



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 FAX (602) 244-0477

September 18, 2019

Steven J. Serbalik, PLC
4925 East Desert Cove Avenue
Scottsdale, AZ 85254
steveserbalik@gmail.com

Re: Arizona POST Case No. 2017-063 (Lauren J. Buhrow)

Mr. Serbalik:

The Arizona Peace Officer Standards and Training (AZPOST) Board met on September 18, 2019, and voted to close your client's case without initiating further proceedings. This means there is no longer any matter concerning your client's peace officer certification pending before the AZPOST Board.

Current state law assures that all information regarding her background will be available to a future hiring agency. It is her responsibility to be forthcoming regarding the allegations related to this matter; when that opportunity should arise.

If you have questions you may call Compliance Specialist Lori Wait at (602) 774-9367; or by email at loriw@azpost.gov.

Sincerely,

Ben Henry
Deputy Director

c: Case File

1 Mark Brnovich
2 Attorney General
3 Firm Bar No. 14000

4 Mark Carl Brachtl
5 Assistant Attorney General
6 State Bar No. 012641
7 2005 N. Central Ave.–SGD/LES
8 Phoenix, Arizona 85004
9 Telephone: (602) 542-7671
10 Fax: (602) 364-3202

11 Attorneys for the Arizona Peace Officer Standards and Training Board

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**BEFORE THE ARIZONA PEACE OFFICER
STANDARDS AND TRAINING BOARD
AND THE OFFICE OF ADMINISTRATIVE HEARINGS**

In the Matter of the Hearing regarding the
Peace Officer Certification of:

Lauren J. Buhrow,

Respondent.

Case No. 17A-063-POST

**MOTION FOR
RECONSIDERATION**

The State of Arizona, through undersigned counsel, requests that the Arizona Peace Officer Standards and Training Board (“Board”) rescind its prior action of voting to initiate proceedings. Specifically, the Board is requested to dismiss the complaint in this matter.

BACKGROUND

On April 26, 2017, AZPOST received a termination report from the Arizona Department of Economic Security, regarding Chief Lauren Buhrow (“Respondent”), which indicated there she may be a violation of AZPOST rules. On April 18, 2018, AZPOST staff presented the case at a regularly scheduled meeting. (See Case Overview

1 attached as Appendix A.) After staff presented the case, the Board voted to initiate
2 proceedings based on the following alleged conduct:

- 3
4 1. On August 12, 2011, Officer Lauren J. Buhrow altered a training document to
indicate she attended a training class when she had not.
- 5
6 2. On July 6, 2016, applicant Lauren J. Buhrow submitted an altered training
document as part of her application for employment with the AZ Department
7 of Economic Security.
- 8
9 3. On January 18, 2017, Chief Lauren J. Buhrow was less than truthful with
investigators when she denied the handwritten signature on the training
document was made by her.

10 (See Complaint attached as Appendix B.)
11

12 The Board, in its complaint, described Respondent's conduct to have violated
13 A.A.C. R13-4-109(A)(7-9) in effect from 1/1/2007 – 4/7/2016, and to also have violated
14 A.A.C. R13-4-109(A)(8,12) which was in effect after 4/7/2016. In response,
15 Respondent timely filed a request for a hearing before the Office of Administrative
16 Hearings ("OAH"). On June 4, 2019, AZPOST filed a notice of hearing with OAH but
17 the hearing date was subsequently continued due to Respondent's counsel having a
18 scheduling conflict.

19 DISCUSSION

20 This case hinges on whether Respondent attended and completed a training class
21 on August 12, 2011 entitled "FAA Flying While Armed". In 2011, the Federal Air
22 Marshall Service required an officer to complete this training, as one of its criteria,
23 before an officer could fly armed. If, Respondent did *not* complete the class, then she
24 was dishonest with her employer, who at the time, in 2011, was the Special
25 Investigations Section at the Attorney General's Office. And if Respondent did *not*

26

1 complete the class, then she was also dishonest with her subsequent employer, the
2 Department of Economic Security, in 2016, because she would have submitted a
3 falsified training certificate.

4 DES initiated an investigation, in 2016, and a Professional Standards Investigator,
5 in a February 7, 2017 report, concluded that “the investigation was unable to confirm
6 Chief Buhrow attended the course on or about August 12, 2011.” This year, and during
7 the preparation for trial, AZPOST staff, located witnesses, who had not been previously
8 interviewed. These witnesses included a supervisor, who was a part of Respondent’s
9 chain-of-command in 2011. This witness was Ms. MH, who, in 2011, was a special
10 agent supervisor over Respondent, and who was also the extraditions team leader.
11 Another witness, Ms. KK, was a firearms instructor and also an instructor who taught the
12 “FAA Flying While Armed Class”.

13 Pursuant to A.R.S. § 41-1092.07(G), AZPOST carries the burden of proof, at the
14 administrative hearing, to establish the alleged conduct and violations. Based upon the
15 additional interviews, and POST’s other trial preparation, it no longer appears that the
16 Board can demonstrate, by a preponderance of the evidence, that Respondent committed
17 the conduct as alleged in the Complaint. In light of these emerging developments,
18 AZPOST does not believe that prosecution should continue.

19
20 **CONCLUSION**

21 Accordingly, undersigned counsel, requests that the Board grant the State’s motion
22 to reconsider and rescind its prior action to initiate proceedings.

23 DATED this 23rd day of July, 2019.

24
25 Mark Brnovich
26 Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

/s/ Mark Brachtl
Mark Carl Brachtl
Assistant Attorney General
Attorney for AZ POST

ORIGINAL of the foregoing filed electronically
this 23th day of July, 2019 with:

Office of Administrative Hearings
1740 W. Adams Street, Lower Level
Phoenix, AZ 85007

COPY of the foregoing emailed
this 23th day of July 2019 to:

Steve Serbalik
Steven J. Serbalik, PLC
4925 East Desert Cove Avenue
Scottsdale, AZ 85254
steveserbalik@gmail.com
Attorney for Lauren Buhrow

Matt Giordano
Peace Officer Standards and Training Board
2643 E. University Drive
Phoenix, Arizona 85037
MattG@azpost.gov

By: /s/Jami White
Doc #8040227

EXHIBIT A

**AZ POST
CASE OVERVIEW
CHARGING BOARD
April 18, 2018**

Compliance Specialist: Lori Wait

OFFICER: Buhrow, Lauren J.

Case No. 17-063

AGE: 42

AGENCY: AZ Department of Economic Security - OSI

EMPLOYMENT DATES: June 13, 2016 – March 28, 2017

PREVIOUS EMPLOYMENT: AZ Attorney General's Office
January 24, 2011 – February 29, 2016
Scottsdale Police Department
September 26, 2001 – October 3, 2002

TRAINING ACADEMY: ALEA and Waiver

GRADUATION DATE: May 24, 2002 and April 12, 2011

SOURCE OF COMPLAINT: Termination Report (Terminated)

BOARD ACTION NEEDED: NA/RF/IP

J

ALLEGED CONDUCT:

1. On August 12, 2011, Officer Lauren J. Buhrow altered a training document to indicate she attended a training class when she had not.
2. On July 6, 2016, applicant Lauren J. Buhrow submitted an altered training document as part of her application for employment with the AZ Department of Economic Security.
3. On January 18, 2017, Chief Lauren Buhrow was less than truthful with investigators when she denied the handwritten signature on the training document was made by her.

VIOLATION OF POST RULES: The above conduct (Allegation #1) violates the following rules that were in effect 1/1/2007-4/7/2016:

R13-4-109

A. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:

7. The commission of a felony, an offense that would be a felony if committed in this state, or an offense involving dishonesty, unlawful sexual conduct, or physical violence; Forgery, A.R.S. 13-2002 A1, A2, A3, a Class 4 Felony, and Tampering with a public record, A.R.S. 13-2407 A1, A2, and A3, a Class 6 Felony;

8. Malfeasance, misfeasance, or nonfeasance in office;

- 9. Any conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession.**

VIOLATION OF POST RULES: The above conduct (Allegations #2-3) violates the following rules that were in effect after 4/7/2016:

R13-4-109

B. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:

- 8. Committing malfeasance, misfeasance, or nonfeasance in office;**
- 12. Engaging in any conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession.**

CASE SUMMARY:

In December 2016, the AZ Department of Economic Security became aware of possible misconduct on the part of Chief Lauren J. Buhrow in reference to a fraudulent training certificate Chief Buhrow had submitted with her application for employment with the agency on July 6, 2016. It was alleged that Chief Buhrow had made an attempt to remove a training certificate from her employment packet which may have been copied from another officer and altered to show Chief Buhrow's information. When interviewed by investigators, Chief Buhrow denied she altered another officer's training certificate to reflect her information, explaining that the handwriting on the certificate was not her handwriting. Scientific analysis of the handwriting on the training certificate was compared to two known handwriting samples from Chief Buhrow. The results of the analysis indicated the handwriting on the training certificate belonged to Chief Buhrow.

CASE NOTES:

1. On April 26, 2017, a termination report was received from the AZ Department of Economic Security with an effective date of March 28, 2017, regarding Chief Lauren J. Buhrow, which indicated the agency was aware of conduct that may violate AZ POST rules.
2. In early December 2016, AZ Department of Economic Security (AZ DES) Interim Inspector Dennis Young of the AZ Department of Public Safety (DPS) became aware of possible misconduct on the part of Buhrow. It was alleged Buhrow's background packet, which Buhrow submitted to DES for her employment, may contain a falsified training document. Sgt. Foldesh of DES had informed Inspector Young Buhrow made an attempt to remove a training document from her background packet by asking him for the packet.

3. Buhrow told Foldesh she had left a training early and did not receive her training certificate. Buhrow received a copy of the certificate from another officer that attended the same class, whited out the other officer's name, and put her name on the certificate. Sgt. Foldesh declined Buhrow's request to see her background file. (u)
4. An internal investigation was commenced by the AZ Department of Public Safety Professional Standards Unit and Sgt. Foldesh was interviewed, confirming the information he had previously given to Inspector Young. Sgt. Foldesh advised Buhrow came to his office sometime between the time she submitted the background packet, which was July 6, 2016 and August 19, 2016, asking to see her background packet as it related to her training documents.
5. The certificate in question was an AZ Peace Officer Standards and Training Board Program Compliance Confirmation, dated August 12, 2011, for an FAA Flying While Armed course. Investigators examined Buhrow's background file and noticed 3 discrepancies on this certificate. Some of the information was typed, however, the date of training was handwritten. It also appeared that the signature line had been altered. Buhrow's name was handwritten on the certificate. The training date was during the time Buhrow had been employed with the AZ Attorney General's Office.
6. Buhrow was interviewed by investigators. Buhrow did not remember approaching Sgt. Foldesh and asking to see her background packet. Buhrow stated Sgt. Foldesh approached her, advising he found a training certificate belonging to another officer in the packet of training certificates she turned in as part of her background packet. Buhrow advised she received copies of her training certificates from the AZ Attorney General's Office and failed to go through them for accuracy. Buhrow simply attached them to her employment packet for DES. The investigation revealed a training certificate in Buhrow's packet that belonged to another officer.
7. When asked about the training certificate for the FAA Flying While Armed Course, Buhrow stated she took the course, but could not recall if she received a certificate following the training. When presented with the training certificate bearing her name, Buhrow was asked if it looked familiar. Buhrow advised it did not and the handwriting was not hers. Buhrow further confirmed she did not write her name on the certificate. Buhrow denied receiving the training certificate from another officer, whiting out their name and putting her name on the certificate.
8. The investigation revealed that on August 12, 2011, Buhrow, who, at the time, was employed by the AZ Attorney General's Office, made 3 requests to obtain permission from the Federal Air Marshall Service to fly armed. According to documentation provided by the Marshall Service, the first request was submitted on August 12, 2011 at 1528 hours. That request was denied. Two additional requests were submitted on that same day at 1642 and 1644 hours, and were accepted.

9. The investigation could not confirm Buhrow completed this training as no roster could be located, the sign in and out sheet at the location where Buhrow stated she took the class had been purged due to the passage of time, and the instructor did not have any independent memory of Buhrow taking the class, despite the fact Buhrow stated the class was a one on one session with the instructor.
10. The certificate in question was sent along with two other documents to the DPS Crime Lab for analysis. One of the comparison documents was a page from Buhrow's background packet, which she confirmed she hand wrote. The other document was a second training certificate from Buhrow's background packet, which Buhrow would not confirm or deny that the handwriting on the certificate was her handwriting.
11. The DPS Scientific Examination report stated the questioned handwritten entry on the FAA Flying While Armed certificate was written by the writer of the other two documents, Lauren Buhrow.
12. Buhrow was terminated from the agency.

