Thornton's vehicle was struck by another vehicle. Prior to last December's traffic stop that resulted in a misdemeanor DUI citation which was ultimately vacated, the most recent contact had occurred two years earlier, on December 1, 2010.

CHRONOLOGY OF SPD CONTACT WITH MR. JESSIE THORNTON

The following information describes all known contact the Surprise Police Department has had with Mr. Jessie Thornton (AKA "Jessie Thorton," "Jesse Thornton," "Jesse Thorton") (DOB 10/05/48).

On March 6, 2009 at 12:09 AM—A patrol officer observed a vehicle speeding in the area of West Bell Road and State Route 303. The officer conducted a traffic stop on the vehicle and identified the driver as Mr. Jessie Thornton. The officer did not cite Mr. Thornton for speeding; rather, he warned him about the speeding violation.

On March 11, 2009 at 12:15 AM—A patrol officer conducted a traffic stop on a vehicle in the area of West Bell Road and North Reems Road. The vehicle was driven by Mr. Jessie Thornton. The officer cleared the call out “#2” (No Action Taken) on a “TOFF” (traffic offense).

On July 26, 2009 at 12:42 PM—Officers responded to the area of West Bell Road and North Sunrise Boulevard for a report of a traffic collision. At that location they observed a two-vehicle collision and learned both vehicles were westbound when Vehicle #2, driven by Mr. Jessie Thornton, stopped for the red light. Vehicle #1 was unable to stop in time and struck the rear of Vehicle #2. Passengers in Vehicle #2, neither of them Mr. Thornton, were transported to a local hospital after being seen by Surprise Fire Department personnel and complaining of neck and back pain. The driver of Vehicle #1 was cited and released from the scene.

On November 25, 2009 at 12:19 AM—A patrol officer observed a vehicle speeding in the area of West Bell Road and North Eastham Parkway. The officer conducted a traffic stop on that vehicle, driven by Mr. Jessie Thornton. The officer did not cite Mr. Thornton for speeding; rather, he warned him about the speeding violation.

On April 7, 2010 at 12:07 AM—A patrol officer observed a vehicle fail to obey a traffic control device at the intersection of West Bell Road and North Dysart Road. The officer conducted a traffic stop on that vehicle driven by Mr. Jessie Thornton. The officer cited Mr. Thornton for ARS 28-4135C, “No Proof of Insurance” and ARS 28-3169A, “No Legible Drivers License in Possession.” The officer chose to warn Mr. Thornton about the “Failure to Obey a Traffic Control Device” violation.

On April 8, 2010, the complaint/citation was filed. On April 21, 2010, Mr. Thornton presented his legible driver license and proof of insurance to the court. Mr. Thornton was found to be not responsible and the case was listed as completed.

On December 1, 2010 at 12:09 AM—A patrol officer observed a vehicle traveling westbound on West Bell Road between North Bullard Avenue and North Reems Road. The officer observed the vehicle was speeding (60 mph in a 45 mph zone), swerved to the right side of the roadway multiple times and changed from one lane to the next without signaling.

The officer conducted a traffic stop on the vehicle in the area of West Bell Road and North Reems Road. The vehicle was driven by Mr. Jessie Thornton. Mr. Thornton did not have his driver license in his possession and informed the officer he doesn’t take it with him when he goes to the gym.

The officer cited Mr. Thornton for one count of ARS 28-754A, “Turning Movements and Required Signals,” for failing to signal when he changed lanes. The officer chose to warn Mr. Thornton about the speeding violation and not having a legible driver license in his possession.

On December 16, 2010, Mr. Thornton entered a not guilty/not responsible plea. On January 24, 2011, after a hearing in the Surprise City Court, Mr. Thornton was found not responsible. There was no fine and the case was listed as being completed. On February 29, 2012, the complaint/citation was purged as it was “past retention schedule.”

On 12/07/2012 at 11:16 PM—Officer Joshua Otterman, #2199, observed a vehicle fail to maintain its lane by crossing over the painted, white-striped divider line on three occasions. The traffic violations were observed by Officer Otterman while he was traveling westbound directly behind the vehicle on West Bell Road between Eastham Parkway and North Bell Pointe Boulevard in the City of Surprise.

After conducting a traffic stop, the officer developed information that resulted in a DUI investigation. As a result, Officer Otterman issued a misdemeanor citation for DUI pending results of a blood test in which the subject agreed to participate, and his vehicle was removed from the street for storage in a safe location per SPD practice. Per the Arizona Department of Transportation, documents associated with the citation were mailed to the Motor Vehicle Division.

The Arizona Department of Public Safety Laboratory's blood test report was dated January, 11, 2013, and was received by the Surprise Police Department on January 29, 2013. The report indicated no tested-for drugs were present in the blood sample.

On February 5, 2013, the misdemeanor citation was vacated by the Surprise City Court.