

Flagstaff Police Department

Internal Affairs Investigation 2016 – 0009

Synopsis-Allegations

On November 16, 2016 at approximately 1930 hours Chief Treadway became aware of an amateur cell phone video posted on the internet.

The video shows Officer Bonar striking a female in the face while attempting to affect the arrest of her. Officer Bonar believed the female had valid arrest warrants which he documented in Flagstaff Police Report 2016-17228.

Officer Bonar was initially dispatched to a call for service at [REDACTED] to assist Coconino County Deputy Winchester with evicting residents per a court order. Upon arrival Officer Bonar activated his Axon body camera. Deputy Winchester advised he no longer needed Officer Bonar's assistance so Bonar deactivated his body camera while returning to his patrol vehicle.

Officer Bonar then observed a female, later identified as Marissa Morris, walking between [REDACTED] and [REDACTED] whom he believed to have valid warrants due to a previous incident which occurred at [REDACTED]. This previous incident occurred on October 18, 2016 and was documented under Flagstaff Police Report 16-15616 in which he and another Officer was involved.

At this time Officer Bonar approached Morris and requested to speak with her. It is alleged Officer Bonar failed to reactivate his Axon body camera prior to initiating contact with her. Morris continued walking towards [REDACTED] and he advised her she had active warrants and requested her to stop. Morris responded she didn't and began running in between a truck and staircase of this residence. Officer Bonar mentioned in his report 16-17228 he grabbed Morris to prevent her escape and told her to stop and that she was under arrest. Officer Bonar described Morris was actively resisting by concealing her hands, flailing and attempting to escape. While Morris continued struggling Officer Bonar documented she struck him with her knee to his groin and leg area several times. At this time Officer Bonar wrote he grabbed Morris by the neck by applying little, to no pressure and pushed her away. Morris continued struggling with Officer Bonar as he struck her in the face with a closed right fist which is depicted in the video. In the video Morris cannot be seen kneeling or kicking Officer Bonar. It is alleged Officer Bonar's use of force was out of policy and excessive. While reviewing the video of the incident questions have been raised regarding Morris's actions which prompted Officer Bonar's use of force.

It is alleged Officer Bonar failed to notify his supervisor of his hand strike on Morris. It is also alleged he failed to seek out medical attention for Morris.

On November 16, 2016 Chief Treadway ordered an internal investigation be initiated into these allegations. Chief Treadway also ordered that Officer Bonar be placed on administrative leave with pay pending the outcome of the investigation.

If these allegations are founded you (Officer Bonar) could be in violation of:

Flagstaff Police Department Policy:

Policy 300 Response to resistance, subsection 300.1.1(B) Levels of force:

(E) iii) Head and Neck Strikes – Prohibited absent active aggression/ aggravated active aggression

Policy 300 Response to resistance, subsection 300.3 Use of force in response to resistance:

(A) Officers shall use objectively reasonable force in response to resistance given the facts and circumstances perceived by the Officer at the time of the event to accomplish a legitimate law enforcement purpose.

Policy 300 Response to resistance, Subsection 300.4 Reporting the use of force in response to resistance

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate police report depending on the nature of the incident.

Policy 300 Response to resistance, 300.4.1 Notification to supervisors

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable Officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of a TASER device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

Policy 300 Response to resistance, 300.5 Medical Considerations

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Policy 340 Standards of conduct, subsection 340.5.1 Laws, rules and orders:

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

Policy 340 Standards of conduct, subsection 340.5.4 Performance:

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (i) Any act on- or off-duty that brings discredit to this department.

Policy 340 Standards of conduct, subsection 340.5.7 Conduct:

- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest. Employees shall only use the amount of force necessary to affect an arrest or maintain control of a situation.
- (c) Exceeding lawful peace Officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (p) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members

Policy 449 Body worn video cameras, subsection 449.2 Activation and use:

Officers shall activate the AXON camera while enroute to calls for service, or as soon as practicable at the onset of all calls for service, to include the following incidents:

- (a) Impaired Driver Investigations.
- (b) Vehicle Pursuits.
- (c) Transportation of prisoners.
- (d) All searches (persons, vehicles, structures, etc.)
- (e) During interviews or interrogations.
- (f) Consensual encounters which are investigative in nature.
- (g) When serving an arrest warrant.
- (h) Any time an Officer feels it is appropriate.

Synopsis-Allegations #2

On December 8, 2016 at approximately 1300 hours Deputy Chief Musselman received a Memorandum from Lt. Glenn with the Coconino County Sheriff's Office. The Memorandum was completed by Detention Officer Kayla Williams to Lt. Glenn and was CCed to Lt. Freshour and Sgt. Wendling. The date on the Memorandum is 11/16/2016.

Detention Officer Williams said when she reentered the sally port to inform Officer Bonar to bring in Morris to begin the booking process you stated, per your sergeant, Flagstaff Police Officers are not allowed to escort arrestees from the police car to pre book any longer. According to Detention Officer Williams you also informed her, the change was due to Flagstaff Police Department Officers getting into fights with arrestee's when walking them from the police car to the intake door. Detention Officer Williams advised she was not aware of this change, but advised she would assist you with removing Morris. Detention Officer Williams stated you then informed her she would need another detention Officer to help and you would not assist.

On December 8, 2016 at approximately 1529 hours I contacted Sgt. Bentzen to see if she spoke with you about not removing arrestee's from the patrol vehicles while in the Coconino County Jail sally port. Sgt. Bentzen informed me she never had a conversation relating to this. Sgt. Bentzen stated that neither she nor Cpl. Laughlin had never mentioned anything like this in briefing as well.

It is alleged you provided false information to Detention Officer Williams and possibly made up a false policy change.

On December 12, 2016 Chief Treadway ordered an internal investigation be initiated into these new allegations.

If these allegations are founded you could be in violation of:

Flagstaff Police Department Policy:

Policy 340 Standards of conduct, subsection 340.5.4 Performance:

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

Investigation

On November 16, 2016 at approximately 2000 hours I was contacted via telephone by Chief Treadway regarding an incident which had been posted on Facebook. Chief Treadway requested I respond to the Flagstaff Police Department to begin looking into the incident. Once I arrived at the Flagstaff Police Department Chief Treadway showed me the video posted onto Facebook which depicted Officer Bonar striking a female in the face with a closed right fist. Chief Treadway ordered an internal investigation and that I immediately contact Officer Bonar to place him on administrative leave with pay pending the outcome of the investigation.

At approximately 2056 hours I called Officer Bonar requesting he respond to the Flagstaff Police Department and meet me in the administrative office. This phone call was audio recorded under 161116_002.

At approximately 2112 hours Officer Bonar arrived in my office of the administrative division of the Flagstaff Police Department. This meeting between Officer Bonar and I was audio recorded under 161116-003. I informed Officer Bonar this was an administrative meeting in reference to IA2016-0009 due to possible policy violations and per orders of Chief Treadway he was being placed on administrative leave with pay pending the outcome of the internal investigation due to an incident which occurred at [REDACTED], at approximately 1104 hours. I read the administrative leave memorandum to Officer Bonar which he initialed next to his name. I asked Officer Bonar if he had any questions which he stated he did not. I made a copy of the administrative notice memorandum and provided it to Officer Bonar. I then walked Officer Bonar to the men's locker room of the police department to take possession of his badge and duty gun to include three magazines.

Officer Bonar and I returned to my office from the locker room. I informed Officer Bonar I didn't know when exactly I would call him in for an interview but requested he be available through Friday and next week. I provided my business card to Officer Bonar and advised him to contact me if necessary. This was audio recorded under 161116_004 which started after I stopped the previous recording.

At approximately 2146 hours I called Officer Bonar to advise him not to discuss this matter with anyone else to include other Officers. I also informed Officer Bonar his name had been released to the media regarding him being involved in the internal investigation and that he had been placed on administrative leave. Officer Bonar asked if his supervisors were aware he would not be coming into work tomorrow. I informed Officer Bonar I would make sure they were made aware. This phone conversation was recorded under 161116_005.

I called Sgt. Bentzen to advise her Officer Bonar had been placed on administrative leave pending an internal investigation.

Several videos and audio recordings of interviews exist from the incident and subsequent investigation. For complete details please refer to these videos and audio recordings as the below listed information is not intended to be a transcript, but a recap of what I learned from the interviews.

Interview of Marissa Morris

At approximately 2238 hours Detective Knott and I went to the Coconino County Jail to speak with Marissa Morris. Marissa was removed from a cell and taken into the BAC room within the intake booking area so I could speak with her in private. This conversation was audio and video recorded through CCSO surveillance. I also recorded it onto a digital recorder under

statement. Sgt. O'Hagan left the area and I then approached Danny in an attempt to speak with him.

I walked up the stairs to Danny and introduced myself as Sgt. Jay with the Flagstaff Police Department. I informed Danny I was conducting the internal affairs investigation related to our Officers' actions and nothing I was doing had anything to do with the criminal aspects of the incident. I asked Danny if he wished to speak with me. Danny advised he wished to get an attorney. I provided Danny with my business card and requested he contact me.

I returned to my unmarked vehicle which was parked just east of [REDACTED]. Using my Taser Axon Camera I video recorded the condition of the front of this residence. I then returned to [REDACTED] to video the front of this area and to capture the area in which the struggle between Officer Bonar and Marissa took place. I observed a blue SUV parked to the east of the stairwell which provided approximately three feet of space where the struggle occurred. While doing this Sgt. O'Hagan returned to the driveway asking Danny if he could ask him a question.

Sgt. O'Hagan approached Danny on the porch to ask him if he could email him the video he took from his cell phone. Danny made several attempts to email or download the video for Sgt. O'Hagan which were all unsuccessful. Sgt. O'Hagan requested Danny not to delete the video from his phone. This concluded our contact with Danny and I deactivated my camera at approximately 1145 hours.

It should be noted while we were speaking with Danny two reporters arrived in a white SUV. I requested the reporters speak with Danny and the others after we finished and the reporters returned to the vehicle.

Interview of CCSO Detention Officer Kayla Williams

On November 17, 2016 at approximately 1511 hours Deputy Chief Musselman and I went to the Coconino County Jail to speak with the detention Officers who assisted Officer Bonar in removing Marissa from the patrol vehicle in the sally port. I wore my Taser Axon Body Camera during the interviews with DO Williams and Munn. This was also recorded with a digital recorder under WS116101.

I first spoke with Coconino County Detention Officer Kayla Williams. I told Officer Williams we were there to ask her about an Officer with Flag PD who brought in a female, yesterday around noon. Deputy Chief Musselman corrected me advising it was actually 1454 hours. Deputy Chief Musselman stated it was Marissa Ann Morris and asked Officer Williams if she recognized that name which she replied by saying, "Yes". I asked Officer Williams what she knew about the incident. Officer Williams explained they received notice there was a combative female arriving in the sally report in about ten minutes. Officer Williams stated once she arrived

she and Officer Munn were notified. Officer Williams stated she went out into the sally port to see just how combative she was so that she could prepare for what needed to be done. Officer Williams was informed of the arrestee's charges and her name. Officer Williams informed Officer Bonar they would need to complete the inmate releases which would take a few minutes and that once intake was clear they would bring her into the jail. Officer Williams said once intake was clear they returned to the sally port and the Officer requested they remove her from the vehicle. Officer Williams said she initially walked up to the back driver's side door, opened the door and asked Marissa to come out. Officer Williams stated Marissa responded by scooting herself to the other side of the vehicle while telling her, "No". Officer Munn opened the back passenger's side door and she scooted back towards her. Officer Williams took control of Marissa's left elbow and instructed her they wanted to get her out of the vehicle. Officer Williams said at this time she was successfully removed from the vehicle without incident.

Officer Williams describes Marissa's right sock as being half way off her foot and she put her foot up in an attempt to fix her sock, not making an attempt to kick them like she and Officer Munn had originally thought due to her yelling and aggressive behavior. Officer Williams stated Officer Munn then assisted Marissa with fixing her sock and they were able to escort her into the pre booking area without incident.

I asked Officer Williams if there were any other attempts by Marissa to kick or flail. Officer Williams stated she flailed while patting her down, but she never once tried to strike, spit, kick or run. Officer Williams described Marissa as being more emotionally upset and was not violent towards her or Officer Munn.

I asked Officer Williams if she noticed any visible injuries on her. Officer Williams responded by saying, no and that when she asked her medical questions she responded by saying she was fine, she just didn't want to be arrested.

I asked Officer Williams how the rest of the contact was inside. Officer Williams said once they completed the pat down, the handcuffs were removed and for the most part Marissa was compliant, but emotional. Due to Marissa's charges Officer Williams did have to perform a hands off strip search so she took her into the bathroom. Officer Williams describes Marissa as being emotionally upset and kept making statements that she was punched in the face as well as being wrongfully arrested. Officer Williams said the strip search process took her three to four minutes to complete which is a long time to complete this process.

Deputy Chief Musselman asked Officer Williams if Marissa made any statements about her resisting arrest or anything similar in nature. Officer Williams said she recalled Marissa saying she was yelling at the Officer because he was saying she had a warrant and that he then punched her in the face.

This completed my interview with Officer Williams at which time she exited the office to get Officer Munn.

Interview of CCSO Detention Officer Patrick Munn

Officer Munn entered the office and Deputy Chief Musselman introduced us. Deputy Chief Musselman advised Officer Munn we just had a few questions related to the booking of Marissa Morris yesterday around 1500 hours.

Officer Munn explained they were told a Flag PD Officer was coming in with a female who was possibly combative. Officer Munn stated Officer Williams initially went out into the sally port to see if she could talk the female into willingly exiting the vehicle to walk into the booking area. Officer Munn said he went over to the vehicle because Marissa slid to the other side of the vehicle where Officer Williams was not at. Officer Munn opened the door to see if he could take a hold of her at which she slid away from him as well. Officer Williams was able to take hold of Marissa at this time to attempt to remove her from the vehicle. Officer Munn described Marissa as being resistive by trying to lock her legs and keep herself seated within the vehicle so she wouldn't be brought into the booking area. Officer Munn said she was brought into the booking area and they didn't have any further incidents. Officer Munn described Marissa as being very emotional but was cooperative during the booking process.