BOARD ACTION TAKEN:

None – New agenda item.

EXHIBIT B

1 **BEFORE THE**
2 **ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD**

3 In the Matter of the Peace Officer
4 Certification of:

No. 17A-063-POST

5 Lauren J. Buhrow

COMPLAINT

6
7 The Arizona Peace Officer Standards and Training Board (Board) voted in open meeting
8 on April 18, 2018, to initiate proceedings to take disciplinary action against your Arizona peace
9 officer certification pursuant to A.R.S. § 41-1822, et seq., and § 41-1092, et seq.

10 **ALLEGATIONS**

- 11 1. On August 12, 2011, Officer Lauren J. Buhrow altered a training document to
12 indicate she attended a training class when she had not.
- 13 2. On July 6, 2016, applicant Lauren J. Buhrow submitted an altered training document
14 as part of her application for employment with the AZ Department of Economic
15 Security.
- 16 3. On January 18, 2017, Chief Lauren Buhrow was less than truthful with investigators
17 when she denied the handwritten signature on the training document was made by
18 her.

19 **RULES VIOLATIONS**

20 The conduct (Allegation #1) is alleged to violate A.A.C. R13-4-109(A), which was in effect
21 1/1/2007 – 4/7/2016, as follows:

- 22 A. The Board may deny certified status or suspend or revoke the certified status of a peace
23 officer for:
- 24 7. The commission of a felony, an offense that would be a felony if committed in this
25 state, or an offense involving dishonesty, unlawful sexual conduct, or physical
26 violence; Forgery, A.R.S. 13-2002 A1, A2, A3, a Class 4 Felony, and Tampering
with a public record, A.R.S. 13-2407 A1, A2, and A3, a Class 6 Felony;
8. Malfeasance, misfeasance, or nonfeasance in office;

1 9. Any conduct or pattern of conduct that tends to disrupt, diminish or otherwise
2 jeopardize public trust in the law enforcement profession.

3 The conduct (Allegations 2-3) is alleged to violate A.A.C. R13-4-109(A), which was in effect
4 after 4/7/2016, as follows:

5 A. The Board may deny certified status or suspend or revoke the certified status of a peace
6 officer for:

7 8. Committing malfeasance, misfeasance, or nonfeasance in office;

8 12. Engaging in any conduct or pattern of conduct that tends to disrupt, diminish or
9 otherwise jeopardize public trust in the law enforcement profession.

10 RIGHT TO HEARING

11 A. You have the right to a hearing to contest the allegations. To obtain a hearing, you must
12 file a written request for a hearing within thirty (30) days after the date you received this
13 Complaint. Your request must be **received** at the Board's office before 5:00 p.m. on the 30th
14 day. To request a hearing, *mail, fax or deliver a written request* to Jack G. Lane, Executive
15 Director, at the Board's office. Failure to file a timely written request for a hearing constitutes a
16 waiver of the right to a hearing. A.A.C. R13-4-109(E). If you will be represented by an
17 attorney, the attorney must file a Notice of Appearance at the Board's office.

18 If you request a hearing in a timely manner, the Board will transfer this matter to the
19 Office of Administrative Hearings (OAH) pursuant to A.R.S. §41-1092 *et seq.* for assignment to
20 an independent Administrative Law Judge to hear the matter and make written recommended
21 Findings of Fact and Conclusions of Law to the Board. The hearing before the OAH is your
22 only opportunity to call witnesses and present testimony, evidence or argument in support of
23 your position concerning the allegations; including evidence relating to any aggravating or
24 mitigating circumstances you wish the Board to consider in determining a sanction. The Board
25 will not consider additional testimony or documents after the hearing or at the time it renders a
26 decision. The Board will review the Administrative Law Judge's recommended Findings of Fact
and Conclusions of Law at a public meeting and make a final decision.

1 If you request a hearing but fail to appear at the hearing, the Board or Administrative
2 Law Judge may vacate the hearing. If the hearing is vacated, the Board may deem the acts and
3 violations charged in this Complaint admitted and impose any sanctions provided by law.
4 A.A.C. R13-4-118(C).

5 B. Although the statute providing a right to request an informal settlement conference does
6 not apply in this matter, the Board welcomes discussion about settlement possibilities. If you
7 wish to discuss the hearing process or settlement options, please contact Assistant Attorney
8 General Michael Saltz at 602-774-9373 or the assigned Compliance Specialist at the address
9 below.

10 C. If you do not request a hearing within the time limit, the Board will consider the matter
11 for **final action** at its meeting on *Wednesday, July 18, 2018*, at 2:00 p.m. at the Little America
12 Hotel located at 2515 E. Butler Avenue, Flagstaff, Arizona. The Board will make a final action
13 decision based on the statements, reports, documents, physical evidence or investigative
14 materials provided by staff.

15 CONTACT INFORMATION

16 If you have any questions, please contact the assigned Compliance Specialist, Lori Wait
17 by telephone at 602-774-9367, by e-mail at loriw@azpost.gov, by fax at 602-244-0477, or at the
18 Board's office located at 2643 E. University Drive, Phoenix, Arizona 85034.

19
20
21 DATED this 18 day of April, 2018.

22
23 ARIZONA PEACE OFFICER STANDARDS
AND TRAINING BOARD

24
25
26 

JACK G. LANE
EXECUTIVE DIRECTOR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

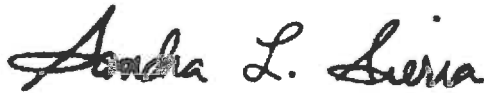
ORIGINAL of the foregoing on file with:

AZ Peace Officer Standards and Training Board
2643 E. University Drive
Phoenix, AZ 85034

COPY of the foregoing mailed by regular and certified mail.
Return receipt requested: No. 7017 1450 0000 8582

This 23 day of April, 2018 to:

Lauren J. Buhrow
Address of Record



By: _____
Sandra L. Sierra

1 Steven J. Serbalik, Bar #028191
2 **STEVEN J. SERBALIK, P.L.C.**
3 4925 E. Desert Cove Ave #116
4 Scottsdale, Arizona 85254
5 Telephone: (480) 269-1529
6 steveserbalik@gmail.com
7 *Attorney for Respondent Lauren Buhrow*

8 **BEFORE THE**
9 **ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD**

10 In the Matter of the Hearing
11 Regarding the Peace Office Certification of:,
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Lauren Buhrow.

CASE NO. 17A-063-POST

**RESPONSE IN SUPPORT
OF THE STATE'S MOTION
FOR RECONSIDERATION
and DISMISSAL.**

Respondent Lauren Buhrow, through counsel, hereby submits her Response in Support of the State's Motion for Reconsideration and recommendation for dismissal of this matter.

The Parties' Effective Communication Provided Additional Information

The AZPOST Board relies upon its staff to review file materials and to synthesize information for presentation to the Board. AZPOST staff are dedicated to doing their best - with limited resources and an unrelenting caseload - to present pertinent information to the Board for its consideration in deciding whether to initiate proceedings.

In this matter, Respondent retained counsel after the Board voted to initiate proceedings. After case file review, Respondent was able to provide additional information to AZPOST staff for their consideration. This additional information – and

1 context – was received and reviewed by AZPOST staff and supervisors. AZPOST staff
2 was then able to conduct additional follow-up as appropriate.

3 The Interests of the Public Would Be Served by Reconsideration and Dismissal

4 Ultimately, after a series of reviews and disclosures, and open communication
5 between representatives of AZPOST and Respondent, the parties were able to agree that
6 reconsideration and subsequent dismissal are appropriate.

7 **Conclusion**

8 The Board based its decision to initiate proceedings upon the limited information
9 available to it at the time this matter was originally considered. Now, with additional
10 information, and with a positive recommendation from AZPOST staff and administration,
11 the Board, Respondent and Arizona citizens who trust AZPOST to make decisions in their
12 best interests are well-served to have this matter reconsidered and for this matter to be
13 subsequently dismissed.

14
15 DATED this 5th day of August, 2019.

16 **STEVEN J SERBALIK, P.L.C.**

17 By: /s/ Steven J. Serbalik
18 Steven J. Serbalik
19 4925 E. Desert Cove Ave #116
20 Scottsdale, Arizona 85254
21 *Attorney for Respondent Lauren Buhrow.*
22
23
24
25
26
27
28

Steven J. Serbalik, P.L.C.

4925 E Desert Cove Ave #116 • Scottsdale, AZ • Phone: 480-269-1529 • E-Mail: steveserbalik@gmail.com



July 8, 2019

Mark Brachtl
Assistant Attorney General
VIA EMAIL ONLY

Re: Rule 408 - Information regarding Lauren Buhrow

Dear Mark:

As you know, I have serious concerns regarding AZPOST's decision to proceed with the remaining allegation against Chief Buhrow.

At your request, attached please find the case summary prepared by my office to provide you with further context.

If you have any further questions, please let me know. I look forward to hearing back from you.

Sincerely,

/s/

Steven J. Serbalik

Enclosure as Stated

Executive Summary

The AZPOST Board initiated action against Chief Lauren Buhrow's certification based upon allegations that she:

- 1) altered a training document to indicate she attended a training class when she had not;
- 2) submitted an altered training document as part of her application for employment with DES; and
- 3) was "less than truthful" when she denied the handwritten signature on a training document was made by her.

The investigation into Chief Buhrow had been conducted by DPS, and "sustained" allegations that Chief Buhrow had copied another officer's "flying while armed" training certificate by purportedly "whiting out" that other officer's name and the date of the class.

But, upon further review, it becomes obvious that Chief Buhrow had, in fact, attended the training class in question. Additionally, the certificate that she allegedly "copied" looks nothing like the one contained in her training file.

In fact, the Arizona Attorney General's Office conducted a further investigation and determined that the appearance of Chief Buhrow's certificate, although unusual, was entirely consistent with how training certificates appear for that office.

After additional review, AZPOST decided to "drop" the first two allegations of misconduct against Chief Buhrow - tacitly admitting that she did, in fact, attend the training in question, and she did not make any alterations to her training logs.

But now, AZPOST is proceeding with an allegation that Chief Buhrow "misled" investigators when she said that she did not sign what investigators told her prior to questioning was a forged certificate.

Finally, it is procedurally inappropriate to proceed with an OAH hearing, as the Board voted to "initiate" on allegations that AZPOST staff now concedes were not supported by the evidence in the case file. The facts contained in the case file differ substantially from what the Board was told when it decided to initiate proceedings.

This case analysis is submitted because there is an insufficient factual basis to proceed on *any* allegations of misconduct by Chief Buhrow. She did not deliberately "mislead" investigators by denying she forged a certificate - which AZPOST now concedes was not forged. AZPOST is left with a case theory that Chief Buhrow, five years later, allegedly "lied" when she stated she did not recognize her signature on a training certificate (for a training she did attend) on what was described to her as a "forged" document.

Summary of the misconduct investigation

Buhrow's case was initially evaluated by investigators from D.P.S. beginning in December of 2016, and concluding in early 2017. At the beginning of the investigation, they were provided with sensational information from Sgt. Bill Foldesh, who worked for D.E.S. at the time assisting in processing background investigations. Sgt. Foldesh claimed that Buhrow had admitted to forging a training document (a "program compliance confirmation, certifying she had attended the training for 'F.A.A. Flying While Armed'") which she had included as a part of her previous work history. Sgt. Foldesh claimed this occurred during the time when he was tasked with reviewing her previous work history file between July and August, 2016. When Buhrow was interviewed in January of 2017, she denied forging any documents, and was able to provide information which tended to show she had attended the training associated with the confirmation document. In spite of being unable to substantiate any of the allegations made by Sgt. Foldesh, the investigators "sustained" misconduct allegations against Buhrow. D.E.S. made the decision to terminate Lauren's employment, and forwarded Buhrow's separation documents to AZPOST. This occurred in April of 2017. In September of 2017, an investigator with the Attorney General's Office attended the "F.A.A. Flying While Armed" course, and noted that his program compliance confirmation - the certificate for completing the course, was absolutely consistent with the document which Buhrow was believed to have forged.