I asked Officer Munn how her speech was. Officer Munn stated she was crying, emotional and yelling but it was clear. I asked Officer Munn if he noticed any injuries on her and he said not that he recalled. I asked Officer Munn if she complained of any injuries to him. Officer Munn didn't recall her complaining of any specific injuries but remembers her telling them she had been hit by the police Officer who arrested her.

Coconino County Sally Port, Booking Audio Request and Phone Calls

On November 17, 2016 at approximately 1550 hours I contacted Coconino County Sheriff's Office Lt. Bill Glenn in his office about obtaining a copy of the audio and video from when Officer Bonar arrived in the sally port with Marissa. I also requested the audio and video from when I arrived at the jail to speak with Marissa on November 16, 2016 at approximately 2200 hours.

On November 17, 2016 at approximately 1700 hours Flagstaff Police Department Support Services Manager Jennifer Brown sent an email to Lt. Bill Glen requesting the videos at the jail for the incident which occurred the prior day, November 16, 2016 with Officer Bonar (P16-17228). Brown copied me in this email and I then replied to LT. Bill Glenn requesting he include the video from when I went to the jail on November 16, 2016 around 2200 hours to speak with Marissa in the BAC room. On Friday, November 18, 2016 Lt. Bill Glenn responded to the email advising he has begun pulling the video and attached an electronic request form. I completed the Coconino County Sheriff's Office Detention Facility Request Form and returned it

to Lt. Bill Glenn via email. On November 18, 2016 I obtained a compact disc (CD) which contained the jail videos requested.

On November 29, 2016 I sent an email to Lt. Bill Glen in reference to Officer Bonar going into the BAC room to speak with Sgt. Bentzen about the incident. I asked if he would check on the audio, video to see if this conversation was captured. Lt. Bill Glen advised me the information was placed on the DVD he provided under "intoxilyzer east". I then recalled I was not able to play the audio of video from the CD due to not having the correct software on my computer.

On November 30, 2016 I had the software placed onto my computer and attempted to view the BAC video where Officer Bonar spoke with Sgt. Bentzen. It was at this time I learned the wrong video was placed onto the CD. I contacted Lt. Bill Glenn in my office and provided him with a thumb drive to download the audio and videos onto. Lt. Glenn returned the thumb drive to me which had the correct BAC video on it. It should be noted both the CD and thumb drive were retained for record.

On December 5, 2016 I sent an email to CCSO Lt. Glenn requesting all phone calls made by Marissa be pulled while she was in custody. I also requested a copy of the booking questionnaire which was completed by DO Williams. Lt. Glenn replied to my email advising he would work on getting the calls pulled and would check on whether or not they could release the booking questionnaire. I then sent Lt. Glenn a completed request form for the phone calls.

Review of Marissa Morris jail phone calls

The below listed calls are paraphrased and not meant to be an exact transcript of each call.

1: 07_ Morris_ [REDACTED]_ 11-16-16_ 1652 – Marissa Morris Name Identifier

2: 07_ Morris_ [REDACTED]_ 11-16-16_ 1652 – Call to Jimmy Sedillo

During this call Jimmy advises they got it all on video and he's "fucked". Jimmy tells Marissa he's getting a lawyer and they posted it all over Facebook and YouTube. Marissa said it's "fucked up" and she didn't do anything wrong.

3: 06_ Morris_ [REDACTED]_ 11-16-16_ 1659 – Call to Mom

During this call Marissa advises a cop came up to her telling her she had a warrant, where she said No I don't. Marissa said the cop told her she was under arrest and she told him she wanted to hear she had a warrant first. Marissa said the next thing she knew he was socking her in the face. Marissa stated they were charging her with aggravated assault on a police Officer but she didn't hit him. The female voice (Mom) asked Marissa where this happened. Marissa explained they were being evicted from the house and they were moving things to Jimmy's moms. Marissa said she walked out the door and the next thing she knew she was being told she had a warrant. Marissa said she told them they couldn't arrest her until they told her what the warrant was for. Marissa stated she knew she didn't have a warrant because she just spoke with pretrial services

twenty minutes prior. Mom asked Marissa if she resisted arrest or something. Marissa said she told him he couldn't arrest her because she knew she didn't have a warrant. Marissa said, "Mom, the cop punched me in my fucking face twice".

4: 05_ Morris_ [REDACTED] _ 11-17-16_ 0921 – Call to Jimmy

Jimmy advised Marissa this has gone worldwide and they have lawyers wanting to take her case along with media. Jimmy tells her there are like 6 lawyers who want to speak with her and not to talk to anyone about it. Jimmy told Marissa she was going to get paid on this and this was a big lawsuit. Marissa stated she didn't care about the money; she just wanted to get home.

5: 04_ Morris_ [REDACTED] _ 11-17-16_ 0930 – Call to Mom

During Marissa's call to mom, her mom advises her if she has bruising to her face to make sure she takes pictures of them and to ask for medical to make sure he didn't break anything in her face. The mom then asked Marissa if her face was bruised and she said no, but it hurts. Marissa mentions something about having a prior problem in her rotator cuff of her shoulder and said he jacked up her arm bad. Marissa's mom again suggested she request medical and to make note of when and who she requested it through.

6: 03_ Morris_ [REDACTED] _ 11-17-16_ 1035 – Call to Jimmy

No statements to report

7: 02_ Morris_ [REDACTED] _ 11-17-16_ 1039 – Call to Mom

No statements to report

8: 01_ Morris_ [REDACTED] _ 11-17-16_ 1050 – Call to Jimmy

Marissa asks Jimmy what's going to happen when she gets out and Jimmy tells her the media wants to interview her. Jimmy said he's going to try to get a free dinner out of it because of all the News Channel 3, 10 and 15 and it being like Rodney King. Marissa said someone told her she was going to get paid.

Interview with Deputy Rackley

On November 17, 2016 Sgt. O'Hagan with NAU PD conducted an interview with CCSO Sgt. Bill Rackley. Sgt. O'Hagan provided me a copy of the audio for this interview on November 18, 2016.

Sgt. O'Hagan stated to Sgt. Rackley that he and Joel were serving an eviction at a residence next door at [REDACTED]. Sgt. Rackley confirmed the eviction took place next door at [REDACTED] which was the residence of Jimmy Sedillo and David Efnor. Sgt. Rackley advised Deputy Winchester had contacted the Flagstaff Police Department to have an Officer assist with the eviction due to the emotional process of being evicted.

Sgt. Rackley said when he arrived he didn't observe anyone at the eviction residence and began to look for a place to park. Sgt. Rackley observed Deputy Winchester's patrol vehicle parked on the north side of the street and the residence directly to the west [REDACTED] of the

eviction residence [REDACTED] Sgt. Rackley stated it was at this residence he observed a large group of people, Deputy Winchester, and Officer Bonar. It was at this time Sgt. Rackley observed they were in some sort of altercation with an individual.

Sgt. Rackley quickly parked his vehicle and ran up towards the residence of [REDACTED] [REDACTED] Sgt. Rackley stated there was one individual at ground level that was in the driveway. Sgt. Rackley placed himself in between Deputy Winchester and this person while placing his hand up advising him not to come any closer. Sgt. Rackley said there was a larger group up on the elevated porch which consisted of at least one male, two females and a child crying. Sgt. Rackley said there could have been more people, but that's what he could remember.

Sgt. Rackley recalls hearing comments from the group about it wasn't right he hit her in the face or something similar to this in a variety of ways. He explained the individual in the driveway was trying to tell her to cooperate and wasn't causing any problems.

Sgt. Rackley described Deputy Winchester and Officer Bonar were finally able to place Marissa in handcuffs while she was struggling with them a great deal. Sgt. Rackley stated the area they were in was extremely tight, like a one to two foot in between an SUV and the elevated porch. Sgt. Rackley said he was concerned about Officer safety due to the group of people who were on the elevated porch area looking down upon the Officers.

Sgt. Rackley said he knew of one individual known to him as Danny was videotaping the incident while saying, this is going to court. Sgt. Rackley also observed Officer Bonar had his Taser out at one point and the handcuffs were placed on Marissa as she had dropped to the ground. Sgt. Rackley said Marissa was making statements that they couldn't take her to jail; they needed to show proof of a warrant, there is no warrant and other things of this nature. Sgt. Rackley said one of the older females on the porch area made a statement about selling her vehicle or loan out on the vehicle to help pay for the warrants and knew for a fact it was cleared up.

After Marissa was placed in handcuffs Deputy Winchester stepped out of the area which provided him the opportunity to step in. Sgt. Rackley wanted to get Marissa out of the area due to the tense situation so he indicated to Officer Bonar to take her by an arm to remove her. Sgt. Rackley placed his left arm underneath her right arm and Officer Bonar took the other arm to pull her up off the ground. Sgt. Rackley stated as they did this Marissa grabbed onto the running board of the SUV which stopped them from pulling her up and on a second effort the running board cracked due to her grasp on it. From this point they worked their way over to the patrol vehicle with her kicking, screaming and making it difficult to make any forward movement. This is when Officer Walch arrived to assist. Sgt. Rackley said once they got her over to the vehicle she continued to struggle and they were able to get her into the back with no incident. Once she was placed in the car he went back to dealing with the civil issue and there were no further incidents. Sgt. Rackley stated he missed the entire first part of the incident.

Sgt. Rackley said after Officer Bonar left he did see the majority of the adults from the [REDACTED] residence get into a small white passenger vehicle and leave. Sgt. Rackley advised he was still on scene when Sgt. Bentzen arrived due to the nature of the call.

Sgt. O'Hagan asked Sgt. Rackley how far away he was when he first arrived and he stated between twenty to thirty yards. Sgt. O'Hagan asked if he could see what was going on. Sgt. Rackley said they were in a really tight area between the porch and he could see the back of Deputy Winchester, but he could just tell by the body movements there was a struggle going on. Sgt. Rackley stated at this point he really couldn't hear anything being said except for the yelling that was going on from the people on the porch. Sgt. O'Hagan asked if he could see her resisting, punching, or kicking. Sgt. Rackley said it wasn't until he got right up there and then it was obvious. Sgt. Rackley described her as pushing, pulling, and avoiding anyone taking control of her and he knew Deputy Winchester was struggling to get handcuffs on her. Sgt. Rackley believes it was a combined effort to get her in handcuffs.

Sgt. O'Hagan asked if he heard Officer Bonar saying anything to her while he had his Taser out and he advised not that he remembered. Sgt. Rackley said his attention was diverted and there was a lot going on so he doesn't recall anything being said specifically.

Sgt. O'Hagan asked about Officer Bonar's demeanor. Sgt. Rackley said it seemed to him that he was frazzled, like maybe this was his first altercation he had been involved in and being a newer Officer.

This concluded Sgt. O'Hagan's interview with Sgt. Rackley.

Interview with CCSO Deputy Winchester

On November 17, 2016 Sgt. O'Hagan with NAU PD conducted an interview with CCSO Deputy Winchester. Sgt. O'Hagan provided me a copy of the audio for this interview on November 18, 2016.

Sgt. O'Hagan asked Deputy Winchester to explain what occurred. Deputy Winchester explained he is assigned to the civil division within the Coconino County Sheriff's Office and he got an assignment to conduct a lockout at [REDACTED]. Due to this occurring within the city limits of Flagstaff he had requested the assistance of an Officer with the Flagstaff Police Department in case something was to go wrong. Deputy Winchester stated he arrived at the residence at approximately 1115 hours on November 16, 2016. Officer Bonar had arrived prior to Deputy Winchester and they contacted one another. Deputy Winchester stated he explained what a lockout eviction notice was to Officer Bonar. Deputy Winchester said it only took a couple minutes to brief and they went to make contact with the parties to vacate the residence.

In speaking briefly with the parties at the residence Deputy Winchester learned the tenants were not there. Deputy Winchester spoke with Dylan Graniello who was assisting the tenants in removing items from the residence. Deputy Winchester said Dylan was compliant and he informed Officer Bonar it didn't appear there was going to be any problems and he was free to leave. Deputy Winchester said as they were having this conversation out in front of the residence at the junction to the driveway he saw a woman walk by. Deputy Winchester stated Officer Bonar said, I think she's got a warrant for her arrest.

Deputy Winchester said Officer Bonar immediately left his presence and went to make contact with the woman as she was walking towards [REDACTED]. Deputy Winchester stated Officer Bonar caught up with her in the driveway of this residence and he wasn't able to hear the conversation due to the distance. Deputy Winchester perceived Officer Bonar was trying to speak with her and he saw her shake her head in a negative fashion. Deputy Winchester observed Officer Bonar attempt to further communicate with her as she turned with the intention to leave the area or go into the residence. Deputy Winchester stated Officer Bonar responded by reaching out, grabbing her by the arm and detained her to prevent her from going any further.

Deputy Winchester said they ended up in a confined space between a vehicle and a porch structure. Deputy Winchester described this area as being maybe 24 to 30 inches wide. Deputy Winchester said as he approached there was a struggle ensuing and Officer Bonar was trying to explain to her she had a warrant, your under arrest and put your hands behind your back. Deputy Winchester said she countered by resisting and saying she didn't have a warrant along with not complying. Deputy Winchester stated Officer Bonar took ahold of her right wrist as he took her left wrist in an attempt to manipulate them behind her in anticipation to place her in handcuffs. Deputy Winchester said as she continued to struggle and resist he requested her to not fight, to comply and she stated I'm not fighting, but she continued to resist.

Deputy Winchester said it was at this point Marissa was facing a southwest direction while he was at her left shoulder. Deputy Winchester observed Officer Bonar's fist come up while Officer Bonar was standing in front of Marissa and saw Officer Bonar's fist hit Marissa on the chin. Deputy Winchester stated this didn't seem to have an effect on her as she still continued to resist, but seemed to catch her by surprise. They continued to struggle with her and Officer Bonar took out his handcuffs in an attempt to place them on one of her wrists which was unsuccessful due to her moving around so much. Deputy Winchester said somehow he ended up with Officer Bonar's cuffs and attempted to place her in handcuffs. Deputy Winchester stated he believes it was around this time Sgt. Rackley arrived to assist and through all their efforts they were able to place her in handcuffs.

Deputy Winchester stated he needed to back up to just prior to her being handcuffed. Deputy Winchester describes her as actively resisting while Officer Bonar was still restraining one wrist and he remembers seeing a Taser come in between him and her. Deputy Winchester thought she saw this because she made an effort to back away and made a comment like, Oh no. Deputy

Winchester advised she didn't get tased and doesn't believe she got stunned because he never saw contact between the end of the Taser and Morris.

Deputy Winchester then describes the moment directly after she was struck there was a group of people on the porch which was elevated approximately three to four feet off the ground. Some of these people on the porch were telling her to calm down and just answer the questions. Deputy Winchester said Dylan who as at the other residence was behind them more towards the street telling her to calm down, relax, answer the Officer's questions and to cooperate. Deputy Winchester said this didn't have any effect as she continued to resist. Deputy Winchester stated some of the other people on the porch started advancing after she was struck. Deputy Winchester addressed them telling them to stay back and to not come down to them. Deputy Winchester said they complied but began explaining that she didn't have a warrant, asking them to call pretrial services. Deputy Winchester asked Officer Bonar at this point if he had run her. Officer Bonar told him he had not had a chance.

Deputy Winchester said he got onto his portable while making an attempt to obtain identity information which he couldn't get because she wouldn't respond. Deputy Winchester stated the people on the porch either didn't know or weren't going to help as they kept saying to ask her. Deputy Winchester didn't have success in trying to run her due to this along with having a radio malfunction.

Deputy Winchester says at this time he's recognizing the issue of the warrant and its status along with the issue of resisting arrest and possibly an assault against the Officer. Deputy Winchester said he doesn't recall seeing the assault against the Officer but there were things which happened outside his vision prior to the time he went over to assist.

Deputy Winchester said after she was cuffed other Officers arrived to include another Flagstaff Police Department Officer, Sgt. Rackley and Officer Bonar. Deputy Winchester advised between the three of them they were able to get Marissa to the patrol car which was parked opposite side of the street, [REDACTED]. Once at the vehicle Deputy Winchester describes she continued to struggle and he went over to the patrol car while the Officers were trying to put her in. Deputy Winchester advised they were able to place her into the vehicle head first, prone while resisting. Deputy Winchester went to the other side of the vehicle (passenger's side), opened the door and grabbed her underneath the arm to pull her in. Deputy Winchester said after pulling her into the back of the patrol vehicle he thinks she attempted to bite him on his forearm, but she missed it and no contact was made.

Deputy Winchester said after she was placed into the vehicle he went back to his assignment to finish the eviction of the residence.

Sgt. O'Hagan asked Deputy Winchester if he could hear what Officer Bonar was saying to her when he went to contact her. Deputy Winchester said he heard fragments of words, but his mind was on the lockout. Deputy Winchester stated he's seeing more gestures than words he can hear.

Sgt. O'Hagan asked Deputy Winchester how far away he was from them and he estimated about 30 feet. Deputy Winchester describes him seeing something like, Ma'am I need to talk to you and immediately her bow up or standoff while she's saying something and shaking her head. Deputy Winchester said the Officer begins to walk towards her and she turns as if to go into the residence. This is when he catches her arm between the elbow and shoulder as it comes backwards while she's turning. Deputy Winchester realizes this is not going to go calmly so he begins to walk over to them. At this time they go further into the driveway and end up in the confined position. When Deputy Winchester arrives he hears him say, there's a warrant for your arrest, and you are under arrest. This is when it seems to become a dispute over the warrant as to whether or not it's been resolved or not. Deputy Winchester believes the reason for her noncompliance is that she's denying there's a warrant. Deputy Winchester said there were several statements about she taking care of the warrant, I don't have a warrant, and contact dispatch to verify.

Sgt. O'Hagan asked Deputy Winchester about him seeing Officer Bonar's fist come out and strike her on the chin. Deputy Winchester said the struggle wasn't her fighting or trying to punch from what he saw, as he was detached from them for a small piece of time. Deputy Winchester said while he was getting over to them there could've been some things that occurred which he didn't see. Once Deputy Winchester got to them he describes her as body clinching, and resisting manipulation of her arms.

Sgt. O'Hagan asked if he ever saw her make attempts to knee or strike Officer Bonar and he said, "No, I didn't see that". Deputy Winchester said he's not saying it couldn't have happened because sometimes he wasn't in a position to see what was going on. Deputy Winchester also didn't hear any threats from her directed towards Officer Bonar.

Sgt. O'Hagan asked Deputy Winchester if she made any aggressive movements towards him. Deputy Winchester said not during the struggle that he could tell. Deputy Winchester described her whole focus as being locked in, don't comply and argue. Deputy Winchester again said the only aggression he saw was when he thinks she tried to bite him on the forearm after releasing her in the car.

Sgt. O'Hagan asked Deputy Winchester to describe Officer Bonar's demeanor during and after. Deputy Winchester said Officer Bonar was not aggressive at the time he noticed her walking by but he was focused and jumped into the situation. Deputy Winchester said he believes his intention was to encounter her, discuss with her, investigate and if it's substantiated to effect the arrest, but he never got the chance. Deputy Winchester stated he never saw an escalation of aggression in him and it seemed like he was trying things which weren't working and that's when he delivers the punch to the chin. Deputy Winchester said over the whole thing he seemed to be under control and he was just trying to figure out a way to get out of this situation. Deputy Winchester felt like he was part of the problem as he kind of corked them in there and Officer Bonar didn't have any place to go.

Sgt. O'Hagan asked Deputy Winchester about him placing his arm out in between Officer Bonar and Marissa. Deputy Winchester said the reason for that was to address the folks on the porch as they began to come towards them and not in a manner to separate Officer Bonar and Marissa.

Follow up Interview with Deputy Winchester

On November 21, 2016 at approximately 1130 hours I walked to the Coconino County Sheriff's division in an attempt to locate Deputy Winchester for a follow up interview. I located Deputy Winchester at his desk and we returned to my office. The conversation between Deputy Winchester and I was recorded under 161121-002.

I told Deputy Winchester I had some follow up questions in reference to the incident which occurred 16th of November roughly 1104 hours at [REDACTED]. I asked Deputy Winchester what his conversation was with him and Officer Bonar. Officer Bonar asked Deputy Winchester what exactly it was and that he had never done one before. Deputy Winchester said he provided a short briefing basically explaining to Officer Bonar it was an eviction notice where they needed to vacate the residence. Deputy Winchester stated following the briefing they made contact with the residents. I asked Deputy Winchester where the first interaction took place. Deputy Winchester advised it took place on the far side of the street near their patrol vehicles which were parked on the east, southeast side of street and across the street from the residence.

I asked Deputy Winchester if Officer Bonar had followed him to make contact with the residents of [REDACTED] and where exactly did the contact take place. Deputy Winchester advised they went into the driveway to just in front of the porch area where they made contact with Dylan Graniello who was a friend was helping the tenants move. Deputy Winchester said there were other people inside the residence who were helping move things out of the residence and into his vehicle parked in the driveway. I asked Deputy Winchester who else was present at the residence and he stated there was a female with kids inside the residence. Deputy Winchester said he didn't identify who the female was and she was just bringing items to the front doorway for Dylan to load into the truck. Deputy Winchester described the neighboring residence to the north are related by family and friends and there were people wondering back and forth taking items from the residence.

Deputy Winchester described he and Officer Bonar basically remained outside the residence to wait for the lockout crew to show up. Deputy Winchester said they were present on scene for approximately 10 minutes when he told him it appeared there wasn't going to be any issue and if he needed to go do other things it would be fine. Deputy Winchester advised he and Officer Bonar were out in the street, intersecting with the driveway while having this conversation.

I asked Deputy Winchester about Officer Bonar first making contact with Marissa. Deputy Winchester stated Officer Bonar made contact with her at the driveway and close to the sidewalk

of [REDACTED]. Deputy Winchester said as Officer Bonar requests to speak with Marissa he's standing on the sidewalk or close to it and Marissa turns to face him while shaking her head. I asked Deputy Winchester where exactly Marissa was standing at this point. He advised she was in the driveway about midway to one third from the sidewalk. Deputy Winchester believes this is when Officer Bonar tells her she has a warrant and she spins away towards the residence. As she turns her left arm swings back and Officer Bonar was close enough at this point to take ahold of her arm to keep her from fleeing which appeared to be what her intent was. Deputy Winchester said her momentum carries them into the tight enclosure between the SUV and the front porch.

Deputy Winchester recognized the situation was not going well and moves to their location. As he gets to them he sees Officer Bonar is trying to restrain her while telling her, you have a warrant for your arrest, and you're under arrest in which she denies.

I asked Deputy Winchester if he lost sight of Officer Bonar and Marissa from the time they first made contact with one another to when they moved in between the SUV and porch. Deputy Winchester stated he did, but it was not complete visual contact, and it was fragmented. Deputy Winchester further described from where he was standing he wasn't able to see beyond the car which he believes was a split second. Deputy Winchester said during this time Officer Bonar and Marissa were already in between the SUV and the porch.

I asked Deputy Winchester how many times he observed Officer Bonar strike Marissa and he replied, once. Deputy Winchester advised he was holding Marissa by the left forearm trying to manipulate it behind her back when he saw Officer Bonar's fist strike her in the chin. Deputy Winchester said if there were other punches he didn't see them. I confirmed with Deputy Winchester he didn't observe any type of assertive movements or aggression outside of resisting on Marissa's part directed at Officer Bonar and he said that was correct.

I asked Deputy Winchester if he saw Officer Bonar choke or place his hands around the neck of Marissa. Deputy Winchester stated he couldn't say he necessarily saw it specifically, but it seems like in a portion during the struggle he had her contained somehow by the upper body. Deputy Winchester added he didn't have a clear recollection of how that was occurring or exactly when it occurred. Deputy Winchester believes it occurred after he had struck her because he was telling her to get down and get down onto the pavement. Deputy Winchester said she continued to be resistive and not complying.

I asked Deputy Winchester what his opinion was of Officer Bonar using the choke or placing his hands around her and whether or not he thought this was extreme or excessive. Deputy Winchester said he believes it was not extreme and thinks it was an effort to try to resolve the issue or gain control. Deputy Winchester also observed that Officer Bonar's attitude was not aggressive and it was more like he was making efforts in an attempt to get the situation resolved

which included when he struck her. Deputy Winchester further added he didn't believe it was out of aggression or challenge.

On December 6, 2016 at approximately 1344 hours I spoke with Deputy Winchester in my office for follow up questions in relation to his position when Officer Bonar made contact with Marissa.

I brought up Officer Bonar's Taser video on my computer to allow Deputy Winchester to orient himself to the area and view the video in its entirety. I then stopped the video at the point where you could see the front of [REDACTED] and partially [REDACTED]. I told Deputy Winchester it was my understanding they both went to the front of the residence of [REDACTED] after they briefed at the patrol vehicles. I then pointed to the area on the video which was behind the vehicle and directly in front of the porch. I asked Deputy Winchester if this was the area where he and Officer Bonar had the conversation with Dylan and he stated that was pretty close. I asked Deputy Winchester where exactly they went after getting the sense it was going to be okay. Deputy Winchester described they were standing in front of the mailbox on the sidewalk or just the other side of the curb. This was where Deputy Winchester advised Officer Bonar he would no longer need his assistance.

I asked Deputy Winchester about the female inside the residence and if this female was Marissa. Deputy Winchester stated he didn't recall and by the way she was dressed he believed it wasn't Marissa.

I asked Deputy Winchester when Marissa walked out and where exactly did she come from. Deputy Winchester said she appeared just after he mentioned to Officer Bonar it appeared there wouldn't be any issues. Deputy Winchester stated shortly after this is when she appeared in front of the residence or on the sidewalk walking towards [REDACTED]. Deputy Winchester said she got to the sign post between the two properties is when Officer Bonar mentioned he thought she's got a warrant. At this point Officer Bonar leaves in a fast pace up the sidewalk to contact Marissa. Deputy Winchester remembers contact by Officer Bonar is made with Marissa as they were behind the two vehicles parked in the driveway. Deputy Winchester stated at this point Marissa turns to her right and he is able to grab her then there momentum carries them into the tight space. Deputy Winchester was not clear if they went in between the two parked cars or if it was on either side.

I asked Deputy Winchester where he was in relation to the mailbox once contact was made. Deputy Winchester said he started his way towards them going up the sidewalk, around the trash cans and to where they were located between SUV and porch area.

I asked Deputy Winchester about him referring to his view being obscured for a split second while referring to the obstacles and vehicles. Deputy Winchester agreed it didn't seem right and it could have been seconds. He stated it was the time it would take to hurry walk from the mail box to where they were located. I asked Deputy Winchester if he recalled going in between the

two vehicles or to either side and he didn't recall for sure, but it seemed to him that he went to the west side of both cars.

I asked Deputy Winchester if he recalled Officer Bonar using his right open palm and placing it to Marissa's throat area to push her away in an attempt to create distance. Deputy Winchester said he remembers the incident after the punch where he placed his arm around her while telling her to get down. I asked Deputy Winchester if there was anything prior to this and he said not that he recalled.

This concluded my interview with Deputy Winchester at 1409 hours.

Facebook Video Viewing at NAU PD

On November 18, 2016 at approximately 1330 hours I went to Northern Arizona University to meet with Sgt. O'Hagan to review the Facebook video which had been posted by Danny Paredes. Once I arrived Sgt. O'Hagan provided me with two cd's. One DVD-R contained the Facebook video posted by Danny Paredes and a blown up slow motion portion of the video. The second CD-R contained a copy of Sgt. O'Hagan's audio recording of his interviews with Coconino County Sheriff's Deputy Sgt. Bill Rackley and Deputy Joel Winchester.

The Facebook video was viewed by me on a large 60" flat screen television. While watching the video at regular speed and in slow motion I was not able to see a knee to the groin as described in Officer Bonar's report. It is difficult to see the lower half of Officer Bonar's and Marissa's bodies as the porch railing obscures the view.

Notice of Investigation with Bonar

On November 18, 2016 at approximately 1317 hours I called Officer Bonar to advise him I would like to review the Notice of Internal Investigation (NOI) with him today at approximately 1600 hours. I told Officer Bonar he has the opportunity to have a witness present with him during this time. I also told Officer Bonar if he didn't have a witness when he arrived I would provide him a reasonable amount of time to obtain one. I told Officer Bonar I was not going to interview him at this time, but I was going to provide him with reports and videos for his review. This phone call was recorded under 161118_001.