Initial D.P.S. investigation

There were numerous misconduct investigations into command staff employees at D.E.S. in 2016. As a result, D.E.S. turned to D.P.S. for some direction while these investigations could be resolved. D.P.S. assigned Dennis Young to the position of Interim Inspector for D.E.S.

Dennis Young became aware of an allegation of misconduct involving Lauren Buhrow, who was a section chief for D.E.S. at the time. Dennis Young assigned the misconduct investigation to two D.P.S. Sergeants, Jeff Sharp and Todd O'Brien. The misconduct allegation centered around a training document, which Buhrow was believed to have forged while she was in the process of being hired by D.E.S. in 2016. Sergeants Sharp and O'Brien were provided with all of Buhrow's training records that she had included as a part of her previous work history during the application process.

Sergeants Sharp and O'Brien reviewed the file, and immediately noted some significant issues with Buhrow's program compliance document for the course entitled "F.A.A. Flying While Armed." They noted the document appeared to contain several different styles of handwriting, which was inconsistent with the other training records Buhrow had in her file. In December of 2016, Sergeants Sharp and O'Brien conducted their first interview related to the investigation with Sgt. Bill Foldesh.

Initial Interview with Sgt. Foldesh

Sgt. Foldesh informed the investigators that in 2016, he worked internal affairs for D.E.S. In addition, Sgt. Foldesh was the AZPOST liaison for D.E.S., so he also coordinated the background checks for new hires within D.E.S. Sgt. Foldesh said he was acting in this role when he received Buhrow's background packet, which he was responsible to process. Sgt. Foldesh said that he later signed off on the background packet in August of 2016, after facing considerable pressure from the command staff within D.E.S. to push the packet through.

Sgt. Foldesh then told Sergeants Sharp and O'Brien a story which would serve as the central issue into the misconduct allegation against Buhrow. Sgt. Foldesh claimed that between July and August of 2016, while he was processing Buhrow's background packet, Buhrow came into his office. Sgt. Foldesh claimed that Buhrow wanted him to allow her access to her training records, which she had submitted during the hiring process. Sgt. Foldesh claimed that Buhrow told him she had left a training class early, and had received the compliance document - certifying the completion of the course - from another officer who had attended the class. Sgt. Foldesh told the investigators he thought Buhrow told him the employee she had gotten the compliance document from was Mark Roberts. According to Sgt. Foldesh, Buhrow told him she had "whited out" Mark Roberts' name on the document and changed it to her name, falsely certifying that she had completed the course. Sgt. Foldesh said he had refused Buhrow's request to access her training record documents, and Buhrow left his office.

Sgt. Foldesh told the investigators that this conversation led him to believe there was falsified information in Buhrow's training records. Sgt. Foldesh told the investigators that he did not review the training documents in question after that conversation. The investigators showed Sgt. Foldesh the compliance document for the course "F.A.A. Flying While Armed." Sgt. Foldesh claimed this was the first time he saw the document. Sgt. Foldesh noted the numerous issues with the document, and concluded this was likely the document that Buhrow told him she had altered.

Sgt. Foldesh told investigators that he ultimately signed off on the packet, approving Buhrow to be hired for the position within D.E.S., citing unspecified "immense pressure from above." Sgt. Foldesh told investigators that he believed Buhrow was not qualified for the position for which she had applied, and offered the investigators some examples which he thought supported this position. This concluded the investigator's first interview with Sgt. Foldesh.

D.P.S. Continues Their Investigation

As they continued their investigation, Sergeants Sharp and O'Brien reached out to Ms. Kathleen Kempley - the course instructor for the compliance certificate in question. They sent an email to Ms. Kempley, and included a copy of the compliance certificate. Ms. Kempley was no longer employed with the A.G.O., but she responded back to the investigators in an email on December 30, 2016. Ms. Kempley did not have a specific recollection of teaching the course to Buhrow, but did note that "I don't see anything wrong with the form." Ms. Kempley was never interviewed as a part of this investigation.

Several weeks later, Sergeants Sharp and O'Brien brought in Buhrow for an interview.

Interview with then Chief Lauren Buhrow

On January 18, 2016, Sergeants Sharp and O'Brien conducted their interview with Buhrow. They began their interview by asking her if she recalled speaking with Sgt. Foldesh about the training records she had provided to D.E.S. from her time while she was employed with the A.G.O. Buhrow told the investigators that she did recall a conversation with Sgt. Foldesh related to her training records. Buhrow told the investigators that she had requested her training records from the A.G.O., and they had sent her a packet with all of the records they had on file. Buhrow said when she had received the packet from the A.G.O., she had thumbed through the records and had turned them over to Sgt. Foldesh. Buhrow said after she submitted the packet, Sgt. Foldesh informed her that there was a record included in the packet which appeared to have been issued to P.J. Janek, who was a former employee of the A.G.O. Buhrow informed Sgt. Foldesh that it must have been included by mistake, and asked Sgt. Foldesh to remove that document from the packet. Buhrow was clear to the investigators this was the only conversation she had with Sgt. Foldesh about her training certificates.

Note: In the case file, the investigators acknowledged that this "Janek" training document was mistakenly included with Buhrow's training records. Although this was not a significant issue, it should be noted that the investigators were able to corroborate statements Buhrow made with evidence in the case.

The investigators then asked Buhrow about the course "F.A.A. Flying While Armed," which Buhrow had attended while she was employed with the A.G.O. Buhrow had little specific recollection of the course, other than recalling that it had been taught by Kathleen Kempley in a one-on-one, computerized format at the Arizona Counter Terrorism Information Center (ACTIC). Buhrow informed the investigators that she attended that course of instruction prior to flying armed while doing extradition flights with the A.G.O., but did not recall the date she was instructed. Buhrow recalled that the class involved reviewing materials on a computer (so the "instructor" was actually more like a facilitator), and was "fairly lengthy." Buhrow told the investigators that because she had attended the course at ACTIC, there was likely access logs to confirm her attendance. Buhrow told the investigators she would have to look back through her training certificates to try and confirm the dates, but did not independently recall if she had received a compliance certificate for that specific course of instruction.

The investigators provided Buhrow with the compliance certificate for the "F.A.A. Flying While Armed" course of instruction. They asked her if the certificate looked familiar, and she said it did not. Buhrow immediately noticed several different handwriting styles on the document, and pointed this out to the investigators. Buhrow told the investigators that the handwriting was not hers. A review of the transcript becomes important for the next exchange:

Buhrow: This does not look like my handwriting....

Investigator: Okay, but...

Buhrow: ...nor does that.

Investigator: ...let me ask one more time. Did - are you telling me you did not do this?

Buhrow: I did not do this. If you are talking about the potential changes of this page, no I did not.

Investigator: Okay. You didn't get this certificate from somebody else, and white out somebody's name and put your name on here?

Buhrow: Absolutely not. (Interview with Lauren Buhrow, pages 10-11)

The investigators went on to tell Buhrow - *for the first time* - about the statements Sgt. Foldesh had made in his interview. The investigators told Buhrow that Sgt. Foldesh told them she had specifically told Foldesh that she had "whited out" her name on the document, and that she had obtained the compliance certificate from another employee who attended the training. Buhrow was clear and unwavering - she told investigators that that conversation never occurred. The investigators told Buhrow that Sgt. Foldesh had never seen the document prior to his interview, and it appeared consistent with his description.

It is important to note that the compliance certification was presented to Buhrow as an altered or forged document, even though the investigators were aware that Ms. Kempley (the course instructor) had already informed she "didn't see anything wrong with the form."

The investigators walked through Buhrow's schedule at the time, and noted that she travelled in an armed capacity to conduct an extradition shortly after the completion of the course. Buhrow had little recollection of the specific events at the time, as it was years earlier, but maintained that she had attended the class as required. Buhrow said she followed the direction of her supervisors and chain of command within D.E.S.

The investigators came back to the concept that Sgt. Foldesh should not have been able to describe the modifications made to the document without previously seeing the document, insinuating that this made his account more credible than her own. Buhrow was once again clear in her response - "I'm shocked that this is fabricated." (Interview with Lauren Buhrow, page 15)

Buhrow even presented the investigators with a way to gather critical evidence as to whether the document was altered, and if so, by whom. Buhrow suggested the investigators go back to the A.G.O. and find the training records for the other people in her unit (who would have taken the course), and do a comparative analysis against the compliance certificate she was presented. Unfortunately this was never done by the D.P.S. investigators, or they would have learned the truth of the matter - the compliance certificate was entirely consistent with the

certificate of other investigators who attended the class. That issue will be addressed later in this letter.

The investigators continued with their presumption that the compliance certification was altered or forged, and presented Buhrow with a separate compliance form from a different class she attended. Buhrow noted for the investigators that her signature on that document differed from the compliance form that was presented as altered or forged. The investigators asked a very direct question to Buhrow - "Lauren, is this your handwriting, yes or no?" Buhrow's response was telling - "I think it's questionable." Buhrow went on to ask the investigators to compare the signature to her other training documents.

After a brief break, the investigators continued their interview with Buhrow. The investigators noted that several requests were made to the F.A.A. for permission for Buhrow to fly armed, shortly after she took the "F.A.A. Flying While Armed" course of instruction. Again, Buhrow's answers were clear and unwavering. Buhrow told the investigators that while the requests may have been made to the F.A.A., **they were not made by her.** Buhrow said that permission was requested by supervisors higher in her chain of command. The investigators noted that the initial request for permission was denied, and the second request, sent almost immediately after, was granted. Buhrow told the investigators that she was unaware of the process, as she was not involved with those requests at any time.

The investigators circled back to the "F.A.A. Flying While Armed" class. Buhrow encouraged the investigators to check to logged access at ACTIC, as she was positive she attended the class with Ms. Kempley. Buhrow told investigators she was positive the class was taught by Ms. Kempley, and went so far as to say she could describe the room she was in while she was receiving the instruction.

The investigators once again focused on the signature on the compliance certificate. They were direct, and asked Buhrow again if the signature on the document was hers. Buhrow told the investigators **"I do not believe that I can confirm that it is. I do not believe that I have ever seen this certificate, so if I've never seen this certificate that cannot be my writing."** Buhrow noted for the investigators that she has been through training where the investigator fills out the certificates, and has been through training where the certificates are filled out by the students.

Once again, the value of the actual transcript cannot be overstated. The investigators continued to try and get an absolute answer from Buhrow. Buhrow was equally adamant that because of her lack of recollection, and the obvious alterations to the compliance certificate, she was not able to be any more certain that she had been. Note the following excerpt from the transcript:

Investigator: Okay. I don't care if there is or is not. It goes back to the same question, is this your writing?

Buhrow: I'm not willing to confirm based on not knowing the source of that record. If that record came from the same place where the record is I'm not willing to confirm it.
(Interview with Lauren Buhrow, page 23)

The investigators when on to ask Buhrow why someone would lie about her training records, once again coming back to the idea that Sgt. Foldesh could describe a document in such accurate detail without having seen it before. Buhrow told the investigators that there was a lot of turmoil within the agency, and there were people advancing their own agenda at the time. Buhrow brought up the fact that Sgt. Foldesh certainly had access to the document long before he was interviewed by the investigators, as he had reviewed all of her training records (as evidenced by the fact that he located a document in those files which belonged to an employee other than Buhrow). This assertion was dismissed by the investigators, who continued to tell Buhrow that Sgt. Foldesh had not seen the document before. The investigators told Buhrow numerous times that they did not believe her statements. The investigators told Buhrow that their expectation for their interview was an admission that she had altered a training document - an admission that, obviously, never occurred. The investigators told Buhrow that they were going to write up the investigation and forward it to the decision makers, noting (to the point of a veiled threat) that Buhrow was refusing to give a definitive statement as to whether or not the writing on the compliance certificate belonged to her.

Follow-up Interview with Sgt. Foldesh

Sergeants Sharp and O'Brien conducted a brief telephonic interview with Sgt. Foldesh on January 19th, the day after they interviewed Buhrow. Sgt. Foldesh affirmed all of his earlier statements regarding Buhrow's request for access to her training file, and the story related to her "whiting out" someone else's name on the training document.

Sgt. Foldesh was asked if he had altered the compliance document in any way, asking him if he had written Buhrow's name on the certificate. Sgt. Foldesh said that did not occur. Sgt. Foldesh did recall a conversation he had with Buhrow about the training certificate for P.J. Janek, which had been mistakenly included in Buhrow's training records.

Sgt. Foldesh told the investigators that he believed Buhrow had told him she attended the class with Mark Roberts, and it was his certificate that she had allegedly altered. Sgt. Foldesh told investigators that he was aware that Mark Roberts currently worked for D.E.S., in their Protective Services Unit.

Sgt. Foldesh told the investigators that he did have access to all of Buhrow's training records from her time at the A.G.O., but claimed that he did not look at them with any level of detail. Sgt. Foldesh maintained that he had not seen the compliance form for "F.A.A. Flying While Armed" until the investigators had shown him the document during his interview.

Interview with Mark Roberts (former investigator with D.E.S.)

Sergeants Sharp and O'Brien also conducted an interview Mark Roberts on January 19th, 2016, shortly after their follow up interview with Sgt. Foldesh. Mark Roberts had worked for both the A.G.O. and D.E.S. after he retired as a Commander with 27 years of service with the Arizona State University Campus Police Department.

Roberts admitted that he knew Buhrow, and had worked with her in the past. Roberts said Buhrow was assigned to the same extradition unit he had worked for while he was employed with the A.G.O.

Roberts told the investigators that he had attended the "F.A.A. Flying While Armed" training, but did not remember if Buhrow had attended the training at the same time. Roberts was clear that Buhrow had not asked for any of his training certificates at any time.

The investigators showed Roberts the compliance form for this course of instruction (the same form they had shown to Buhrow). Roberts said the writing on the document was not his, and noted that there were several discrepancies from how he signed and/or wrote out his agency name. Roberts told investigators that he had no contact with Buhrow since she had been put on administrative leave. This concluded the investigator's interview with Roberts.

Follow-up from the Mark Roberts Interview

After his interview, Roberts was able to locate the compliance form which memorialized his attendance at the "Law Enforcement Officers Flying Armed" training. Roberts sent a copy of this document to the investigators. There are two important things to note. First, the class had been presented by M.C.S.O. at their training facility, more than two years before Buhrow went through the course of instruction. Second, and more importantly, the compliance form from this class was entirely different than the one which was in Buhrow's file. The title of the course, the layout of the form, the location of the course and the instructor were all notably different than the form which had been in Buhrow's file.

This should have led investigators to the conclusion that Sgt. Foldesh had provided them with provably false information. Buhrow did not obtain Roberts' training certificate and alter or modify that document in any way, as the documents are distinctly different.

Additional Investigative Efforts

On January 19th, 2017, the investigators submitted several documents to Alan Kriegl, who is a handwriting analysis expert employed by D.P.S. These documents included a page from Buhrow's background investigation, which she confirmed she had written, a training document unrelated to the investigation, which Buhrow could not confirm or deny was her writing, and the compliance document from the "F.A.A. Flying While Armed" course of instruction. On January 23rd, 2017, Kriegl returned the samples with the conclusion that all of the documents had been written by the same person - Lauren Buhrow. Lauren Buhrow was terminated from D.E.S. on March 28th, 2017, as a result of this investigation.

Follow-up Investigation by A.G.O. (Specifically Reginald Grigsby, Chief Special Agent)

As a result of D.E.S. sustaining allegations of misconduct by Buhrow (based on the internal investigation conducted by D.P.S.), and these allegations having potential Brady implications, Burhow's investigation was forward to the A.G.O.

On September 16, 2017, Chief Special Agent Reginald Grigsby authored a memorandum which was forward to Mr. Paul Ahler, Chief Division Counsel for the A.G.O.

Grigsby began his memorandum by outlining why he was drafting the document. Grigsby said he was attempting to clarify the process of obtaining certifications which had been outlined in the D.P.S. investigation. Grigsby noted that the D.P.S. investigation appeared to reach the conclusion that the compliance document was forged or altered. Grigsby stressed the importance of reaching the factual truth of a matter, especially when "personnel decisions" were being based on asserted facts.

Grigsby wrote that he had reviewed Burhow's internal investigation in preparation for a Brady Committee meeting. Grigsby noted the allegation made by Sgt. Foldesh, that Buhrow had altered a training document after attending a "F.A.A. Flying While Armed" course. Grigsby also noted that the document, on its face, did appear to have been altered based on pre-populated fields and areas that appeared to have been "whited out" with other information inserted in these spaces.

Grigsby noted that Buhrow had provided plausible explanations for these appearances during the course of her investigation. Specifically, Grigsby noted that Buhrow had provided an explanation that there were times where the instructor would fill out information on a "macro" form, and then the students who attended the course would fill in their own information. (Interview with Lauren Buhrow, page 9)

Based on this information, Grigsby made the decision to *enroll and attend the "F.A.A. Flying While Armed class* - so that at the conclusion of the class he would be able to see the compliance certificate. This would allow him to compare the document he received with the document which had been put forth as having been altered or forged.

This approach was a dramatic deviation from how D.P.S. had conducted their investigation. Grigsby understood the fundamental issue which seemed to escape the D.P.S. investigators: **What if the compliance certificate was not altered or forged?** Grigsby's position on Buhrow's statements given to investigators was unequivocal - Buhrow's explanation of the process "was accurate." Grigsby's conclusion at the end of his memorandum was equally important - **"Buhrow's certificate as presented is not an altered or forged document based (sic) current practices and is consistent with my document for the same course."**

Investigative Conclusions

There a number of issues which need to be addressed by AZPOST. Critically, it should be noted that NONE of the allegations made by Sgt. Foldesh are supported by evidence in this case. There is no evidence that the compliance form was altered or forged in any way - in fact, there is clear evidence to support that the compliance form is authentic.

There is no evidence which supports Sgt. Foldesh's claims that Buhrow told him exactly how she had altered the training document. Once again, there is significant evidence which disproves that conversation ever took place. Mark Roberts was clear in his interview, Buhrow never obtained a training document from him so that she could modify it to appear as though it had been issued to her. And if his interview statements are not enough, Roberts was able to locate his document for the same course, *and it is entirely inconsistent in appearance with the compliance document in Buhrow's file.*

There is no evidence to support that Buhrow was ever dishonest to investigators. A review of the facts will show that all the information she put forward was later proven to be true.

Buhrow was able to accurately recall where the "F.A.A. Flying While Armed" class took place, and recalled who provided her with the instruction for the course. On its face, this does not appear to be overly compelling - until one reaches the logical conclusion. Buhrow told the investigators that it was her belief that the security measures in place at ACTIC would have captured her presence in the building on the very day which was on the certificate. Buhrow had no way of knowing how long that information was maintained, and she believed that the building logs would support her assertion. In addition, the instruction for the course was done on a computer which Buhrow believed would also have captured her completion of the course.

Burhow was accurate about the existence of P.J. Janek's training document being included in her training record - something the investigators ultimately found to be accurate. Buhrow maintained throughout her interview that Sgt. Foldesh took this "kernel" of truth, and fabricated a conversation which never occurred.

It is telling that the email the investigators sent to Ms. Kempley, along with a copy of the compliance form, was not included as a part of this case file. During the case analysis, the investigators made much of the fact that Ms. Kempley did not specifically recall putting Buhrow through that block of instruction. What the investigators failed to address was the fact that Ms. Kempley was in a position to have given that course of instruction, and the very location Buhrow had given, and did not note any issues with the appearance of the compliance certificate.

There is no evidence to support that Buhrow did not attend the "F.A.A. Flying While Armed" course of instruction, or that she left early from that training. There is significant circumstantial evidence to support that she did attend the training, at the request of her command staff, to be eligible to assist in the extradition unit within the A.G.O.

A Far More Plausible Explanation of Events

It is hard not to look at the entire investigation and wonder how it went so wrong. There is a strong theory, which is supported by circumstantial evidence, that goes a long way to answer this question. There is a string, that if pulled, unravels the entire investigation.

Sgt. Foldesh was in possession of the Buhrow's compliance certificate for "F.A.A. Flying While Armed," which is the cornerstone of this investigation. Remember, this document was turned over to him by Buhrow as a part of her training record.

Sgt. Foldesh likely looked at the document, and noted the apparent inconsistencies with the other training records he had received from Buhrow. Sgt. Foldesh was clear to investigators that he felt like Buhrow was unqualified for the position she was later given. Sgt. Foldesh told the investigators (in a recorded yet unsummarized portion of his interview) about Buhrow taking credit for documents and ideas that were his. Sgt. Foldesh went as far as to voice his concerns about Buhrow's officer safety on search warrants based on rumors that had been told to him.

But Sgt. Foldesh did know that Buhrow was "protected" by command staff employees. Sgt. Foldesh outlined the "immense pressure" he faced to push her background packet through "from the highest levels." Even though Sgt. Foldesh believed he had a document which was forged (which would be enough to disqualify Buhrow from the position she was seeking) he believed that his concerns would fall on deaf ears at a command staff level. So Sgt. Foldesh waited.

By the end of 2016, there was a dramatic shift within D.E.S. high-ranking members were under investigation for misconduct. Buhrow's supervisor, Jay Arselano, had been recently terminated from D.E.S. The decision had been made to bring D.P.S. in to bring some stability to the agency while the investigations continued. And somehow, D.P.S. Deputy Director Heston Silbert became aware of "possible misconduct" by Buhrow. Silbert passed on that information to Interim Inspector Young, who was also a D.P.S. employee. Based on this information, Young assigned Sergeants Sharp and O'Brien to look into the matter. And they begin the investigation by being handed Buhrow's training documents - the very documents which Sgt. Foldesh has in his possession just months earlier.

How did Deputy Director Silbert know about alleged altered documents for an employee that was not even in his agency? Why did Young immediately assign two experienced sergeants to conduct the investigation? How did they immediately know which training document had been allegedly altered? Why, during the course of their interview with Buhrow, did the investigators return time and again to the idea that Sgt. Foldesh could so accurately describe a document he had never seen? In all those variables, if the answer you reach is Sgt. Foldesh, this looks far less like a misconduct investigation, and more like a choreographed response to uncover what these individuals had been told the entire time by Sgt. Foldesh.

But Sgt. Foldesh didn't know what he didn't know. Sgt. Foldesh knew that Mark Roberts was assigned to the same unit as Buhrow when they worked together at the A.G.O., but he didn't

know that their training dates were years apart. Sgt. Foldesh didn't know that there had been a change in the forms, making the idea of "whiting out" Robert's name and replacing it with Buhrow's become an impossibility. Sgt. Foldesh could not know that Mark Roberts would deny ever giving Buhrow a training record, and would deny speaking with her since she had been placed on leave. Sgt. Foldesh did not know that Buhrow had actually attending the training, and would remember where she took the course of instruction, the name of the instructor, and the computerized format in which the course of instruction was given. Sgt. Foldesh did not know the "macro" manner in which the compliance certificates were maintained, which explained the discrepancy in the documents entirely. Sgt. Foldesh could not know that Grigsby would take the time to attend the very training at issue, and determine that the document, while strange in appearance, was entirely authentic.

The most interesting part of all is that no one has taken the time to question Sgt. Foldesh on these blatant inconsistencies. Even after D.P.S. investigators learned that Ms. Kempley had taught the class, and vouched for the compliance certificate, there was no follow up with Sgt. Foldesh. Even after D.P.S. investigators learned that Buhrow could not possibly have gotten the compliance form from Mark Roberts, no one followed up with Sgt. Foldesh. And now, after Chief Special Agent Grigsby has proven the compliance certificate authentic, no one is asking Sgt. Foldesh why none of the information he gave to investigators could be supported by evidence. Chief Special Agent Grigsby was able to follow Buhrow's explanation to the letter, and achieve the same result. Because it is factual, and supported by evidence. I certainly hope, as does Buhrow, that an objective review by AZCOPS personnel will result in the conclusion that there is no evidence of misconduct by Buhrow.

Current AZPOST Consideration

In conclusion, the only remaining allegation against Buhrow is that she was dishonest with investigators about it being her signature on the compliance form. There are two issues with need to be addressed.

First, the investigators had incorrectly reached the conclusion that the compliance certificate had been forged or altered, and that was how the document was presented to Buhrow. Remember, when Buhrow was initially shown the document, she noted to the investigators that it did not appear to be her handwriting on the document (and some of the handwriting is, indisputably, not hers). The investigators then told Buhrow about the fabricated allegations made by Sgt. Foldesh, related to the document they were now presenting. Buhrow was now aware that the investigators considered this training log to be a forged or altered document, giving further reason as to why Buhrow was reluctant to claim that the signature on this document was her own. Remember, by this time Ms. Kempley had already told the investigators the compliance form appeared correct. This was later proven by Reginald Grigsby's follow-up investigation. With that accusation being made, and without an independent recollection with which to respond, Buhrow's statements are absolutely reasonable.