At approximately 1625 hours I called Officer Bonar to see if he was still available to come to the police department. Officer Bonar advised me he was pulling into the parking lot and asked where I wanted him to go. I told Officer Bonar to come up to my office. This call was recorded under 161118_002.

At approximately 1635 hours Officer Bonar arrived in my office for me to serve him with the NOI. I went on recording (161118_003) at approximately 1637 hours and advised Officer Bonar this was a Flagstaff Police Department Notice of Internal Investigation, Warning and Assurance to Employee Required to Provide Information. I asked Officer Bonar if he would like a representative with him at this time and he said, "No". I read the entire Notice of Investigation to Officer Bonar to include Garrity Warning. Officer Bonar and I both signed the NOI and I provided him a copy.

I told Officer Bonar I would offer him the opportunity to review his report (P16-17228) along with two other reports, (P16-15616) and Coconino County Sheriff's Office report (S16-04039) and a news article from the Arizona Daily Sun dated Friday, November 18, 2016 with a title, "Filmed Punch has FPD reeling". I stopped the recording at 1647 hours and took Officer Bonar to the admin conference room to review these items in private. I told Officer Bonar once he was finished to return to my office.

Officer Bonar came back to my office at approximately 1709 hours at which time I activated the digital recorder (161118_004). I asked Officer Bonar if he had any questions after reviewing the reports and article. Officer Bonar replied, "Not at this time". I told Officer Bonar per his report (P16-17228) he states the suspect in which he was trying to affect an arrest for warrants, a Marissa Morris was making strikes or possibly kicked him in the groin or legs. I asked Officer Bonar if he had any injuries, bruises or marks and he said, "No". I told Officer Bonar that was the only question I wished to ask him in addition to serving him with the NOI.

I suggested Officer Bonar go to the website (<http://fpdtransparency.com>) set up through the police department to review everything that's been posted. I informed Officer Bonar he was free to leave town for the weekend if necessary and suggested he be back in town by Monday at 0800 hours. This conversation was concluded at 1712 hours.

Interview with Sgt. Bentzen

On November 21, 2016 at approximately 1305 hours I conducted an interview with Sgt. Bentzen in my office. This interview was recorded under 161121_005. I asked Sgt. Bentzen to describe her involvement related to the incident where Officer Bonar responded to a call for service at [REDACTED] and [REDACTED]

Sgt. Bentzen described on Wednesday morning, November 16, 2016 Officer Bonar was assigned to the east beat roving unit and they had received a call regarding an assist other agency in reference to an exit order. Sgt. Bentzen advised she called dispatch because she was not familiar with what exactly the call was and wanted clarification.

Sgt. Bentzen said after Officer Bonar arrived he radioed requesting for a back. Sgt. Bentzen stated this was concerning because it wasn't a high priority call and when he asked for a back he sounded excited. Sgt. Bentzen requested the channel be cleared and she began responding from the station. While in route Officer Walch also responded and there was no other radio traffic from Officer Bonar so Cpl. Laughlin requested them to step it up. Once Officer Walch arrived he provided a "Code 4" and it sounded like they were out of breath.

Sgt. Bentzen stated upon her arrival at the scene Officer Bonar had already left with his prisoner. Sgt. Bentzen approached the trailer where the original call had taken place [REDACTED] and contacted a male with the deputies who didn't seem too concerned. Sgt. Bentzen was informed it didn't occur at this residence and learned it was next door.

Sgt. Bentzen contacted Officer Walch who advised her where the incident occurred and that it involved the female, Marissa who they had been looking for during a previous incident who had a warrant. Sgt. Bentzen walked to the second trailer with Officer Walch to knock on the door to speak with the residents of this address to obtain information on what had occurred since they had requested business cards. Sgt. Bentzen knocked on the door receiving no answer and Officer Walch informed her the residents had left in a vehicle.

Sgt. Bentzen left and went to the jail to check on Officer Bonar because of his breathing issues. Sgt. Bentzen said she's noticed Officer Bonar has had a bad cough for the last three weeks. Sgt. Bentzen told Officer Bonar once he was finished with the booking she would be taking him to the hospital. Sgt. Bentzen remembers Officer Bonar saying he appreciated that as he was thinking of calling an ambulance himself. Sgt. Bentzen said it took Officer Bonar quite a while to complete the booking. Sgt. Bentzen stated she stayed in the sally port to wait for Officer Bonar and once he was finished she drove him to the hospital. Sgt. Bentzen said while she was waiting for Officer Bonar she contacted Lt. Roberts to inform him Officer Bonar had been injured and was going to take him to the hospital.

Sgt. Bentzen said once at the hospital they were able to get him admitted and while Officer Bonar was speaking with the doctor he informed him about being kned in the groin, but was more concerned about his breathing due to it being labored. Sgt. Bentzen was under the impression the fight really irritated his lungs. Sgt. Bentzen stated they were at the hospital for about an hour and half as they were fast tracked. Once he was released Sgt. Bentzen took Officer Bonar back to the station and advised him to dress out, finish up his reports and to complete the use of force. Sgt. Bentzen requested he give the use of force to Sgt. Brockman once he was finished due to it being close to 1700 hours when he was finishing it up.

I asked Sgt. Bentzen if Officer Bonar had told her about the incident or described what had occurred. Sgt. Bentzen remembers him talking about being pinned in between the trailer and a car along with they were filming him. Sgt. Bentzen then advised she wasn't sure if Officer Bonar or Officer Walch had told her about a guy filming them from the porch area. Sgt. Bentzen

got the impression Officer Bonar was fearful about the circumstances and by the way he described it to her.

I asked Sgt. Bentzen if Officer Bonar informed her of punching the female. Sgt. Bentzen said he told her about using hand strikes and never said they were to the face. Sgt. Bentzen further added he told her that he didn't use much force with them.

I asked Sgt. Bentzen if she received any complaints from anyone after this and she said no.

I asked her if she could see any injuries on Officer Bonar and she said no.

I asked Sgt. Bentzen if she spoke with Marissa. Sgt. Bentzen said she never went into the jail and never spoke with Marissa. I asked Sgt. Bentzen if she had spoken with Officer Bonar on the phone then and that's how she learned about his labored breathing. Sgt. Bentzen said that was after she had picked him in the sally port. Sgt. Bentzen further explained she arrived in the sally port and just waited in her patrol vehicle until he finished the booking.

Sgt. Bentzen said his coughing was really apparent and she had mentioned it to him a couple weeks ago. Sgt. Bentzen stated she noticed he had been sick for the last couple days and fully expected him to call in sick, but he didn't knowing they were at minimum manning. She also stated he doesn't call in sick very often.

I tried to clarify with Sgt. Bentzen that she noticed Officer Bonar's labored breathing after he came out of the jail. Sgt. Bentzen said they must have had a conversation prior or it was with Officer Walch because she already knew he was injured.

Sgt. Bentzen checked her phone for incoming and outgoing calls. The calls were as follows:

1218- Incoming call from Bonar, 3 minutes

Sgt. Bentzen said this must have been where Officer Bonar describes to her what occurred. I asked Sgt. Bentzen if she could recall more about this conversation. Sgt. Bentzen stated she remembers him telling her he was in a fight, was having problems breathing and described being pinned in. Sgt. Bentzen believes it was Officer Walch who told her at the scene about them being videotaped. I asked Sgt. Bentzen if this is when Officer Bonar informed her about delivering the hand strikes and she believed this occurred while at the hospital.

The next call was to dispatch to ask for the duty commander which was at 1227. At 1228 Sgt. Bentzen called Lt. Roberts to brief him on the situation which lasted 51 seconds.

At 1229 there was an outgoing call to Officer Bonar where she informed him to wait for her at the jail and she would be taking him to the hospital. (18 seconds)

At 1230 incoming call from Officer Bonar for 12 seconds.

At 1245 was an outgoing call to Officer Bonar for 17 seconds.

This concluded my interview with Sgt. Bentzen.

At 1341 hours I called Sgt. Bentzen to ask her follow up questions (161121_006). I asked her if she asked any follow up questions of Officer Bonar pertaining to his use of force or after he informed her about using the hand strikes and she said no.

On November 21, 2016 at approximately 1645 hours I spoke with Sgt. Bentzen again in my office regarding further follow up questions. This conversation was recorded under 161121_010.

I asked Sgt. Bentzen if she was aware that the incident involving Officer Bonar was caught on amateur video. Sgt. Bentzen said she learned of the video when Chief called her that night around 2100 hours. Sgt. Bentzen stated she was able to locate the video the next morning. Sgt. Bentzen stated Officer Walch did mention to her there were people on the deck who had their phones out filming.

I asked Sgt. Bentzen about the conversation Officer Bonar had with the doctor and what exactly was said. Sgt. Bentzen said the doctor asked Officer Bonar from a scale of 1 to 10 what the pain level was in his genital area and he replied a 2. Sgt. Bentzen stated Officer Bonar also informed the male nurses he had been kicked in the groin along with informing them of his breathing issues. Sgt. Bentzen told me she has the medical records along with the injury report and asked if I needed those which I replied, yes.

I asked Sgt. Bentzen to be real specific about what Officer Bonar said about being kicked in the groin or if he said he was kicked several times. Sgt. Bentzen recalls him saying he had been kneed in the groin, but he really didn't go into further details about it and she never asked him any further questions about it. Sgt. Bentzen couldn't recall if this conversation took place during the phone conversation or while in route to the hospital. Sgt. Bentzen said she was more concerned about his breathing because it was so apparent he was struggling to breath.

I asked Sgt. Bentzen if she had taken any photos of Officer Bonar and she said no. I asked Sgt. Bentzen if she could remember anything more about the strikes. Sgt. Bentzen said he never mentioned anything about full fisted punches and he described them as hand strikes. Sgt. Bentzen said he really didn't go into full detail about the fight and in her mind she thought she would be able to review it in his use of force. Sgt. Bentzen stated her main priority was he got the medical attention he needed for his breathing.

At 1656 hours this concluded my interview with Sgt. Bentzen.

On December 8, 2016 at approximately 1330 hours I received a Coconino County Sheriff's Office Memorandum from Deputy Chief Musselman. The memorandum was from Detention Officer Kayla Williams who stated Officer Bonar told her per his sergeant, Flagstaff Police Officers are not allowed to escort arrestees from the police car to pre booking. Officer Bonar

further explained this change came because of FPD Officer were getting into fights with arrestee's when walking them from the police car to intake. DO Williams told Officer Bonar she was not aware of this change, but would assist him with Morris. According to the memo Officer Bonar informed her she would need to remove Morris from the police car with another detention Officer and he would not help.

On December 8, 2016 at approximately 1522 hours I called Sgt. Bentzen to see if she was working. Sgt. Bentzen was working and I requested she come to my office so I could ask her a question.

At 1529 hours Sgt. Bentzen arrived in my office and I recorded our conversation under 161208-004. I informed Sgt. Bentzen I had received a memorandum today from the Coconino County Sheriff's Office from Detention Officer Williams to Lt. Bill Glenn. I handed the memorandum to Sgt. Bentzen for her review. Sgt. Bentzen read over the memorandum and stated the first part is incorrect. Sgt. Bentzen said she never had a conversation with Officer Bonar about not assisting or escorting prisoners from the patrol vehicles while in the sally port to the booking area. Sgt. Bentzen also stated neither she nor Cpl. Laughlin have ever discussed this in briefing. Sgt. Bentzen said she had no idea where this would have even come from. Sgt. Bentzen stated it's not uncommon to ask for assistance from jail staff, but nothing like what is referenced to in the memorandum.

I concluded this conversation at 1533 hours.

Interview with Officer Walch

On November 21, 2016 at approximately 1353 hours Officer Walch arrived in my office after Sgt. Bentzen notified him I needed to speak with him. My conversation with Officer Walch was digitally recorded under 161121_007.

I asked Officer Walch to explain how he got involved in an incident where Officer Bonar was at [REDACTED] or [REDACTED] on November 16, 2016. Officer Walch said he was around the 2200 block of E Lockett assisting another Officer with a traffic stop when he heard a garbled radio transmission. Officer Walch stated he heard Officer Bonar's voice in the background and began responding to the Blizzard address. Due to the way the call came out it appeared to him that Officer Bonar was in a fight with voices in the background and yelling. Officer Walch responded code 3 to his location.

Upon arrival he observed two deputies, Deputy Winchester and Sgt. Rackley. Officer Walch said he saw them leading a female who was in handcuffs from the driveway, but was still fighting. Officer Walch described she looked like she was trying to get away and kick at them as well. Officer Walch initiated a control hold on the females left wrist due to her combative

nature. Once at Officer Bonar's patrol vehicle Officer Walch assisted in conducting a pat down the best they could. Officer Walch said while they were placing her into the patrol vehicle she continued to kick at them.

I asked Officer Walch when she was trying to kick them. Officer Walch said when he took over for Sgt. Rackley to assist Officer Bonar in getting her to the vehicle and while they were crossing the street. Officer Walch said it was during this time she continued to pull away and her feet were coming upwards in a kicking motion. He also described her kicking backwards, like a mule kick.

I asked Officer Walch if the kicks were directly towards them. Officer Walch stated they weren't directed in any particular direction, but he was very cautious that one of them would connect in his leg or groin. I asked him how high the kicks were and he stated anywhere from shin to approximately waist high. I asked Officer Walch if he was ever struck and he said no.

I asked Officer Walch if he thought she was actually trying to kick or was being resistive to the arrest. Officer Walch said once he took over the hold from Sgt. Rackley it appeared to him she was being more combative by throwing and kicking her legs up in the air.

Officer Walch continued by explaining how she was placed into Officer Bonar's patrol vehicle. Once in the vehicle Officer Walch asked if they were okay and asked Officer Bonar if he wanted him to stay on scene to wait for Sgt. Bentzen or follow him to county. Officer Bonar told him he would be okay and Officer Walch decided he would wait for Sgt. Bentzen to arrive. Officer Walch said this is when he observed someone across the street filming. Officer Walch advised there were several people across the street who appeared to be worked up.

I asked Officer Walch if he made contact with any of them. Officer Walch said one of the males made contact with him, but didn't get his name and he made reference to Officer Bonar punching the female. Officer Walch said he was approached by a female who asked for their names so he provided her a business card with he and Officer Bonar's names along with badge numbers.