Second, Buhrow had no recollection of signing the document that was presented. Recall, the training she attended was literally years prior to the interview. Buhrow did note all of the apparent inconsistencies with the document, which naturally gave her pause. The document has three different types of handwriting, and Buhrow's signature on the document appeared inconsistent to Buhrow at the time. A review of the transcript from the interview clarifies this point even further. Buhrow did not give a categorical denial. Buhrow said she did not have a recollection of signing the document. Buhrow said she certainly was not responsible for the variations which were apparent on the document. These are not the statements of someone who was trying to be deceptive - they are the statements of someone who repeatedly told investigators she did not recall signing the document, and was "unwilling to confirm" that the signature which was being presented was her own.

Conclusion

I am pleased that AZPOST has made the correct decision to eliminate two of the three allegations of misconduct which they were considering. That said, there is no reason to continue the remaining allegation to a hearing.

Lauren Buhrow did not "lie" about signing a compliance form for a training that she attended - and she certainly did not alter her training logs in any way. Reginald Grigsby realized the importance of that fact, to the point where he took the class in an attempt to prove or disprove that very issue. AZPOST was sent a factually inaccurate investigation, which reached conclusions that were unsupported by the evidence. Our hope is that you will follow the lead of Reginald Grigsby. Evaluate the process, evaluate the actual witness statements, evaluate the documents, and correctly come to the conclusion that Lauren Buhrow was not guilty of any misconduct. Dismiss the final flawed allegation against her, so that she can begin to rebuild the reputation that was assassinated by an incredibly flawed investigation.



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 FAX (602) 244-0477

June 11, 2019

Steven J. Serbalik
4925 E. Desert Cove Ave #116
Scottsdale, Arizona 85254

Re: 17A-063-POST (Lauren J. Buhrow)

Dear Mr. Serbalik:

The enclosed DVD contains the files and recordings currently on file at the Arizona Peace Officer Standards and Training Board regarding Lauren J. Buhrow.

Should you require further information and/or have any questions, please call me at (602)774-9367, or email loriw@azpost.gov.

Sincerely,

Lori L. Wait
Compliance Specialist

enclosure: DVD

1
2
3 **BEFORE THE**
4 **ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD**
5 **AND THE OFFICE OF ADMINISTRATIVE HEARINGS**

6 In the Matter of the Hearing
7 Regarding the Peace Officer Certification of:

No. 17A-063-POST

NOTICE OF HEARING

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
Lauren J. Buhrow

YOU ARE HEREBY NOTIFIED that pursuant to Arizona Revised Statutes Section 41-1092, et seq. the hearing to consider your certified peace officer status will be conducted through the Office of Administrative Hearings, an independent agency, **and starts on Tuesday August 6, 2019, at 9:00 a.m.**, or as soon thereafter, as can be heard, **at the Office of Administrative Hearings, 1740 W. Adams Street, Lower Level, Phoenix, Arizona, 85007. The hearing is scheduled for two consecutive days- August 6, 2019 to August 7, 2019.**

You may appear in person with or without the assistance of an attorney on the date and at the time and place specified in this Notice of Hearing and present testimony, evidence, and argument, in support of your position, with respect to the potential denial, suspension, revocation or cancellation of your peace officer certification initiated on April 18, 2018. The Administrative Law Judge will hear evidence and argument and render written recommended Findings of Fact and Conclusions of Law upon which the Arizona Peace Officer Standards and Training Board will base its decision regarding your certification.

YOU ARE FURTHER NOTIFIED that a prehearing conference has been scheduled for **Monday, July 17, 2019 at 10:00 a.m.** before the Office of Administrative Hearings, **1740 W. Adams Street, Lower Level, in Phoenix, Arizona, 85007.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

The allegations are as follows:

1. On August 12, 2011, Officer Lauren J. Buhrow altered a training document to indicate she attended a training class when she had not.
2. On July 6, 2016, applicant Lauren J. Buhrow submitted an altered training document as part of her application for employment with the AZ Department of Economic Security.
3. On January 18, 2017, Chief Lauren J. Buhrow was less than truthful with investigators when she denied the handwritten signature on the training document was made by her.

The conduct in allegation #1 is alleged to violate A.A.C. R13-4-109(A), which was in effect 1/1/2007 – 4/7/2016, as follows:

- A. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:**
7. **The commission of a felony, an offense that would be felony if committed in this state, or an offense involving dishonesty, unlawful sexual conduct, or physical violence, to wit: A.R.S. § 13-2002(A), Forgery; A.R.S. § 13-1802(A), Theft:**
 8. **Malfeasance, misfeasance or nonfeasance in office; or**
 9. **Any conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession.**

The conduct in allegation #2 and #3 is alleged to violate A.A.C. R13-4-109(A), which was in effect after 4/7/2016, as follows:

- A. The Board may deny certified status or suspend the certified status of a peace officer for:**
8. **Committing malfeasance, misfeasance, or nonfeasance in office;**
 12. **Engaging in any conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession.**

1 If you are represented by an attorney, the attorney should immediately file a Notice
2 Appearance with the Office of Administrative Hearings, with a copy to POST and POST's
3 attorney. *Information regarding procedures, practice pointers, or the online filing of motions is*
4 *available through the Office of Administrative Hearings website at www.azoah.com.*

5 Please note that the hearing before the Office of Administrative Hearings is your only
6 opportunity to call witnesses and present testimony, evidence or argument in support of your
7 position concerning the allegation; including evidence relating to any aggravating or mitigating
8 circumstances you wish the Board to consider in determining a sanction. The Board will not
9 consider additional testimony or documents after the hearing or at the time it renders a decision.
10 The Board will review the Administrative Law Judge's recommended Findings of Fact and
11 Conclusions of Law at a public meeting and make a final decision.

12 YOU ARE FURTHER NOTIFIED that if you fail to appear in person at hearing, the
13 Administrative Law Judge may proceed and determine the matter in your absence or vacate the
14 hearing pursuant to A.A.C. R13-4-118(C). If the hearing is vacated, the Board may deem the
15 acts and violations charged in this Notice of Hearing admitted and impose any sanctions
16 provided by law. A.A.C. R13-4-118(C).

17 Pursuant to the Americans with Disabilities Act, the Office of Administrative Hearings
18 endeavors to ensure accessibility of its hearings to all persons with disabilities. If you need an
19 accommodation for the hearing, please contact Lori Wait at AZ POST at (602) 774-9367, as
20 soon as possible so that an accommodation can be arranged.

21
22 DATED this 4 day of June, 2019.

23 ARIZONA PEACE OFFICER STANDARDS
24 AND TRAINING BOARD

25 
26 _____
MATT GIORDANO
EXECUTIVE DIRECTOR

1 COPY of the foregoing emailed
this 4 day of June, 2019 to:

2
3 Office of Administrative Hearings
4 1740 W. Adams Street, Lower Level
5 Phoenix, Arizona 85007
6 OAHNoticesofHearing@azoah.com

7
8 COPY of the foregoing mailed by certified mail,
9 return receipt requested no. 7017 1450 0000 8582 4444
10 this 4 day of June, 2019 to:

11
12 Lauren J. Buhrow
13 Address of Record

14
15 COPY of the foregoing emailed this
16 4 day of June, 2019 to:

17
18 Mark Carl Brachtl Assistant Attorney General
19 Office of the Attorney General
20 2005 N. Central Avenue – SGD/LES
21 Phoenix, Arizona 85004
22 Mark.Brachtl@azag.gov
23 Attorney for POST

24
25 By: Sandra L. Sierra
26 Sandra L. Sierra

1 Steven J. Serbalik, Bar #028191
2 **STEVEN J. SERBALIK, P.L.C.**
3 4925 E. Desert Cove Ave #116
4 Scottsdale, Arizona 85254
5 Telephone: (480) 269-1529
6 steveserbalik@gmail.com
7 *Attorney for Lauren J. Buhrow*

8 **BEFORE THE**
9 **ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD**

10 In the Matter of the Peace Officer Certification
11 of:
12 Lauren J. Buhrow.

NO. 17A-063-POST

NOTICE OF APPEARANCE

13 Steven J. Serbalik hereby notifies the AZPOST board that he represents Chief
14 Lauren J. Buhrow for the purposes of AZPOST matters.

15
16 RESPECTFULLY SUBMITTED this 3rd day of June, 2019.

17
18 **STEVEN J SERBALIK, P.L.C.**

19
20
21 By: /s/Steven J. Serbalik
22 Steven J. Serbalik
23 4925 E. Desert Cove Ave #116
24 Scottsdale, Arizona 85254
25 *Attorney for Lauren J. Buhrow*
26
27
28

REQUEST FOR HEARING

OAH Received (OAH USE ONLY)

DATE: 05/21/19

TO: Casemanagement@azoah.com

FROM: Lori Wait Return e-mail

(required) LoriW@azpost.gov

1) Docket No. (IT MUST CONFORM WITH OAH PROCEDURES: 17A-063-POST)

2) Check one:

- contested case (agency action not taken pending hearing).
 appealable agency action (appeal from agency action). Date party requested hearing: _____

4)

* The
MUST be
hearing
is true
the date
THAT

3) Caption (Required):
In the Matter of the Hearing Regarding the Peace
Officer Certification of:

Lauren J. Buhrow

Respondent

Requested date and time of hearing* August 6 - 7, 2019 _____

requested date will be accommodated if practicable. The date within 60 days of the date a party requested a hearing in an appealable agency action, or within 60 days of this request for in a contested case, UNLESS at least one of the following factors (check appropriate box). In the absence of a designated factor, will be chosen by OAH within the required 60 days. BY CHECKING A BOX, THE AGENCY IS CERTIFYING TO THE OAH THE FACTOR IS TRUE.

All parties agree to a date beyond 60 days

OAH to set case for intervening prehearing within 60 days

5) Approximate predicted length of hearing: 2 Days

Complainant/Petitioner/Appellant (or counsel/rep)

Respondent/Appellee (or counsel/rep)

(REQUIRED) Name Address

(REQUIRED) Name Address

(If known) Mark Brachtl
(If Assistant Attorney General - SGD/LES
Phone 2005 N. Central Avenue
Phoenix, AZ 85004

Phone known) Lauren J. Buhrow
5011 W. Linne Lane
Laveen, Arizona 85339

(If known) Email (If 602-542-7671

known) Email 602-463-8517

(If known) Email (If Mark.Brachtl@azag.gov

known) Email

FOR USE BY OAH ONLY:

Special Advisement FROM OAH

Assigned ALJ: Antara Rivera

Assigned HEARING

DATE: 8/6-7/2019 TIME: 9:00 LOCATION: OAH

Special Advisement FROM Agency (need for interpreter/special accommodation, etc.)

Assigned PREHEARING (if applicable)

DATE: 7/17/2019 TIME: 10:00 LOCATION: OAH

1
2
3
4
5
6

BEFORE THE
ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

In the Matter of the Peace Officer
Certification of:
Lauren J. Buhrow

No. 17A-063-POST
COMPLAINT

7 The Arizona Peace Officer Standards and Training Board (Board) voted in open meeting
8 on April 18, 2018, to initiate proceedings to take disciplinary action against your Arizona peace
9 officer certification pursuant to A.R.S. § 41-1822, et seq., and § 41-1092, et seq.

10 **ALLEGATIONS**

- 11 1. On August 12, 2011, Officer Lauren J. Buhrow altered a training document to
12 indicate she attended a training class when she had not.
- 13 2. On July 6, 2016, applicant Lauren J. Buhrow submitted an altered training document
14 as part of her application for employment with the AZ Department of Economic
15 Security.
- 16 3. On January 18, 2017, Chief Lauren Buhrow was less than truthful with investigators
17 when she denied the handwritten signature on the training document was made by
18 her.

17 **RULES VIOLATIONS**

18 The conduct (Allegation #1) is alleged to violate A.A.C. R13-4-109(A), which was in effect
19 1/1/2007 – 4/7/2016, as follows:

- 20 A. The Board may deny certified status or suspend or revoke the certified status of a peace
21 officer for:
- 22 7. The commission of a felony, an offense that would be a felony if committed in this
23 state, or an offense involving dishonesty, unlawful sexual conduct, or physical
24 violence; Forgery, A.R.S. 13-2002 A1, A2, A3, a Class 4 Felony, and Tampering
25 with a public record, A.R.S. 13-2407 A1, A2, and A3, a Class 6 Felony;
- 26 8. Malfeasance, misfeasance, or nonfeasance in office;

1 9. Any conduct or pattern of conduct that tends to disrupt, diminish or otherwise
2 jeopardize public trust in the law enforcement profession.

3 The conduct (Allegations 2-3) is alleged to violate A.A.C. R13-4-109(A), which was in effect
4 after 4/7/2016, as follows:

5 A. The Board may deny certified status or suspend or revoke the certified status of a peace
6 officer for:

7 8. Committing malfeasance, misfeasance, or nonfeasance in office;

8 12. Engaging in any conduct or pattern of conduct that tends to disrupt, diminish or
9 otherwise jeopardize public trust in the law enforcement profession.

10 RIGHT TO HEARING

11 A. You have the right to a hearing to contest the allegations. To obtain a hearing, you must
12 file a written request for a hearing within thirty (30) days after the date you received this
13 Complaint. Your request must be **received** at the Board's office before 5:00 p.m. on the 30th
14 day. To request a hearing, *mail, fax or deliver a written request* to Jack G. Lane, Executive
15 Director, at the Board's office. Failure to file a timely written request for a hearing constitutes a
16 waiver of the right to a hearing. A.A.C. R13-4-109(E). If you will be represented by an
17 attorney, the attorney must file a Notice of Appearance at the Board's office.

18 If you request a hearing in a timely manner, the Board will transfer this matter to the
19 Office of Administrative Hearings (OAH) pursuant to A.R.S. §41-1092 et seq. for assignment to
20 an independent Administrative Law Judge to hear the matter and make written recommended
21 Findings of Fact and Conclusions of Law to the Board. The hearing before the OAH is your
22 only opportunity to call witnesses and present testimony, evidence or argument in support of
23 your position concerning the allegations; including evidence relating to any aggravating or
24 mitigating circumstances you wish the Board to consider in determining a sanction. The Board
25 will not consider additional testimony or documents after the hearing or at the time it renders a
26 decision. The Board will review the Administrative Law Judge's recommended Findings of Fact
and Conclusions of Law at a public meeting and make a final decision.

1 If you request a hearing but fail to appear at the hearing, the Board or Administrative
2 Law Judge may vacate the hearing. If the hearing is vacated, the Board may deem the acts and
3 violations charged in this Complaint admitted and impose any sanctions provided by law.
4 A.A.C. R13-4-118(C).

5 B. Although the statute providing a right to request an informal settlement conference does
6 not apply in this matter, the Board welcomes discussion about settlement possibilities. If you
7 wish to discuss the hearing process or settlement options, please contact Assistant Attorney
8 General Michael Saltz at 602-774-9373 or the assigned Compliance Specialist at the address
9 below.

10 C. If you do not request a hearing within the time limit, the Board will consider the matter
11 for **final action** at its meeting on **Wednesday, July 18, 2018**, at 2:00 p.m. at the Little America
12 Hotel located at 2515 E. Butler Avenue, Flagstaff, Arizona. The Board will make a final action
13 decision based on the statements, reports, documents, physical evidence or investigative
14 materials provided by staff.

15 **CONTACT INFORMATION**

16 If you have any questions, please contact the assigned Compliance Specialist, Lori Wait
17 by telephone at 602-774-9367, by e-mail at loriw@azpost.gov, by fax at 602-244-0477, or at the
18 Board's office located at 2643 E. University Drive, Phoenix, Arizona 85034.

19
20
21 DATED this 18 day of April, 2018.

22 ARIZONA PEACE OFFICER STANDARDS
23 AND TRAINING BOARD

24
25
26 

JACK G. LANE
EXECUTIVE DIRECTOR

1 **ORIGINAL** of the foregoing on file with:

2 AZ Peace Officer Standards and Training Board
3 2643 E. University Drive
4 Phoenix, AZ 85034

5 **COPY** of the foregoing mailed by regular and certified mail.
6 Return receipt requested: No. 7017 1450 0000 8582

7 This 23 day of April, 2018 to:

8 Lauren J. Buhrow
9 Address of Record

10

11 

12 By: _____
13 Sandra L. Sierra

14

15

16

17

18

19

20

21

22

23

24

25

26



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 FAX (602) 244-0477

April 18, 2018

Lauren J. Buhrow



Re: Arizona POST Case No. 17-063

Ms. Buhrow:

The Arizona Peace Officer Standards and Training (AZPOST) Board received your request for hearing. After obtaining additional documents needed for hearing or having recordings transcribed, if necessary, AZPOST will request that the Office of Administrative Hearings (OAH) set a hearing date. Because of OAH's scheduling calendar, it is likely that the hearing date will be several months in the future. When the hearing date is set, AZPOST will send you a Notice of Hearing.

Information about the Office of Administrative Hearings and its procedures is available at www.azoah.com.

If you wish to obtain a copy of AZPOST's file in this matter, please send a written request to Compliance Specialist Lori Wait at the Arizona Peace Officer Standards and Training Board, 2643 East University Drive, Phoenix, Arizona 85034.

Sincerely,

A handwritten signature in cursive script that reads "Mark Perkovich".

Mark Perkovich
Compliance Manager

c: Case File

To Jack Lane:

4-18-18

RE: 2017-063

I respectfully request an administrative hearing in my
matter.

Thank you,

Lauren D. Buhrow
Lauren Buhrow

Witness: *Low WAIT*

Low WAIT

ALPOST COMPLIANCE SPECIALIST

AZ POST APR 18 10 PM 2018

**AZ POST
CASE OVERVIEW
CHARGING BOARD
April 18, 2018
Compliance Specialist: Lori Wait**

OFFICER: Buhrow, Lauren J.

Case No. 17-063

AGE: 42

AGENCY: AZ Department of Economic Security - OSI

EMPLOYMENT DATES: June 13, 2016 – March 28, 2017

PREVIOUS EMPLOYMENT: AZ Attorney General's Office
January 24, 2011 – February 29, 2016
Scottsdale Police Department
September 26, 2001 – October 3, 2002

TRAINING ACADEMY: ALEA and Waiver

GRADUATION DATE: May 24, 2002 and April 12, 2011

SOURCE OF COMPLAINT: Termination Report (Terminated)

BOARD ACTION NEEDED: NA/RF/IP

ALLEGED CONDUCT:

1. On August 12, 2011, Officer Lauren J. Buhrow altered a training document to indicate she attended a training class when she had not.
2. On July 6, 2016, applicant Lauren J. Buhrow submitted an altered training document as part of her application for employment with the AZ Department of Economic Security.
3. On January 18, 2017, Chief Lauren Buhrow was less than truthful with investigators when she denied the handwritten signature on the training document was made by her.

VIOLATION OF POST RULES: The above conduct (Allegation #1) violates the following rules that were in effect 1/1/2007-4/7/2016:

R13-4-109

A. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:

7. The commission of a felony, an offense that would be a felony if committed in this state, or an offense involving dishonesty, unlawful sexual conduct, or physical violence; Forgery, A.R.S. 13-2002 A1, A2, A3, a Class 4 Felony, and Tampering with a public record, A.R.S. 13-2407 A1, A2, and A3, a Class 6 Felony;

8. Malfeasance, misfeasance, or nonfeasance in office;

9. Any conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession.

VIOLATION OF POST RULES: The above conduct (Allegations #2-3) violates the following rules that were in effect after 4/7/2016:

R13-4-109

- B. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:

8. Committing malfeasance, misfeasance, or nonfeasance in office;

12. Engaging in any conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust in the law enforcement profession.

CASE SUMMARY:

In December 2016, the AZ Department of Economic Security became aware of possible misconduct on the part of Chief Lauren J. Buhrow in reference to a fraudulent training certificate Chief Buhrow had submitted with her application for employment with the agency on July 6, 2016. It was alleged that Chief Buhrow had made an attempt to remove a training certificate from her employment packet which may have been copied from another officer and altered to show Chief Buhrow's information. When interviewed by investigators, Chief Buhrow denied she altered another officer's training certificate to reflect her information, explaining that the handwriting on the certificate was not her handwriting. Scientific analysis of the handwriting on the training certificate was compared to two known handwriting samples from Chief Buhrow. The results of the analysis indicated the handwriting on the training certificate belonged to Chief Buhrow.

CASE NOTES:

1. On April 26, 2017, a termination report was received from the AZ Department of Economic Security with an effective date of March 28, 2017, regarding Chief Lauren J. Buhrow, which indicated the agency was aware of conduct that may violate AZ POST rules.
2. In early December 2016, AZ Department of Economic Security (AZ DES) Interim Inspector Dennis Young of the AZ Department of Public Safety (DPS) became aware of possible misconduct on the part of Buhrow. It was alleged Buhrow's background packet, which Buhrow submitted to DES for her employment, may contain a falsified training document. Sgt. Foldesh of DES had informed Inspector Young Buhrow made an attempt to remove a training document from her background packet by asking him for the packet.

3. Buhrow told Foldesh she had left a training early and did not receive her training certificate. Buhrow received a copy of the certificate from another officer that attended the same class, whited out the other officer's name, and put her name on the certificate. Sgt. Foldesh declined Buhrow's request to see her background file.
4. An internal investigation was commenced by the AZ Department of Public Safety Professional Standards Unit and Sgt. Foldesh was interviewed, confirming the information he had previously given to Inspector Young. Sgt. Foldesh advised Buhrow came to his office sometime between the time she submitted the background packet, which was July 6, 2016 and August 19, 2016, asking to see her background packet as it related to her training documents.
5. The certificate in question was an AZ Peace Officer Standards and Training Board Program Compliance Confirmation, dated August 12, 2011, for an FAA Flying While Armed course. Investigators examined Buhrow's background file and noticed 3 discrepancies on this certificate. Some of the information was typed, however, the date of training was handwritten. It also appeared that the signature line had been altered. Buhrow's name was handwritten on the certificate. The training date was during the time Buhrow had been employed with the AZ Attorney General's Office.
6. Buhrow was interviewed by investigators. Buhrow did not remember approaching Sgt. Foldesh and asking to see her background packet. Buhrow stated Sgt. Foldesh approached her, advising he found a training certificate belonging to another officer in the packet of training certificates she turned in as part of her background packet. Buhrow advised she received copies of her training certificates from the AZ Attorney General's Office and failed to go through them for accuracy. Buhrow simply attached them to her employment packet for DES. The investigation revealed a training certificate in Buhrow's packet that belonged to another officer.
7. When asked about the training certificate for the FAA Flying While Armed Course, Buhrow stated she took the course, but could not recall if she received a certificate following the training. When presented with the training certificate bearing her name, Buhrow was asked if it looked familiar. Buhrow advised it did not and the handwriting was not hers. Buhrow further confirmed she did not write her name on the certificate. Buhrow denied receiving the training certificate from another officer, whiting out their name and putting her name on the certificate.
8. The investigation revealed that on August 12, 2011, Buhrow, who, at the time, was employed by the AZ Attorney General's Office, made 3 requests to obtain permission from the Federal Air Marshall Service to fly armed. According to documentation provided by the Marshall Service, the first request was submitted on August 12, 2011 at 1528 hours. That request was denied. Two additional requests were submitted on that same day at 1642 and 1644 hours, and were accepted.

9. The investigation could not confirm Buhrow completed this training as no roster could be located, the sign in and out sheet at the location where Buhrow stated she took the class had been purged due to the passage of time, and the instructor did not have any independent memory of Buhrow taking the class, despite the fact Buhrow stated the class was a one on one session with the instructor.
10. The certificate in question was sent along with two other documents to the DPS Crime Lab for analysis. One of the comparison documents was a page from Buhrow's background packet, which she confirmed she hand wrote. The other document was a second training certificate from Buhrow's background packet, which Buhrow would not confirm or deny that the handwriting on the certificate was her handwriting.
11. The DPS Scientific Examination report stated the questioned handwritten entry on the FAA Flying While Armed certificate was written by the writer of the other two documents, Lauren Buhrow.
12. Buhrow was terminated from the agency.

BOARD ACTION TAKEN:

None – New agenda item.



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 FAX (602) 244-0477

April 27, 2017

Lauren J. Buhrow



Re: Arizona POST Case No. 2017-063 - POST

Dear Ms. Buhrow:

As a peace officer in the State of Arizona, you hold a certification from the Arizona Peace Officer Standards and Training (AZPOST) Board. A.R.S. §41-1828.01.A requires that all law enforcement agencies notify Arizona POST any time an officer leaves their service under any circumstance. It also requires the agency to state whether it is aware of misconduct that may violate AZPOST rules. As such, AZPOST has received the required separation notice from the AZ Department of Economic Security - OSI and there is information tending to show there may be grounds for disciplinary action against your peace officer certification.