I asked Officer Walch if Marissa had complained of any injury. Officer Walch stated he remembers her saying I don't have a warrant, I'm not under arrest and she never said she was injured. Officer Walch said when he applied the OCS hold she did say, ouch stop twisting my wrist. I asked Officer Walch if he observed any injuries on her and he said no. I asked Officer Walch if he observed any injuries on Officer Bonar and he said not at this time. I asked him if he did later. Officer Walch said he took an arrestee into the jail later and observed Officer Bonar was having difficulty breathing. I asked Officer Walch if Officer Bonar had complained of any injuries. Officer Walch said not while on scene and later at the jail he just complained about having a hard time breathing.

I asked Officer Walch if he had any knowledge of Marissa's warrant being cleared and he said none.

I concluded the interview with Officer Walch at 1440 hours.

Interview with Kathy Haley

On November 21, 2016 Lt. Roberts provided me a name and phone number [REDACTED] for Kathy Haley and advised she may have witnessed the incident. I called the number provided and received no answer. There was no voice message mailbox set up and the number just continued to ring.

On December 5, 2016 I performed a google search for Kathy Haley as she is a local realtor and located a possible cell number [REDACTED]. I called this number at approximately 1254 hours and contacted Kathy. My conversation with Kathy was digitally recorded under 161205_001.

I identified myself to Kathy and explained the reason I was calling. Kathy told me she was not present during the time of the incident and couldn't provide any information related to the Officer punching the female. Kathy said for the past couple months she's had to go to the house on several occasions to perform inspections and it was not a comfortable situation. Kathy added there shouldn't have been anyone at the residence of [REDACTED] in the first place. Kathy explained the residences water was shut off by the city, but the individuals at the residence had broken into the meter to turn it back on and they were plugged into the neighbors electric.

Interview with Officer Bonar

On November 23, 2016 at approximately 0957 hours I called Attorney Rebecca Plevel to set up a meeting with her and Officer Bonar after Sgt. O'Hagan's interview which was being conducted at 1100 hours. The purpose of my meeting was to release items to Officer Bonar for his review. At 1145 hours I received a call from Attorney Rebecca Plevel advising me she and Officer Bonar were finished with Sgt. O'Hagan.

I went to Rebecca Plevel's office, [REDACTED] and arrived at approximately 1200 hours. I advised Officer Bonar I was providing him with written documentation along with digital media of what I had at that time. I told Officer Bonar it could be used for his review per ARS 38-1104 and I would obtain the information back on the day of the interview.

The below listed items are what I provided to Officer Bonar.

Placed onto a Lexor Thumb Drive:

- 1: Axon body camera: Bonar, Walch, Bentzen, six videos
- 2: CCSO jail video- Intake booking and professional standards interview with Marissa Morris five booking videos, five professional standard videos

- 3: Danny Paredes Facebook-NAU download, BuzzFeed, Danny Paredes Facebook, slow-motion
- 4: Digital recordings - My interviews, 20 recordings
- 5: Dispatch radio traffic - 17 recordings
- 6: Media releases - Reverend Jared Maupin, Fox 10 interview, FPD press conference
- 7: Morris booking photos - three booking photos
- 8: O'Hagan interview with Rackley and Winchester - two recordings
- 9: Jay's Axon Taser body camera - two videos, [REDACTED] CCSO Detention Officer Williams and Munn

Copies of the following items were also provided to Officer Bonar.

Flagstaff Police Department report 16-17228, Coconino County Sheriff's Office report S16-04399, Flagstaff Police Department report P 16-15616, Coconino County Sheriff's Office report S16-04039, newspaper article from the Arizona Daily Sun dated Friday, November 18, 2016, titled 'Filmed Punch has FPD Reeling', Lexipol Policies 1020, 300, 340, 449, IA pro history, employee accident report and CCSO jail booking and release.

On November 28, 2016 at approximately 1648 hours I called Officer Bonar and left him a message in reference to releasing his interview with Sgt. O'Hagan prior to my interview with him on November 29, 2016.

On November 29, 2016 at approximately 1038 hours I conducted an interview with Officer Bonar. Present with Officer Bonar was his witness, Cpl. Laughlin along with Attorney Rebecca Plevel. I advised Cpl. Laughlin and Attorney Rebecca Plevel they were only witnesses to the interview.

I reviewed the Notice of Internal Investigation which was served on November 18, 2016. I then read the Garrity Warning to Officer Bonar as a review. [REDACTED]

I reminded Officer Bonar to be completely honest, as dishonesty by omission or deception will not be tolerated. I asked Officer Bonar to explain the events which took place on November 16, 2016 at approximately 1104 hours to the best of his recollection.

[REDACTED]

At this time I began asking Officer Bonar a series of questions which are listed below along with his responses. Please refer to the audio recording for a complete list of questions and responses.

[REDACTED]

Cpl. Laughlin requested to take a break at this time to use the bathroom which I concurred due to being in the interview for approximately fifty two minutes.

At approximately 1133 hours we continued with the interview.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

It should be noted this conversation between Officer Bonar and Sgt. Bentzen was audio and video recorded at the jail. At this particular point I was unable to view the jail video and audio

due to not having the correct viewing software downloaded onto my computer. Lt. Lasiewicki completed a memorandum in reference to this conversation.

[REDACTED]

Cpl. Laughlin suggested a break at 1217 hours which we took. We continued with the interview at approximately 1223 hours.

[REDACTED]



This concluded my interview with Officer Bonar at approximately 1328 hours.

Officer Bonar Follow up Interview

On December 13, 2016 at approximately 1038 hours I met with Officer Bonar in my office. Attorney Rebecca Plevel was present with Officer Bonar as a witness to this interview. I began the interview serving Officer Bonar with an additional NOI and asked him specific questions regarding a CCSO memorandum. After those questions I began asking Officer Bonar follow up questions in relation to the above interview conducted on November 29, 2016.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

At 1144 hours the interview was completed.

Call to Attorney Benjamin Taylor

On December 7, 2016 at approximately 1134 hours I called Marissa's civil attorney, Benjamin Taylor. I was not able to reach Mr. Taylor and left a message with the secretary. On December 8, 2016 at 0747 hours I received a voice message from Benjamin Taylor. At 1057 hours I called Benjamin Taylor leaving a message with a secretary. At approximately 1425 hours I received a call from Shandra Purnell, administrative assistant for Benjamin Taylor. Shandra asked why I was trying to contact Benjamin Taylor and said she could forward this information along to Mr. Taylor.

I told Shandra I understood they were trying to assist Sgt. O'Hagan with the NAU Police Department in setting up interviews with witnesses last Friday or Monday of this week. I explained to Shandra we would like to make a deadline of Monday, December 12, 2016 at 1700 hours of when those interviews would be conducted with their assistance. I also wanted to know if I could speak with Marissa related to the internal affairs investigation. Shandra told me she would pass this message along to Mr. Taylor.

On Friday, December 9, 2016 I was informed by Marianne Sullivan she was in contact with Attorney Aaron Hall who is also representing Marissa Morris. Aaron Hall informed Marianne we could move forward with the interviews as we felt necessary. Aaron Hall also informed Marianne Marissa would be declining an interview.

Coconino County Sheriff's Office Memorandum

On December 8, 2016 at approximately 1330 hours I received a Coconino County Sheriff's Office Memorandum from Deputy Chief Musselman. This memorandum was completed by Detention Officer Kayla Williams addressed to Lt. Glenn and CC to Lt. Freshour and Sgt. Wendling, dated November 16, 2016.

Detention Officer Williams advises in the memorandum Officer Bonar told her per his Sergeant, Flagstaff Police Officers are not allowed to escort arrestees from the police car to the pre book anymore. Detention Officer Williams included Officer Bonar informed her this change came after FPD Officers getting into fights with arrestees when walking them from the police car to the intake door. Detention Officer Williams told Officer Bonar she was not aware of that change but would assist him with Morris. According to Detention Officer Williams, Officer Bonar informed her she would need to remove Morris from the police car with another detention Officer and he wouldn't help.

Please refer to the memorandum for complete details.

Based on this memorandum Chief Treadway requested I speak with Sgt. Bentzen to see if she had a conversation with Officer Bonar in relation to this.

On December 8, 2016 at approximately 1529 hours I met with Sgt. Bentzen in my office. I showed Sgt. Bentzen the memorandum for her to review. After Sgt. Bentzen read the memorandum she told me she never had a conversation with Officer Bonar about not escorting

prisoners from the police cars to pre booking area. Sgt. Bentzen added to the best of her recollection neither she nor Cpl. Laughlin had ever discussed anything like this in briefing.

On December 9, 2016 at approximately 1601 I called Officer Bonar to speak with him about releasing information to him for his review and to schedule a follow up interview. I then phoned Attorney Rebecca Plevel about scheduling the interview which was tentatively set for Tuesday, December 13, 2016 at 1030 hours. While speaking with Plevel, Officer Bonar contacted me. I informed Officer Bonar of needing to provide him with information for his review and about the time and date of the follow up interview.

At approximately 1659 hours Officer Bonar arrived in my office for me to release newly obtained information to him. This meeting between Officer Bonar and I was recorded under 161209_003. I asked Officer Bonar if he wished to have a representative present with him during this meeting and he said no. The below listed items are what I provided to Officer Bonar.

- 1: CCSO Detective Mitkowski supplement report (S16-04399)
- 2: CCSO Memorandum, Dated 11/16/16
- 3: Use of Force report
- 4: Flagstaff PD Memorandum, From: Lt. Mansfield to Sgt. Jay
- 5: Flagstaff PD Memorandum, From: Lt. Lasiewicki to Sgt. Jay

The below listed items were placed onto a SanDisk thumb drive 16GB

- 1: Digital Recordings – My interviews, 37 recordings
- 2: Detective Mitkowski interview with Danny Paredes
- 3: Lt. Mansfield Training Interviews, 4 recordings
- 4: Morris Jail phone calls, 10 files
- 5: Sgt. O'Hagan Interview with Officer Bonar
- 6: CCSO Jail Video, Booking, 2.5 Intoxilyzer East

After reviewing these items with Officer Bonar, he asked me about the media release related to the criminal charges on both cases and asked the status of his criminal investigation. I told Officer Bonar to the best of my knowledge the criminal case would be ready sometime next week but didn't know exactly when.

This concluded my conversation with Officer Bonar at 1705 hours.

On December 13, 2016 at approximately 1038 hours I met with Officer Bonar in my office for a follow up interview regarding the jail memorandum and to ask him follow up questions in relation to my first interview conducted with him. This meeting was recorded under 161213_001.



[REDACTED]

Interview with Sgt. Runge

On December 13, 2016 at approximately 1338 hours I spoke with Sgt. Runge in his office reference Officer Bonar's statement. This interview was recorded under 161213_002.

I explained the incident Officer Bonar told me about to Sgt. Runge asking him if he recalled it. Sgt. Runge vaguely remembers an incident similar to this and he recalls speaking with DO Williams. I asked Sgt. Runge if he remembers having a conversation with Officer Bonar about requesting jail assistance with combative arrestees to alleviate further problems with the arresting Officer. Sgt. Runge said that sounds like something he would say but didn't recall the specific conversation with Officer Bonar. Sgt. Runge said he recalls having conversations in general to the squad on this subject as well.

I later received a call from Sgt. Runge as he recalled further details regarding this incident. Sgt. Runge remembered Officer Bonar calling him to the jail in reference to a complaint related to

use of force. Sgt. Runge stated when he arrived Officer Bonar explained the situation which occurred and he tried to speak with the arrestee. Sgt. Runge said the arrestee remained completely silent, providing no statement. After the incident Sgt. Runge spoke with Officer Bonar about how he could better handle situations like this in the future and to request assistance from jail staff as it is their facility and the arrestees were less likely to be upset with them.

Interview with Kayla Williams

On December 13, 2016 at approximately 1713 hours I met with Detention Officer Kayla Williams in my office. This interview was recorded under 161213_003.

I asked DO Williams where she was standing in relation to Officer Bonar when this conversation took place. DO Williams said she was near the yellow pole when he first told her Flagstaff Police Officer are not allowed to escort arrestees from the police car to pre book anymore. I asked DO Williams if those were his exact words used and she said yes. I asked DO Williams if her memo was accurate based off what Officer Bonar said and she stated yes. DO Williams said she knows there are cameras which have audio but she never reviewed it to see exactly what was said by Officer Bonar.

Later in the interview I pulled up the video from the jail sally port to see where DO Munn was in relation to DO Williams and Officer Bonar when they were having the conversation to see if he could've heard it or not. While doing this DO Williams informed me the other camera view which is directly over the pre book door is the only camera which records audio. I clicked on this video and determined I didn't have the audio button activated.

Once I activated the button I reviewed the video with DO Williams. The following is a brief synopsis of the conversation between Officer Bonar and DO Williams which was captured on the jail video. This is not meant to be an exact transcript. I asked DO Williams if she had reviewed the video prior to completing her memo and she said no.

Williams: Okay, We're ready

Bonar: Okay, can you guys bring her out?

Williams: I'll just do your job for you.

Bonar: I'm doing what I was told to do by my supervisor and that's how I always do it now.

Portion inaudible

Williams: No one else ever made us do it, Why?

Bonar: Because I got in a fight in the sally port with somebody and they told me the liability was on me so they told me to have you guys take them out if they're combative. I don't agree with it but that's what I was told to do.

Williams: Hey, Munn come here.

While Williams and Munn were removing Marissa from the patrol vehicle Officer Bonar walks over to assist and Munn tell him they've got her.

After listening to the video DO Williams told me she must have misunderstood Officer Bonar as he did ask them if they could bring her out. DO Williams also misunderstood Officer Bonar when he was talking about him being involved in a fight and thought he was referring to all Flagstaff Police Officers in general as he said "per his sergeant," which she assumed meant all Officers with the department.

This concluded my interview with DO Williams.

Based on the audio Officer Bonar was referring to himself and not all Flagstaff Police Officers and never mentioned anything about a policy. Officer Bonar was also taking the recommended action which he was instructed to do previously by Sgt. Runge.

Interview with Danny Paredes

On December 10, 2016 at approximately 1540 hours I called Danny Paredes and Selena Sedillo. I made contact with Danny at [REDACTED] and requested to speak with them. Danny informed me he just got off work and I could come out to the house at [REDACTED]

At Approximately 1647 hours I conducted an interview with Danny inside the residence of [REDACTED] [REDACTED] My interview with Danny was recorded under 161210_002.

I asked Danny to explain what he remembers and what he saw of the incident that took place on November 16, 2016.

Danny said there was a Sheriff and an Officer next door to serve an eviction on a family friend, Jimmy Sedillo. Danny stated the Officer noticed Marissa walking out of the other house and completely went into attack mode. Danny said there were some words exchanged like, Hey, I know you, followed by Marissa stating her name and then the Officer ran after her trying to tackle her. Danny stated the Officer couldn't get her on the ground and even tried to pick her up to slam her, but couldn't do that. Danny said from what he saw it appeared the Officer got frustrated after not being able to slam her so he ran her into the corner like in the video. Danny stated the Officer had her by the neck choking her for a couple seconds while trying to place her under arrest. Danny guesses the Officer assumed she had a warrant but there was no warrant. Danny said after he had her by the neck he cocked back his fist; hit her once and then a second time shortly after. Danny stated the second punch was not caught on video due to him dropping it down out of view. Danny said she turned to look at them as she was shocked while crying then sat on the ground while they were trying to get her cuffed. Danny stated at this point the Officer told her she was being arrested for assault on an Officer which there wasn't an assault. Danny said he knows from the press conference there was mention of the Officer being kicked or punched. Danny said there were no kicks or punches from Marissa. Danny stated from what he

saw there was resisting arrest but there was no arrest that needed to be made because there wasn't probably cause for the arrest. Once she was in handcuffs Danny describes them dragging her away and being thrown face first into the cop car.

I brought up Officer Bonar's Axon Body Camera video from when he first arrived and asked Danny where he was standing. Danny said he was out on the front porch the entire time smoking a cigarette. I asked Danny exactly where on the porch. Danny described being right next to the front door [REDACTED] in between a bench and table, in complete view of everything. Danny stated he observed Marissa walk out of the house next door, cut through the rocks, onto the sidewalk and in between the two cars towards the front steps.

I asked Danny when the Officer approached her. Danny explained the Officer was to the right of the trash cans where the driveway slants and she walked right passed him while he was saying, Hey, what's your name I know you. Danny stated she replied saying, Yeah, my names Marissa. It was this point Danny says the Officer took off after her.

I asked Danny what Marissa was doing after telling the Officer her name. Danny said the Officer never asked to speak with her or never told her to stop so she just kept walking. I asked Danny where exactly Marissa was standing when the Officer asked for her name. Danny said she was in the middle of the driveway just behind the cars and he was in the middle of the sidewalk. Danny stated as she turned to walk away the Officer sprinted after her and tried to tackle her like a football tackle. After not being able to tackle her he tried to pick her up and toss her. Danny said she began telling the Officer, I don't have a warrant while asking him what was going on. Danny said the Officer was telling her she was under arrest, put your hands behind your back and stop resisting arrest. Marissa was asking the Officer what she was being arrested for and telling him he needed to tell her. I asked Danny why she would she say, I don't have a warrant if he didn't ask her. Danny said all her heard was her state her name and him saying, Hey, I know you. Danny stated he may have asked her name or if she had a warrant but he didn't hear that.

I asked Danny if he was standing on the porch the entire time and he said yes. I asked Danny if it was windy and he said a little bit. I asked Danny if there is a wind chime on the front porch and asked if he could hear everything that was said and he said yes. I also asked Danny how far he would estimate the distance from where he was standing on the front porch to the edge of the sidewalk and he didn't know. I asked Danny if he thought it was at least thirty feet and he said shorter than that. I asked Danny how long a vehicle was which he replied maybe fifteen feet. I asked Danny again how far he would estimate the distance from where he was standing on the front porch to the sidewalk and he said less than twenty.

I asked Danny where the first physical contact was made with Officer Bonar and Marissa. Danny stated this occurred right in between the two vehicles. Danny described the Officer sprinting after Marissa from the sidewalk to the middle of the cars where he tried to tackle her and was more aggressive than a normal arrest. Danny said after that he tried to pick her up to slam her then he shoved her towards the blue car. I asked Danny about their body positions and asked if they were facing one another. Danny said he didn't know as their directions changed and the Officer was trying to get ahold of her from all different angles. I asked Danny what

Marissa was doing. Danny said she just kept asking what the problem was and what she was being arrested for. Danny stated the Officer completely ignored this and the only thing he said was telling her she was being arrested for assault on an Officer after he punched her and telling her she was going to get tased.

I asked Danny if he could see the full length of their bodies while Marissa and the Officer were in between the vehicles and he said yes. I asked if he saw Marissa strike the Officer and he said no. I asked Danny if he could see the lower half of their bodies once they moved in between the SUV and the railing. Danny said he could because he positioned himself closer to the railing after the first punch. I asked Danny about prior to the first punch and where he was standing. Danny described he was standing right above them.

This statement by Danny is difficult to believe due to him having a television leaning up against his left leg while standing in front of the door and from where he shot the video from. It appears his vision would be obscured by the stair railing.

I asked Danny where his phone was prior to recording and he said in his lap. I asked Danny if he needed to do anything to his phone to turn it on and he stated nothing other than tapping it twice, slide your finger up and start recording. I asked Danny if he looked down at his phone to do this and he stated he raised his phone up and was looking at it to tap it then slide it up to start recording. While Danny described this to me he also placed both his arms out in front of him approximately 90 degrees with his phone. Danny stated this literally took one second. I asked Danny why it was initially pointed down at the chair which is directly outside the front door when the recording first started. Danny then said he turned on his phone but was watching them. Danny stated he automatically knew something was going to happen.

I told Danny earlier he mentioned something about the Officer choking her and asked where this happened and when. Danny said Officer Bonar had her by the throat while in between the cars and when he pushed her in between the SUV and staircase. I asked Danny how exactly the Officer placed his hands near her throat. Danny showed me the Officer used an open right hand to place in front of Marissa's neck. Danny said the Officer seemed to get even more frustrated and that's when he shoved her into the area by the SUV and staircase. Danny stated the Officer turned his back towards the fence, the deputy was on the left side and Marissa was in front like seen in the video. Danny said this is where the Officer grabbed her by the throat a second time and described him using the same open right palm to her throat. I asked Danny if he could see the lower half of their bodies at this point and he said yes. I asked Danny where he was standing and he said by the corner of the steps. Danny described the stairs have slits in them which you can see through all the way to the ground.

I asked Danny how long he thought it took them from when the Officer was standing in the middle of the sidewalk to when they got in between the SUV and railing. Danny said he wasn't counting seconds and didn't know even after I asked him to guess. I asked Danny how long it had been from when the Officer placed his hand on her neck the second time to when he started the video and he thought it was at least a couple seconds but wasn't sure. Danny described the Officer had his hand on her throat and then he dropped them to struggle with her to get her hands

behind her back to arrest her. Danny said this is when his camera went up as the Officer punches once, his camera drops and the Officer punches twice as he gets closer.

I asked Danny again how long he thought it was from when the Officer had his right palm on her throat to when he began recording. Danny thought it was a couple seconds but really wasn't timing anything. I asked Danny to describe the second punch. Danny said it was literally harder than the first one and said her head went back even further than what's seen in the video after the first punch. I asked Danny where he hit her the second time and he said it was in the face possibly in the cheek bone.

I asked Danny what happened following the second punch. Danny thought the Officer knew he did wrong and he didn't want to say anything or show any remorse.

I brought up the video which Danny posted onto Facebook and asked if he could see the lower halves of their bodies from where he was standing and he said yes. I asked Danny if he had to look down at his phone when he took it out and he said for a split second.

I asked Danny if there was anyone else on the porch and he said he was the only one recording at that time. Danny stated his girlfriend walks out just after he started recording and she stood next to him. Danny said he didn't know where exactly she was at due to his attention being on the Officer and Marissa. I asked Danny whose voice could be heard on the video saying, Marissa, stop fighting with him and he said that was Dylan. Danny also said Dylan could be heard telling Marissa to stop fighting and to let them run your name.

I asked Danny if there was anything else missed by the camera besides the second punch. Danny said prior to his video being on where the Officer had her by the throat on the two occasions. Danny stated Marissa wasn't being completely compliant because she wasn't trying to get arrested for nothing, but it was more of her trying to get away from being arrested.

I played the video again and asked Danny what the black object was which he stated was a tv. I asked Danny about his positioning in relation to the door while pointing to the railing on the staircase. Danny said he was taller than where the camera was pointed. I asked Danny how tall he was and he said about 6'. I asked Danny if he could see the entire lower halves of their bodies which he said yes. I asked Danny where he was standing when they were in between the two vehicles. Danny said he literally didn't move and didn't get closer until after the first punch. I asked Danny if any portion of the vehicles obscured his vision from seeing the lower halves of their bodies and he said no.

I asked Danny who all he's spoken with regarding this incident. Danny said he's talked with multiple reporters to include Fox 10, Daily Sun, Telemundo over the phone, CBS, Channel 12 just to name a few. Danny said he's also discussed it with his grandmother, grandfather, his mom, uncle, Selena, Attorney Benjamin Taylor, and Jimmy.

This concluded my interview with Danny.

On December 19, 2016 I contacted Danny after speaking with Dylan who informed me about there being more to the video. I asked Danny if there was a second video or if there was more to the video that was posted onto Facebook and he said no. I asked if there was someone else videoing and he said no.

Interview with Selena Sedillo

On December 10, 2016 at approximately 1745 hours I conducted an interview with Selena Sedillo while at [REDACTED] My interview with Selena was recorded under 161210_002.

I asked Selena to describe where she was and what she saw. Selena told me she saw Marissa walking between the two cars in the driveway and the cop was running after her while telling her she had a warrant. Selena said she stepped outside onto the porch where Danny was smoking a cigarette.

I asked Selena where exactly she was and how could she see. Selena pointed to an area inside the residence and explained she could see through the window. I observed white shades over the window which I pointed out to Selena and she told me the left panel was open allowing her to see through clearly to the front yard of their old house.

I asked Selena if she could hear what the Officer was saying. Selena said once she saw the Officer running after Marissa she walked outside. Selena stated Danny had just brought a TV from the other house so he was already standing on the porch smoking a cigarette.

Selena said she heard the Officer tell Marissa, you have a warrant and you need to stop. Marissa replied no I don't; you can run my name while the Officer tried to grab her arms in an attempt to place her in handcuffs. I asked Selena where this took place and she said it occurred in between the two cars. I asked Selena if she saw any interaction prior to them getting in between the cars and she said there wasn't any until they got in between the cars.

I asked Selena where she was standing once she went outside. Selena stated she was right by the doorway and standing next to Danny. Selena said she told the Officer she knew she didn't have a warrant because she had taken her to court. Selena stated Marissa kept begging him to run her name and he wouldn't listen. I asked Selena what Marissa was doing at this point. Selena stated the Officer was trying to grab her hands to place her in handcuffs and she kept asking him to please run her name because I know I don't have a warrant. I asked Selena if she was trying to manipulate her hands trying to get away from him. Selena said the Officer was grabbing her while she was telling him; you can't arrest me while pulling away.

Selena said after Marissa kept begging him for a couple minutes he either tackled her or pushed her into the area between the car and fence. Marissa wasn't exactly sure how they got into this position as she didn't see it. Selena later stated Marissa turned to walk away from the Officer to walk away while telling him, please run my name, please run my name. Selena described at this point they were near the front of the vehicles and ended up just in front of the stairs. I asked Selena what the Officer was doing. Selena stated the Officer was telling Marissa, yes you do,

yes you do. I asked Selena if they were wrestling with one another at this point and she said no. It was at this time Marissa asked the Officer to please run her name and he tried to grab her arms to place her in handcuffs and that's when they ended up in between the SUV and staircase. I asked Selena if she ever lost sight of them from when they were in between the two cars to when they moved to the area in between the SUV and staircase and she said no.

I asked Selena if she could see the lower halves of their bodies while they were standing in between the two cars and she said yes. Selena told me at this time she was standing inside right by the door. I asked Selena if there was any major interaction between the two of them while in between the two cars and she said no. Selena described the Officer was just trying to grab her to place her into handcuffs.

I asked Selena if she saw any choking and she said yes. Selena explained this was after she went outside onto the porch area and was standing behind Danny off his right side. Selena stated Marissa was begging him to please run her name and the Officer said no, you're going to jail. Selena said this is when she saw the Officer push her up against the railing while holding her by the neck. While Selena was explaining this to me she also demonstrated how the Officer was holding Marissa by using his open right palm to her neck area while pushing her up against the railing extending his right arm. Selena stated this is when she first yelled, you can't do that. I asked Selena if this was prior to the video starting and she said yes. I asked Selena if there was any previous incident or choke prior to this one occurring and she said no, nothing more than him trying to grab her arms.

I asked Selena how quickly Danny started recording after the push to the throat. Selena thought it was maybe a minute later, but maybe thirty seconds as she wasn't completely sure. Selena stated after Danny began recording they moved closer to the steps and that's when the Officer punched her in the face. Selena described the Officer cocking his fist all the way back and delivering the punch. Selena stated just before the punch the Officer says, "Let the fuck go". After the punch Selena and Danny started to move closer and that's when Danny drops the phone down while the Officer punched her in the face a second time similar to the first punch seen on the video. Selena said the Officer hit her hard and she could hear her teeth hit and everything.

I asked Selena where she was standing when the video first starts and she said she was on the left side of Danny at the door. I asked Selena if she could see their entire bodies while standing at this point and she said yes. Selena then said she was standing to Danny's left side while they were in between the vehicles and when they moved in between the SUV and staircase she moved behind Danny off to his right side.

I asked Selena if at any point in time, did she see Marissa strike the Officer and she said no. Selena described at one point when the Officer puts the Taser up to her stomach she moves her knee up to block her stomach. Selena says it looks like she was going to kick him, but she remembers watching this and Marissa hunching over to protect her stomach. I asked Selena if there was anything prior where Marissa tried to kick, knee or strike the Officer and she said no. I asked Selena if Marissa could have unintentionally kicked the Officer and she said no. I asked Selena if just prior to the Officer placing his right hand to Marissa's throat if she saw anything where she may have tried to kick the Officer and she said no. Selena added Marissa wasn't

trying to kick or do anything other than wiggle out of his grip and never once tried to kick or raise her hand. I asked Selena about how big of a struggle it was. Selena said up to the point where they got in between the SUV and staircase it wasn't much of a struggle. Selena described Marissa was moving her hands away while asking the Officer to run her name. I asked Selena if the Officer ever told Marissa if she stopped he would run her name and she said no.