The purpose of this letter is to inform you that this matter will go before the Board to determine whether to initiate proceedings for disciplinary action concerning your peace officer certification. Once the agency has completed their investigative reports and provided them to Arizona POST, a Compliance Specialist will create an overview for the AZPOST Board to consider. You may not participate in the charging decision; however, the reports will be available for you to review. If the AZPOST Board initiates proceedings, a Complaint will follow that explains your rights and the ensuing procedures. If the AZPOST Board does not initiate a proceeding, you will be notified of such by this office. AZPOST Board agendas are available online at www.azpost.gov

This letter is being sent to your address of record with AZPOST. It is your responsibility to notify AZPOST any time you have a change of address or you wish to request future notices be sent to a different address than what is currently on file. The Compliance Specialist assigned to your matter is Lori Wait. You can contact her at 602-774-9367, or by e-mail at loriw@azpost.gov.

Sincerely,

A handwritten signature in black ink that reads "Mark Perkovich".

Mark Perkovich
Compliance Manager

cc: Case File



OFFICE OF ATTORNEY GENERAL

Criminal Division

Special Investigations Section

MEMORANDUM

TO: Mr. Paul Ahler
Chief Division Counsel

FROM: Reginald Grigsby, CSA

DATE: September 6, 2017

RE: Follow up to Brady Committee Meeting, re: Lauren Buhrow

This memorandum is submitted for the purposes of clarifying an internal process that was described in an administrative document drafted by another state agency (Department of Public Safety) for use in a personnel matter. This memorandum is not intended to speak to any other facts or aspects of the DPS document, rather; it is intended to clarify how training certificates are prepared and/or completed by this agency. Finally, it is incumbent upon this office to ensure that any material representations of any facts or references to our policy and procedures is accurately presented, even when those representations may be provided by another state agency. This consideration is absolutely critical when our policies and procedures may factor into a personnel matter.

In preparation for a Brady Committee meeting to consider the facts surrounding allegations of misconduct on the part of former Special Agent Buhrow, I received a copy of the investigative package that had been submitted to the director of the Arizona Department of Economic Security (DES). The investigation was conducted by the Professional Standards Unit of the DPS. By way of explanation, at the time of the alleged misconduct, Buhrow was in the employ of the DES, working as a chief in the Office of the Inspector General.

The investigation was initiated after Buhrow's background investigator alleged she had submitted an altered document, specifically; a certification stating that Buhrow had successfully completed a training course allowing her to fly armed in her capacity as a peace officer. The document itself has the appearances of being altered in that in some areas, it appears that some markings and some fields that had previously been populated with information had been subject to being "whited out" and other information inserted in its place – the name of the course attendee or the name of the agency providing the training.

In reviewing the investigative report on this matter, the questionable document was the certificate of completion for flying while armed. During her interview, Buhrow explained that upon completion of an in-house training course, the certificate is sometimes completed by the instructor, or; in some instances, the student completes the certificate by either writing in their name or adding their name in the field for the attendee's name. In that the certificate was a macro, it was used to certify course completion by anyone who took this particular course.

The process that was explained to the investigators by Buhrow was accurate.

After receipt of the investigative packet for consideration of the allegations against Buhrow, I took the flying while armed training. At the completion of the course, the instructor prepared my certificate of completion. She did in fact, use a macro of the certificate that had been whited out. She typed in my name and also indicated that if the form did not print properly, my name could be hand written on one of the certificates that had been printed out. She then signed her name as the instructor, and the signature block for the instructor is whited out as it has been used for other training courses – the instructors names changes in those instances and is typed or written in the proper field.

In examining my certificate, the appearance is consistent with the one presented by Buhrow in the questionable areas. Additionally, AZAG was typed into the agency field, whereas Attorney General Office was typed into the field of the certificate issued for Buhrow.

Staff was questioned as to whether or not anyone was contacted by DPS investigators and questioned for this investigation. One employee was contacted and questioned. She stated the questions centered on whether or not Buhrow completed the training. There was not any conversation related to how the certificates are completed. There is not reference to this conversation in the investigative report.

In conclusion, Buhrow's certificate as presented is not an altered or forged document based current practices and is consistent with my document for the same course.



Arizona Peace Officer Standards and Training Board



PROGRAM COMPLIANCE CONFIRMATION Agency Sponsored Training

INSTRUCTIONS TO ATTENDEES: The agency sponsoring this training MUST ensure that each peace officer in attendance is provided with copy of this completed form. It shall be the officer's responsibility to deliver the completed form to their respective agency for inclusion in their training file. **Do not send this form to AZ POST.** Arizona administrative rules require law enforcement agencies to maintain training records for any and all peace officers they employ. When signed by an AZ POST instructor and/or facilitator, this form meets AZ POST requirements for such records.

AGENCY CONFIRMATION
NUMBER: 09-06

DATE(S) OF TRAINING: 07/08/2009

COURSE/PROGRAM TITLE:

FAA Flying While Armed

AGENCY SPONSORING TRAINING: AZ ATTORNEY GENERAL'S OFFICE

LOCATION OF TRAINING: MARICOPA COUNTY, AZ

ATTESTMENT: This program meets the requirements of Arizona Administrative Code R13-4-111 and, therefore, may be used to satisfy the certification retention requirements for the hours of training specified below.

PROFICIENCY _____ Hours CONTINUING 2.0 Hours

VERIFICATION OF ATTENDANCE

Michael Edwards Arizona Attorney General Office 352
 Name of Peace Officer (type/print) Agency Badge/I.D. No.

CERTIFICATION:

The above-named peace officer has attended training as specified and successfully completed any required testing. All lesson plans and attendance rosters for this course are on file with, or available from, AZ POST.

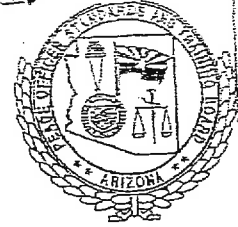
KATHLEEN KEMPLEY on file AZ Attorney General
 Name of Instructor/Facilitator (type/print) Social Security Number Agency

[Signature] AG's OFFICE
 Instructor/Facilitator Signature Location where Lesson Plan is Maintained if not at AZ POST

FILED
AZPOST LOG & BOOK ✓



Arizona Peace Officer Standards and Training Board



PROGRAM COMPLIANCE CONFIRMATION Agency Sponsored Training

INSTRUCTIONS TO ATTENDEES: The agency sponsoring this training MUST ensure that each peace officer in attendance is provided with copy of this completed form. It shall be the officer's responsibility to deliver the completed form to their respective agency for inclusion in their training file. Do not send this form to AZ POST. Arizona administrative rules require law enforcement agencies to maintain training records for any and all peace officers they employ. When signed by an AZ POST instructor and/or facilitator, this form meets AZ POST requirements for such records.

AGENCY CONFIRMATION NUMBER: 09-06

DATE(S) OF TRAINING: 08.12.2011

COURSE/PROGRAM TITLE: FAA Flying While Armed

AGENCY SPONSORING TRAINING: AZ ATTORNEY GENERAL'S OFFICE

LOCATION OF TRAINING: MARICOPA COUNTY, AZ

ATTESTMENT: This program meets the requirements of Arizona Administrative Code R13-4-111 and, therefore, may be used to satisfy the certification retention requirements for the hours of training specified below.

PROFICIENCY _____ Hours CONTINUING 2.0 Hours

VERIFICATION OF ATTENDANCE

Lauren Buhrow Arizona Attorney General Office 381
Name of Peace Officer (type/print) Agency Badge/I.D. No.

CERTIFICATION:

The above-named peace officer has attended training as specified and successfully completed any required testing. All lesson plans and attendance rosters for this course are on file with, or available from, AZ POST.

KATHLEEN KEMPLEY on file
Name of Instructor/Facilitator (type/print) Social Security Number

AZ Attorney General
Agency

[Signature] AG's OFFICE
Instructor/Facilitator Signature Location where Lesson Plan is Maintained if not at AZ POST

TSA Information for: BUHROW, LAUREN #381

Departing Flight

MSG/NLETS, VAFAM0199.

**LEOFA
NAM/BUHROW, LAUREN.
AGY/AZ Attorney General's Office.
BCN/BSO/381.
OFC/STATE.
NAO/HORNE, TOM, ATTORNEY GENERAL.
CRT/Yes.
CPN/6025687572.
APN/6025424853.
EIT/NA.
EIN/NA.
NOA/SOUTHWEST.
FLN/0926.
DOF/081511.
DAP/PHX.
CAP/NONE.
FDA/ABQ.**

Return Flight

MSG/NLETS, VAFAM0199.

**LEOFA
NAM/BUHROW, LAUREN.
AGY/AZ Attorney General's Office.
BCN/BSO/381.
OFC/STATE.
NAO/HORNE, TOM, ATTORNEY GENERAL.
CRT/Yes.
CPN/6025687572.
APN/6025424853.
EIT/NA.
EIN/NA.
NOA/SOUTHWEST.
FLN/2375.
DOF/081511.
DAP/ABQ.
CAP/NONE.
FDA/PHX.**

**CONFIDENTIAL REPORT
PROFESSIONAL STANDARDS**

**COMPLAINT NUMBER
2016-336**

THE REVIEW OF THIS INTERNAL INVESTIGATION IS SUBJECT TO THE PROVISIONS OF DPS GENERAL ORDERS #2.2.40 AND #2.2.10 AND THE DPS COMPLAINTS AND DISCIPLINE MANUAL. REFER TO THESE DOCUMENTS OR CONTACT THE PROFESSIONAL STANDARDS COMMANDER SHOULD QUESTIONS ON REVIEW OF THIS INVESTIGATION ARISE.

**DO NOT REPRODUCE ANY PORTION OF THIS REPORT
WITHOUT PERMISSION FROM PROFESSIONAL STANDARDS**

EMPLOYEE'S NAME:	L. Buhrow
DATE OF KNOWLEDGE:	12-07-2016
THIRTY DAY DATE:	01-06-2017
SIXTY DAY DATE:	02-05-2017
NINETY DAY DATE:	03-07-2017
ONE HUNDRED-TWENTY DAY DATE:	04-06-2017

TABLE OF CONTENTS
Complaint #2016-336

Disposition

Worksheet

Complaint

Witnesses

Investigation

Addenda

The following classifications of complaints have been established by LEMSC Rule and Arizona Revised Statute § 41-1830.15.

A. The Director of the Department of Public Safety may dismiss or discipline any classified employee based on any of the following causes:

1. Fraud or misrepresentation in securing employment.
2. Incompetency.
3. Inefficiency.
4. Inexcusable neglect of duty or unauthorized absence.
5. Insubordination.
6. Dishonesty.
7. Physical or mental disability subject to the provisions of the Americans with Disabilities Act of 1990 (42 United States Code sections 12101 through 12213).
8. Unauthorized drinking on duty or drunkenness on duty.
9. Being impaired by alcohol or drugs, as provided in ARS Title 13, Chapter 34, while on duty.
10. Commission of any crime classified as a felony.
11. Discourteous treatment of the public or other employees.
12. Commission of any crime involving moral turpitude.
13. Improper political activity as proscribed in section 41-752.
14. Misuse or unauthorized use of state property.
15. Addiction to the illegal use of a narcotic or dangerous drug.
16. Any other failure of good behavior or acts either during or outside of duty hours that are incompatible with or inimical to the interest of the Department of Public Safety.

B. For the purposes of this section:

1. "Incompetency" means the lack of ability or judgment, legal qualifications or fitness to discharge required duties.
2. "Inefficiency" means the failure to produce as required for reasons other than incompetency.