I asked Marissa if she could see their entire bodies when they got in between the SUV and staircase and she said yes. Selena again described she was standing behind Danny to his right side so she could see them directly. I asked Selena if she took her eyes off them at any point in time. Selena said while they were walking up to the stairs she was looking at Danny telling him to not get involved so he wouldn't go to jail which is when the phone went down after the first punch.

I asked Selena if there was anything she would like to say that I may not have covered. Selena told me she thought the Officer knew he did something wrong because he looked up at them right after punching her while pausing. It was after this the Officer told Marissa she was being arrested for aggravated assault.

I asked Selena who all she's spoken with about the incident. Selena showed me a business card for Kenneth G. Engstrom with Flagstaff Security Services and told me she spoke with him yesterday, Friday, December 9, 2016 about 1500 hours. Selena stated her grandmother told her it was someone who works for the attorney. Selena told me this was the only person who she's talked with about the incident in detail.

I went off tape with Selena at approximately 1819 hours. After going off tape Selena told me she personally doesn't like Marissa so she doesn't have any reason to lie for her. Selena said they have had physical altercations with one another and everything she told me was the truth.

Follow up Interview with Selena Sedillo

On December 12, 2016 Sgt. O'Hagan and I went to [REDACTED] to meet with Helen Sedillo and Selena Sedillo for interviews.

After Sgt. O'Hagan completed his interview with Selena he stepped out of the bedroom so I could ask some follow up questions of Selena which was at approximately 1300 hours. This was recorded under 161212_002.

I told Selena I wanted to ask her some follow up questions for my clarification in relation to exactly where she was standing when she first saw Marissa and the Officer. Selena said she was standing near the door waiting for Danny to come back as he was helping them move things from next door. Selena told me she could see Marissa walking from next door towards their house which was at the end of their driveway. I asked Selena if Marissa was by the trash cans or further down the sidewalk. Selena stated she was near the bush located on the other side of the trash cans when she first saw her. I asked Selena where Officer Bonar was at this time and she wasn't sure. Selena explained she didn't see Officer Bonar until Marissa was in between the two cars and he was running up.

I asked Selena when exactly she moved from the inside the residence while looking out the window and where were Marissa and the Officer standing. Selena said Marissa and the Officer were still at the trunks of the vehicles and this is when Marissa told the Officer, no I don't you can run my name. Selena said when she got onto the porch Marissa and the Officer were in between the two cars facing one another. Selena stated this is when Marissa began to turn to walk away from him while telling him to run her name. Selena said the Officer reached out to grab Marissa's arms while saying, you do have a warrant. I asked Selena how they ended up between the SUV and staircase. Selena said as Marissa was walking away the Officer was trying to stop her by grabbing her arms then pushed her in the back where she stumbled in between the SUV and staircase.

I asked Selena when the Deputy arrived and she said it was either during or just after the Officer held Marissa by the throat. I asked Selena if she saw anything at all where Marissa may have struck the Officer in the groin or legs and she said no.

I asked Selena if she's known Marissa to use drugs and she said she's heard that she uses them. I asked Selena what type of drug she's heard Marissa using and she said meth. I asked Selena if she had any knowledge of Marissa being on drugs the day of the incident and she didn't know.

I asked Selena who else was inside the residence besides Jimmy who witnessed the incident. Selena said there were at least 5 kids, but only one who would actually understand what had occurred. I asked Selena how many of the kids actually witnessed the incident and she said there were only two to her knowledge. Selena stated both kids belong to Jimmy and they were Patience who is 9 and Gedo who is 3 (Name Spelling Unknown).

I concluded my interview with Selena.

On December 19, 2016 I contacted Selena after speaking with Dylan who informed me about there being more to the video. I asked Selena if there was a second video or if there was more to the video that was posted onto Facebook and she said no. I asked Selena if she recorded anything on her phone and she said no. I asked if there was someone else videoing and she said no.

Interview with Helen Sedillo

On December 12, 2016 Sgt. O'Hagan and I went to [REDACTED] to meet with Helen Sedillo for an interview which was arranged on December 10, 2016. At approximately 1208 hours Sgt. O'Hagan began the interview with Helen. This interview was recorded under 161212_002.

Helen explained she was inside the residence looking through the window when she saw the Officer wrestling with Marissa while trying to arrest her. Helen said she didn't go outside until after the punch and when Selena and Danny were saying, hey, you can't hit a girl like that. Helen told the Officer she didn't have a warrant because she had just put up her car a couple weeks prior. Helen said she called the bail bondsman who told her he didn't believe she had a warrant. Helen did say she went outside right after seeing them through the window, but it did take a little

while because she walks slow. Helen estimated it took her a couple minutes to get outside or maybe a minute.

Sgt. O'Hagan asked Helen what she had seen through the window. Helen stated he must have already told her she has a warrant because she heard Marissa saying, I don't have a warrant. Helen said the Officer was trying to grab her arms and Marissa was pulling away or moving her hands away from his grasp. Helen explained they were standing in front of the vehicles and just before the steps at this point. Sgt. O'Hagan asked if the deputy was with them and she said he didn't come till later.

Sgt. O'Hagan asked where Danny and Selena were and she said they were already outside on the porch.

At this time Sgt. O'Hagan completed his interview with Helen and stepped out of the bedroom so I could speak with Helen.

I asked Helen where the Officer and Marissa were when she first saw them through the window. Helen said they were just in front of the cars going towards the steps. Helen described the Officer was trying to grab Marissa's hands while she was moving them all over the place saying, "I don't have any warrants". I asked Helen if she saw the Officer place his hands near her or around her neck and she didn't remember.

This concluded my interview with Helen.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Interview with Dylan Graniello

On December 16, 2016 at approximately 1335 hours Dylan Graniello came to the Flagstaff Police Department to speak with Sgt. O'Hagan and me. The interview of Dylan was conducted in the administrative conference room and was recorded under 161216_001.

Dylan explained Jimmy's residence was being locked up so he was moving things out into his truck which was parked in the driveway of [REDACTED]. Dylan said he was the one who spoke with the Deputy and Officer when they arrived. After speaking with the Officer Dylan went inside the residence to continue moving things out when Marissa passed him on the stairs. Dylan stated the Officer was parked across the street and recognized Marissa as having a warrant from three weeks prior. Dylan was aware Marissa had called the police on herself and then took off because she knew she had a warrant. Dylan stated he didn't know why she called but said Marissa is paranoid schizophrenic along with being bipolar. Dylan said he knew Marissa didn't have warrant on the 16th because she had been arrested later in the evening after calling the police on herself during the earlier incident.

Dylan explained when the Officer recognized Marissa he walked up to her asking her to please stop. Dylan said Marissa told him I don't have any warrants and wasn't complying whatsoever. Dylan stated the Officer caught up with Marissa in front of the two cars just behind the SUV and the Officer was trying to tell Marissa to let me detain you to make sure you don't have a warrant. Dylan went next door to the residence and observed the struggle going on between the SUV and the porch. Dylan described Danny was on top of the porch where he pulls out his phone to record everything.

Dylan said Officer Bonar was telling Marissa to just stop, cooperate, you don't have a warrant and they will let you go. Dylan stated she just wasn't listening and continued to struggle. Dylan said the Officer was being very calm about everything at first and then he just had enough and punched her. Dylan also described the punch not being as hard as it looked in the video and he only saw one punch. Dylan thought the punch from Officer was him trying to stun her to get her to stop what she was doing.

Dylan said prior to the punch it looked like the Officer got hit or something because he had a reaction. Dylan described the Officer bent forward while making a noise. Dylan later described it looked like the Officer maybe have gotten accidentally hit or kneed in the stomach. Sgt. O'Hagan asked how long this occurred before the Officer punched Marissa in the face and he said maybe three seconds. Dylan stated the Officer's camera even got knocked off during the struggle.

Dylan said he understood it on both sides and it shouldn't have ever happened the way it did. Dylan described the struggle was going on for at least five to ten minutes. Dylan also believed there was way more to the video than what was posted onto Facebook and thought there was at least three minutes missing. Dylan said he remembers seeing Danny with his phone out long before the Facebook video and believes there could possibly be another video or it was shortened. Dylan also thinks there was someone else recording the incident because he believes he saw more than one phone.

Dylan said after the punch he returned to the other house where he just continued to pack things up.

Sgt. O'Hagan asked Dylan where he was at when Marissa walked out of the house. Dylan said he was in the back of the house grabbing his kid's things when he heard all the yelling outside. Dylan stated as he was walking into the house Marissa was walking down the steps and the Officers were standing across the street talking. Sgt. O'Hagan asked Dylan what caught his attention. Dylan said he heard Marissa yelling, I don't have a warrant from the back room. Dylan remembered the Officer saying, Marissa, can you stop please and then Marissa saying, I don't have a warrant, run my name. The Officer asked Marissa to stop and Dylan described she just kept walking.

Dylan said when he came out of the house Marissa was walking in between the two cars at [REDACTED] and the Officer was back from her maybe ten to fifteen feet. Dylan stated the Officer was telling Marissa to stop and caught up to her at one point and she turned to walk away from him. Dylan believed the Officer thought Marissa was going to run from him or something.

Dylan stated he was standing right in front of Jimmy's mom's vehicle when the Officer and Marissa were in between the vehicle and porch area. Dylan kept telling Marissa to calm down but it wasn't working. Dylan said at one point both Officers were trying to hold her to detain her and she was just struggling to get out of it.

Sgt. O'Hagan asked Dylan if Marissa was being aggressive towards the Officers and he said she was just being resistive.

Sgt. O'Hagan asked Dylan if he had seen the video and he said yes. While I was pulling up the video on the computer Dylan said in his opinion getting hit in the face was better than being mace or Tased.

As soon as the video started to play Dylan said Danny had the camera out before and believes it was when Marissa was walking up. Sgt. O'Hagan played the video for Dylan and he said it didn't show the Officer being hit or reacting to something like he saw. Dylan stated there was a whole lot more that occurred prior to what's shown on this video.

Sgt. O'Hagan asked Dylan why he didn't believe the strike by Marissa was on purpose. Dylan stated Marissa just isn't that type of person. Sgt. O'Hagan asked if he could see Marissa's legs and he stated he couldn't see them because the deputy was in the way. Dylan described he saw Marissa bouncing up and down while the Officers were trying to detain her.

Sgt. O'Hagan asked Dylan how much time there was from when the Officer first placed hands on Marissa to when they moved into the tight area. Dylan said maybe seconds and it all happened so quickly. Dylan stated Marissa was by the steps or going up the steps when the Officer tried to grab her and they moved in between the car. Dylan stated this is when the deputy came up from behind him to go help the Officer.

Sgt. O'Hagan asked Dylan if the deputy was helping the Officer when he had the reaction and he said yes. Sgt. O'Hagan asked how long prior to the video starting the Officer had the reaction and he thought it was maybe a minute. Dylan asked Sgt. O'Hagan to play the video. Once the video started Dylan again said there was more to the video and stated Danny had the camera up on them while he was walking up the sidewalk.

Sgt. O'Hagan asked Dylan if he saw any other kicks or punches and he said not from either of them. Dylan described Marissa as trying to get away the entire time and was not fighting towards the Officer. Dylan stated it was very possible she hit him because her arms and legs were going all different ways. Sgt. O'Hagan asked if he saw a kick and Dylan said he only saw a reaction from the Officer. Dylan remembers thinking to himself that he thought he actually may have gotten kicked in the balls or something. Dylan said he was standing right there when this happened and it was maybe twenty seconds prior to him punching Marissa.

Sgt. O'Hagan asked Dylan if he sees the Officer's reaction in the video and he said no. Dylan stated that's why he's positive there's more to the video and why the camera drops to the ground. Dylan also thinks Danny was holding the camera up on them the entire time.

Dylan described when Marissa and the Officer first got into the small area the Officer was struggling with her bad as she was trying to get away. It was during this time he had the reaction and then the deputy got more involved because it was getting out of control.

Dylan said the Officer was just doing his job and doesn't believe he should lose his job for what he did.

This concluded Sgt. O'Hagan's interview with Dylan and he left the conference room.

At approximately 1442 hours I continued the interview with Dylan to ask him some follow up questions.

I asked Dylan how many people he's discussed or talked to about the incident. Dylan said he's talked with his girlfriend, Jimmy, his sister and his mom. I asked Dylan how many times he had watched the video posted onto Facebook prior to today. Dylan said he watched the video on his cell phone that night it happened and maybe one more time a week later.

I pulled up Officer Bonar's Axon Taser Camera video and began talking with Dylan about his contact with the Officers. I asked Dylan at what point did Marissa come out of the residence. Dylan said the Officers had been on scene for at least 15 minutes, maybe more like twenty. I asked Dylan if Marissa was carrying a box when she walked out of the house and he thought she was because she was helping move things to the front. I asked where the Officers were when

Marissa walked out and he didn't remember at first. Dylan then recalled being able to see through the southern window and the Officers were standing near the patrol vehicles. Dylan said he saw Marissa walk by and the Officer said, Marissa stop. Dylan stated Marissa replied I don't have a fucking warrant, and run my name.

I asked Dylan where Marissa and the Officer were when he came out of the house. Dylan stated they were in between the two vehicles as he was walking towards them on the sidewalk. Dylan said this is where the Officer made contact with Marissa and she struggled away to in front of the vehicles. Dylan stated it was at this point the deputy came up from behind him passed him and went to go help the Officer. I asked Dylan where he was standing when he saw the reaction from the Officer and he said he was at the end of the driveway and hadn't walked up to in front of the cars yet.

I clarified with Dylan of where the first physical contact occurred and he said it was right before going up the steps. Dylan stated this is when he told the Deputy she doesn't have a warrant as he came up from behind him. Dylan also remembers seeing Danny with his phone out pointed at the Officer and Marissa. I asked Dylan if he saw the Officer place his hands near Marissa's throat or around her neck and he said not once. I asked Dylan if he saw the Officer shove Marissa away with an open palm and he said no. Dylan stated the only thing he saw was the Officer trying to get her arms to detain her.

Dylan later described he believes from the time the Officer called her name to the end was at least ten minutes. Dylan says he thinks there's at least three to four minutes of the video missing and it doesn't make any sense of why the video is pointing down when the struggle was already going on for that long. Dylan thinks Danny manipulated the video because it wasn't in Marissa's benefit.

I asked Dylan where Jimmy was and he said he was just inside by the doorway. Dylan stated Jimmy had a warrant and was too scared to come outside.

I asked Dylan if he knows Marissa to use drugs and he said yes. Dylan assumes she uses amphetamine but wasn't completely sure. I asked Dylan if he knew if Marissa had used drugs on this day and he said no because she was somewhat normal that day.

Dylan told me he didn't trust Marissa and especially not around his nieces or nephews. Dylan told me about a day Marissa heard voices in the walls behind the refrigerator and ended up kicking a hole in the wall after pulling the refrigerator out.

I asked Dylan if he had any reason to lie for Marissa. Dylan told me like he said he would have hit her at the beginning if he was the Officer dealing with her on that. Dylan stated they were both in the wrong.

This concluded my interview with Dylan at 1515 hours.

Findings

The internal investigation is briefly summarized as follows:

On November 16, 2016 at approximately 1104 hours Officer Bonar responded to [REDACTED] to assist Deputy Winchester with a civil lockout, eviction notice. On scene Officer Bonar deactivated his Axon Taser Camera while conducting an Officer conference, however failed to activate the camera while making contact with residents at [REDACTED] related to the eviction and prior to making contact with Marissa Morris who he believed to have valid arrest warrants.

While assisting Deputy Winchester, Officer Bonar observed Marissa walking from [REDACTED] to [REDACTED] and recognized her to have warrants from a previous incident which occurred on October 18, 2016. Officer Bonar believed Marissa still had active warrants and requested to speak with her while she was walking in the driveway of [REDACTED]. Once contact was made with Marissa she became resistive to Officer Bonar's detention by manipulating her hands away from his grasp as he tried to place her in handcuffs. During this struggle Officer Bonar and Marissa end up in a 2 to 3 foot space between a vehicle and staircase. While in this space Officer Bonar claims he is kned in the groin which was not captured on the amateur video taken by Danny Paredes. Once Officer Bonar is visible on camera there is a minimum of 22 seconds which elapse prior to him punching Marissa in the face two times. At the time Officer Bonar punches Marissa in the face [REDACTED]. After punching Marissa Officer Bonar takes her into custody and transports her to the Coconino County Jail for booking. Once at the jail Officer Bonar discovered there were no active warrants for Marissa as he was relying on month old information. This situation could have been handled in many different ways to include running her for warrants prior to making contact, using verbal de-escalation techniques, and using a variety of control holds or other options.

Based on the results of Flagstaff Police Department Internal Investigation 2016-0009 Officer Bonar is found in violation of the following Flagstaff Police Department Policies:

Policy 300 Response to resistance, subsection 300.1.1(B) Levels of force: Sustained
(E) iii) Head and Neck Strikes – Prohibited absent active aggression/ aggravated active aggression

- *The investigation revealed at the time Officer Bonar punched Marissa twice, she was displaying defensive resistance. Her active aggression had ended at a minimum of 22 seconds prior, therefore Officer Bonar should have de-escalated his use of force and not escalated it to a head strike.*

Policy 300 Response to resistance, subsection 300.3 Use of force in response to resistance: Sustained

(A) Officers shall use objectively reasonable force in response to resistance given the facts and circumstances perceived by the Officer at the time of the event to accomplish a legitimate law enforcement purpose.

- *The investigation revealed that at the time Officer Bonar punched Marissa twice, she was displaying defensive resistance vs. active aggression or aggravated active aggression. Therefore the two punches to the face of Marissa were not reasonable or necessary at the time.*

Policy 300 Response to resistance, Subsection 300.4 Reporting the use of force in response to resistance: Not Sustained

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate police report depending on the nature of the incident.

- *The investigation revealed Officer Bonar did complete a use of force report to document the incident. In the police report Officer Bonar used the term (several) explaining the number of kicks or knees which was consistent with describing the number of times he punched Marissa.*

Policy 300 Response to resistance, 300.4.1 Notification to supervisors: Unfounded

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable Officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of a TASER device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

- *The investigation revealed Officer Bonar did in fact notify his supervisor of the incident during a phone call to Sgt. Bentzen while inside the intoxilyzer room of the Coconino County Jail.*

Policy 300 Response to resistance, 300.5 Medical Considerations: Unfounded

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical

distress after an encounter should be continuously monitored until he/she can be medically assessed.

- *The investigation revealed Marissa had no visible injury and she didn't complain of an injury to Officer Bonar. Officer Bonar stated he thought the Coconino County Jail Nursing Staff could treat Marissa if she complained of an injury.*

Policy 340 Standards of conduct, subsection 340.5.1 Laws, rules and orders: Sustained

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

(c) Violation of federal, state, local or administrative laws, rules or regulations.

- *The investigation revealed Officer Bonar violated department policies:*
- *Policy 300 Response to resistance, subsection 300.1.1(B)(E) iii*
- *Policy 300 Response to resistance, subsection 300.3(A) Use of force in response to resistance*
- *Policy 340 Standards of conduct, subsection 340.5.4(i) Performance*
- *Policy 340 Standards of conduct, subsection 340.5.7(b)(c)(p) Conduct*
- *Policy 449 Body worn video cameras, subsection 449.2(e)(f)(g)(h) Activation and use*

Unfounded

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

- *The investigation revealed Officer Bonar didn't disobey a directive or order.*

Pending

(c) Violation of federal, state, local or administrative laws, rules or regulations.

(This violation is still pending the outcome of the Criminal Investigation and could be founded if criminal charges are filed against Officer Bonar).

Policy 340 Standards of conduct, subsection 340.5.4 Performance: Sustained

(i) Any act on- or off-duty that brings discredit to this department.

- *The investigation revealed the City of Flagstaff Police Department received national news attention after Danny Paredes posted the video onto Facebook. The Police Department and City Hall received numerous derogatory comments regarding the video of Officer Bonar punching Marissa in the face. This incident reflected negatively on the Flagstaff Police Department to include loss of public trust due to the inappropriate nature of your use of force.*

Not Sustained

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

- *The investigation revealed Officer Bonar was kned in the groin approximately 22 seconds or more prior to him delivering the two punches to Marissa. There are witness statements that say Marissa did not knee or strike the Officer and there is insufficient evidence to prove or disprove this occurred.*

Policy 340 Standards of conduct, subsection 340.5.7 Conduct: Sustained

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest. Employees shall only use the amount of force necessary to affect an arrest or maintain control of a situation.

(c) Exceeding lawful peace Officer powers by unreasonable, unlawful or excessive conduct.

(p) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members

- *The investigation revealed Officer Bonar used unreasonable force both times he punched Marissa in the face as a minimum of 22 seconds had passed from when she displayed active aggression. During the time of Officer Bonar's use of force Marissa was displaying defensive resistance and was not trying to harm the officer which would not constitute a punch to the face or head. Therefore, Officer Bonar used excessive force in this situation to affect the arrest of Marissa. Officer Bonar's conduct reflected negatively on the entire City of Flagstaff Police Department.*

Not Sustained

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

- *The investigation revealed Marissa did not complain of an injury or that bodily harm resulted during Officer Bonar's contact.*

Policy 449 Body worn video cameras, subsection 449.2 Activation and use: Sustained

Officers shall activate the AXON camera while enroute to calls for service, or as soon as practicable at the onset of all calls for service, to include the following incidents:

(a) Impaired Driver Investigations.

(b) Vehicle Pursuits.

- (c) Transportation of prisoners.
- (d) All searches (persons, vehicles, structures, etc.)
- (e) During interviews or interrogations.
- (f) Consensual encounters which are investigative in nature.
- (g) When serving an arrest warrant.
- (h) Any time an Officer feels it is appropriate.

- *The investigation revealed upon Officer Bonar's arrival on scene he activated his body worn camera and then deactivated it during an officer conference with Deputy Winchester. After the officer conference Officer Bonar assisted Deputy Winchester at [REDACTED] Officer Bonar failed to reactivate his body worn camera during this contact and also failed to activate the camera prior to making contact with Marissa.*

Recommendations

On December 22, 2016 from approximately 1200 to 1700 hours the findings of this investigation were briefed with the command staff which included: Chief Treadway, Deputy Chief Miller, Deputy Chief Musselman, Lt. Lasiewicki, Lt. Mansfield, Lt. Roberts, Lt. Higgins, Records and Dispatch Manager Irene Hunkler, Sgt. Runge, Support Services Manger Jennifer Brown, Support Services Chad Smith, Training Coordinator Justin Young, City Attorney Marianne Sullivan, and City Attorney Sterling Solomon.

I (Sgt. Jay) briefed the incident and presented the facts of the case along with viewing videos. When the discussion of policy violations and discipline recommendation was beginning; Chief Treadway, City Attorney Marianne Sullivan and City Attorney Sterling Solomon excused themselves from the meeting.

While discussing the policy violations the below listed factors were taken into consideration.

Policy 300

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to use force in response to resistance and in evaluating whether an officer has used reasonable force in response to resistance, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others. [REDACTED]

[REDACTED]
[REDACTED]
(Aggravating)

- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time. (*Neither*)
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects). (Officer Bonar is 5'11", 195 pounds in comparison to Marissa being 5'5", 155 pounds. Also, Officer Bonar is trained in defensive tactics, stronger and in the company of another Officer (Deputy Winchester). Officer Bonar was experiencing fatigue due to being sick and he documents her displaying signs, symptoms of being on drugs (methamphetamines). The number of people present on the porch area who were in close proximity to the officers.) (*Aggravating and Mitigating*)
- (d) The effects of drugs or alcohol. (Officer Bonar describes in his report Marissa appeared to be on a stimulant drug and exerted an impressive amount of strength for a woman her size.) (*Mitigating*)
- (e) Subject's mental state or capacity. (*Unknown*)
- (f) Proximity of weapons or dangerous improvised devices. (*Neither*)
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained. (Marissa was being restrained but not effectively and proper techniques were not used.) (*Aggravating*)
- (h) The availability of other options and their possible effectiveness. (There were other options available) (*Aggravating*)
- (i) Seriousness of the suspected offense or reason for contact with the individual. (Officer Bonar didn't know the status of the warrants or know what they were for.) (*Aggravating*)
- (j) Training and experience of the officer. (Officer Bonar received training while attending the academy, just received training in Taser and defensive tactics). (*Aggravating*)
- (k) Potential for injury to officers, suspects and others. (Marissa was not injuring Officer Bonar at the time the use of force was used which was excessive, out of policy and there being potential injury to Marissa from the use of force used by Officer Bonar). (*Aggravating*)
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer. (Marissa was resisting arrest by manipulating her hands away from Officer Bonar and per his report struck him in the groin minimum of 22 seconds prior to him delivering the punch) (*Mitigating*)
- (m) The risk and reasonably foreseeable consequences of escape. (The use of force was not reasonable because there was no risk). (*Aggravating*)
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation. (The warrants were no longer valid and there was no exigency for immediate apprehension or arrest). (*Aggravating*)
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others. (*Aggravating*)
- (p) Prior contacts with the subject or awareness of any propensity for violence. (*Neither*)
- (q) Any other exigent circumstances. (The location of the incident due to the confined space of where Officer Bonar and Marissa ended up limited his ability to perform other reasonable

techniques, takedown. There were no exigent circumstances for immediate apprehension.)
(*Mitigating & Aggravating*)

POLICY 340

340.6 RELEVANT FACTORS WHEN DETERMINING THE SEVERITY OF EMPLOYEE DISCIPLINE

Every incidence of employee misconduct is unique. The below listed factors provide valuable assistance in making a disciplinary determination. Not all of the factors may be relevant, some factors may be mitigating and weigh in the employees favor, and some may be constitute aggravating circumstances that support a harsher discipline. In an effort to impose discipline that is both fair and effective, the following factors should be considered when determining the severity of the discipline:

- A. The nature and seriousness of the offense and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional, accidental or inadvertent or was committed maliciously or for monetary gain or was frequently repeated. (Officer Bonar struck Marissa intentionally two times in the face while another Officer was present. Deputy Winchester and Officer Bonar were partially restraining each of Marissa's arms while the punches were delivered. (*Aggravating*)
- B. The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position. (*Neither*)
- C. The employees past disciplinary record. (No past discipline) (*Mitigating*)
- D. The employee's past work record, including length of service, performance on the job, ability to get along with co-workers, and dependability. (*Neither*)
- E. The effect of the offense on the employee's ability to perform at a satisfactory level and its effect on supervisors' confidence in the employee's work ability to perform assigned duties.

[REDACTED]

This reflects negatively on Officer Bonar and will affect supervisory confidence in the future as to whether or not Officer Bonar would make correct decisions. Officer Bonar failed to turn on his Axon Taser Camera and there is question as to whether or not his report of events is accurate which calls in to question his integrity. (*Aggravating*)

- F. Consistency of the penalty with those imposed upon other employees for the same or similar offenses. (Officer Bonar used a higher level of force which was unreasonable at the time and was excessive) (*Aggravating*)
- G. The notoriety of the offense or its impact on the reputation of the agency. (The incident gained national news attention which reflected negatively on the department) (*Aggravating*)
- H. The clarity with which the employee was on notice of any rules or polices that were violated in committing the offense, or had been warned about the conduct in question. (Officer Bonar

recently received Taser recertification training and defensive tactics training. Both trainings reviewed Policy 300, Response to Resistance. Officer Bonar has received Lexipol updates on current policies, however he has not been compliant in signing them off. (*Aggravating*)

- I. The potential for the employee's rehabilitation. [REDACTED] (Aggravating)
- J. Mitigation circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, or harassment or bad faith, malice or provocation on the part of others involved in the matter, and (*Neither*)
- K. The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others. (The inaccuracy within Officer Bonar's report leads to question his integrity and being truthful. Officer Bonar works independently the majority of the time and must be relied upon to be honest, and have integrity. (*Aggravating*))

Also noted are past use of force, and discipline:

- Counseling Memorandum (P15-00545), Accident
- 2015UOF-0038
- 2016UOF-0065

Disposition

After reviewing the policy violations and taking the mitigating/aggravating factors into consideration it was recommended that Officer Bonar be terminated from his employment.

Report By:
Sgt. Gregory Jay #702