The following sub classifications are used to further define misconduct by the department:

Table 4.1: Incompatible or Inimical Acts

CODE	DESCRIPTION
a	Excessive Force
b	Disclosure of confidential or restricted information
c	Use of position for personal gain
d	Hindering investigation
e	Theft
f	Domestic violence
g	Sexual misconduct
h	Improper procedure
i	Conduct adverse to the Department or employee
j	Driving under the influence
k	Prejudicial behavior or racial bias
l	Failure to supervise
m	Missing court, hearing, or deposition
n	Intemperate use of alcohol
o	Disrespectful treatment of supervisor
p	Racial profiling



ARIZONA DEPARTMENT OF PUBLIC SAFETY
DISCIPLINARY ACTION CONTROL / TRACKING

Professional Standards No.
2016-336

Complaint **Vehicle Collision / Incident** **Critical Incident**

DATE OF KNOWLEDGE BY DPS 12/07/2016	30-DAYS 01/06/2017	60-DAYS 02/05/2017	90-DAYS 03/07/2017	120 DAY NOTICE 04/06/2017
--	-----------------------	-----------------------	-----------------------	------------------------------

Double Click HERE to Re-Calculate Dates

EMPLOYEE INFORMATION

LAST NAME Buhrow	SUFFIX	FIRST NAME Lauren	(M.I.)	BADGE NO.	PROBATIONER <input type="checkbox"/> NO <input type="checkbox"/> YES
LOCATION CODE DES	CLASSIFICATION Department of Economic Security				

REVIEW BOARD FINDINGS

Vehicle Collision / Incident Critical Incident See attached memo

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------	-----------	--------------------------

ASSISTANT DIRECTOR'S FINDINGS

Sustained Not Sustained Exonerated Unfounded See attached memo

File Reviewed

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------	-----------	--------------------------

CHAIN OF COMMAND REVIEW

Employee declined file review

DATE EMPLOYEE REVIEWED INVESTIGATIVE FILE	CHAIN OF COMMAND MEETING DATE
---	-------------------------------

ATTENDEE I.D. #	ATTENDEE I.D. #	ATTENDEE I.D. #	ATTENDEE I.D. #	ATTENDEE I.D. #	SUPPORT OBSERVER <input type="checkbox"/> NO <input type="checkbox"/> YES	I.D. #
-----------------	-----------------	-----------------	-----------------	-----------------	--	--------

RECOMMENDATIONS FOR DISCIPLINARY ACTION

File Reviewed See attached memo

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------	-----------	--------------------------

File Reviewed See attached memo

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------	-----------	--------------------------

IMMEDIATE SUPERVISOR

DISTRICT CAPTAIN / SECTION MANAGER

Continued

DISCIPLINARY ACTION CONTROL / TRACKING

PROFESSIONAL STANDARDS NO.

2016-336

Complaint **Vehicle Collision / Incident** **Critical Incident**

DATE OF KNOWLEDGE BY DPS 12/07/2016	30-DAYS 01/06/2017	60-DAYS 02/05/2017	90-DAYS 03/07/2017	120 DAY NOTICE 04/06/2017
--	-----------------------	-----------------------	-----------------------	------------------------------

EMPLOYEE INFORMATION (from page 1)

LAST NAME Buhrow	SUFFIX	FIRST NAME Lauren	(M.I.)	BADGE NO.	PROBATIONER <input type="checkbox"/> NO <input type="checkbox"/> YES
LOCATION CODE DES	CLASSIFICATION Department of Economic Security				

RECOMMENDATIONS FOR DISCIPLINARY ACTION - continued

BUREAU MAJOR / MANAGER	<input type="checkbox"/> File Reviewed <input type="checkbox"/> See attached memo		
	SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)

DIVISION

RECEIVED BY SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------------------	-----------	--------------------------

ASSISTANT DIRECTOR'S RECOMMENDATION	<input type="checkbox"/> File Reviewed <input type="checkbox"/> See attached memo		
	SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)

DIRECTOR'S OFFICE

RECEIVED BY SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------------------	-----------	--------------------------

DIRECTOR	AZPOST Review: <input type="checkbox"/> YES <input type="checkbox"/> NO			<input type="checkbox"/> See attached memo
	"Brady" Material: <input type="checkbox"/> YES <input type="checkbox"/> Employee declined interview			
	DATE EMPLOYEE INTERVIEWED WITH DIRECTOR		SUPPORT OBSERVER <input type="checkbox"/> NO <input type="checkbox"/> YES, I.D. NO.	
	SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)	

PROFESSIONAL STANDARDS

RECEIVED BY SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------------------	-----------	--------------------------

BRADY	"BRADY" notification to Employee <input type="checkbox"/> YES <input type="checkbox"/> NO		DATE SENT:
	SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT.



ARIZONA DEPARTMENT OF PUBLIC SAFETY
SERVICE OF DISCIPLINE CHECKLIST

PROFESSIONAL STANDARDS NO.

2016-336

CLASS "A" DISCIPLINARY CHECKLIST

- Ensure completion of *Disciplinary Action Control Sheet*, remains in investigative file.
- Preparation and service of *Notice of Charges of Misconduct*.
 - Original served to employee.
 - Copy to be placed in investigative file.
- Ensure completion of *Disciplinary Action Checklist*, remains in investigative file.
- Ensure opportunity for employee to review investigative file.
- Ensure written response by the employee to the *Notice of Charges of Misconduct* to be placed in investigative file.
- Opportunity for Chain of Command review.
- Opportunity for employee to meet with their Assistant Director.
- Opportunity for employee to meet with the Director.
- Preparation and service of *Notice of Disciplinary Action*. Copies of the completed form are to be distributed as follows:
 - One copy filed with the **LEMSC** business manager within 120-day rule, prior to serving employee.
 - One copy to employee within 10 days of filing with **LEMSC**
 - Two copies to **Human Resources**
 - Original to be placed in the investigative file and retained by **Professional Standards**.
- Use of *Affidavit of Personal Service*. Original to be placed in the investigative file and retained by **Professional Standards**.
- If applicable, service of *Accrued Leave Time Deduction Agreement*, remains in investigative file.

CLASS "B" DISCIPLINARY CHECKLIST

- Ensure completion of *Disciplinary Action Control Sheet*, remains in investigative file.
- If PPR entry/counseling is recommended, denote on the *Disciplinary Action Control Sheet* when counseling is conducted.
- If *Letter of Instruction / Reprimand* is recommended, prepare letter for service to employee.
- Have employee sign *Letter of Instruction / Reprimand*.
 - Original signed letter goes to **employee**.
 - One signed copy to **Human Resources**.
 - One signed copy to be placed in investigative file and retained by **Professional Standards**.

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT.



ARIZONA DEPARTMENT OF PUBLIC SAFETY
**ACCRUED LEAVE TIME
 DEDUCTION AGREEMENT**

PROFESSIONAL STANDARDS NO.
 2016-336

EMPLOYEE INVOLVED LAST NAME	SUFFIX	FIRST NAME	(M.I.)	BADGE NO.	DATE

Please read the following statements and check your choice of action below.

As an employee of the Arizona Department of Public Safety and in lieu of being suspended from duty without pay, I understand that I may choose to have the equivalent number of (suspension) hours deducted from my accrued vacation leave balance.

I further understand that to obtain this option I must sign this form at the time I receive the Notice of Disciplinary Action. If I choose not to use this alternative, the disciplinary action will result in suspension from duty without pay for the time period specified in the Notice of Disciplinary Action.

By accepting this option, I understand that I do not make any admissions or waive my rights to appeal to the Law Enforcement Merit System Council the disciplinary action taken by the Department.

I have read and understand the information presented. I choose to:

- Authorize the deduction from my vacation leave balance.**
- Be suspended from duty without pay.**

 Employee Signature

 Printed Name

 Badge No.

 Date

This agreement will be filed with the "Notice of Disciplinary Action" form and retained by Professional Standards.

CONFIDENTIAL INFORMATION – DO NOT REPRODUCE ANY PORTION OF THIS REPORT.



ARIZONA DEPARTMENT OF PUBLIC SAFETY
INVESTIGATIVE WORKSHEET

PROFESSIONAL STANDARDS NO.
 2016-336

EMPLOYEE						
LAST NAME	SUFFIX	FIRST NAME	M.I.	BADGE NO.	LOCATION CODE	PHONE NO.
A Buhrow		Lauren		694	DES	602-463-8517
B						
INVESTIGATOR						
LAST NAME	SUFFIX	FIRST NAME	M.I.	BADGE NO.	LOCATION CODE	PHONE NO.
Sharp		Jeffrey	K	4686	13010100	602-223-2403
DATE	ACTION/COMMENTS (Maximum of 100 characters per line)					BY (Badge)
12/2/16	Date of knowledge					4608
12/7/16	Acting Commander M. Murray requested a complaint number be drawn for Dishonesty					4608
12/16/16	Case file compiled					10286
12/16/16	Case forwarded to Sergeant J. Sharp, #4686, for completion					10286
12/20/16	Review documents					4686
12/21/16	Contact Attorney General's Office to obtain additional documents					4686
12/28/16	Interview with DES Sergeant Bill Foldesh					4686
12/30/16	Transcribe Foldesh interview					4686
12/30/16	Received email from Kathleen Kempley					4686
1/3/17	Received documents from Federal Air Marshall's Service Michael Vogt					4686
1/3/17	Contacted Sky Harbor TSA for flight roster					4686
1/12/17	TSA Assistant Federal Security Director Craig Hamil advised rosters were purged					4686
1/17/17	Contact Attorney General's Office I.T. Supervisor John Bretske for email search					4686
1/17/17	Telephone attempt to Chief Buhrow - Voicemail Mailbox full					4686
1/18/17	Telephone contact with Chief Buhrow to schedule 1400 interview					4686
1/18/17	Interview with Chief Buhrow					4686
1/19/17	Telephonic interview with Sergeant Foldesh					4686
1/19/17	Writing samples relinquished to Alan Kreitl					4686
1/19/17	Interview with DES Mark Roberts					4686
1/23/17	Analysis returned from Alan Kreitl					4686
1/24/17	Transcribe Chief Buhrow interview					4686
1/25/17	Transcribe Chief Buhrow interview					4686
1/26/17	Complete Chief Buhrow summary					4686
1/26/17	Investigative narrative					4686
1/31/17	Transcribe Roberts interview					4686
1/31/17	Forward to Captain Borquez for review					4686
2/3/17	Returned to Sgt. Sharp for corrections					4686
2/3/17	Corrections made - Forwarded to Insp Young					4686
2/3/17	Received investigation from Sgt. Sharp					1169
2/7/17	Returned to Sgt. Sharp for clarification					4686
2/7/17	Returned to Insp Young					4686

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT



ARIZONA DEPARTMENT OF PUBLIC SAFETY

COMPLAINT ACCEPTANCE REPORT

See G.O. 2.2.10 for reference

PROFESSIONAL STANDARDS NUMBER 2016-336

INTERNAL EXTERNAL

Form fields for Employee Name (Buhrow), Classification (Chief), Complainant Name (Young), Address (2102 West Encanto Boulevard), and optional information.

BRIEF SUMMARY OF WHAT HAS OCCURRED: On December 7, 2016, the Arizona Department of Public Safety became aware of possible misconduct by Chief Lauren Buhrow. It is alleged that Chief Buhrow submitted false documentation during the background portion of her hiring phase with D.E.S.

COMPLAINANT'S SIGNATURE By signing below I attest that the information submitted on this form is accurate and true to the best of my knowledge and that I have filed the complaint of my own free will and accord.

X Dennis Young Complainant's Signature 2/3/2017 DATE

WITNESS LIST

Professional Standards #2016-336

- | | |
|---|---------|
| 1. Chief Lauren Buhrow, #694
Office of the Inspector General
Special Operations Unit
Department of Economic Security
1789 West Jefferson Street
Phoenix, Arizona 85007
(602) 542-3386 | Subject |
| 2. Detective Sergeant William Foldesh, #554
Internal Affairs Unit
Department of Economic Security
1789 West Jefferson Street
Phoenix, Arizona 85007
(602) 542-3386 | Witness |
| 3. Detective Sergeant Mark Roberts, #693
Protective Services Unit
Department of Economic Security
1789 West Jefferson Street
Phoenix, Arizona 85007
(602) 542 3386 | Witness |

On Wednesday, January 18, 2017, at approximately 1415 hours, Arizona Department of Economic Security (DES), Special Operations Unit Chief Lauren Buhrow, #694, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Chief Buhrow reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-336, and the Employee Support Observer Agreement form. Chief Buhrow advised she understood, and signed both documents. Chief Buhrow requested DES employee Bryce Barraza serve as her support observer. Mr. Barraza reviewed the Employee Support Observer Agreement form, advised he understood, and signed the form.

Chief Buhrow had been employed with the DES for approximately seven months, and was assigned to the Office of the Inspector General, Special Operations Unit. Chief Buhrow's supervisor was Jay Arselano, who was recently terminated from the DES.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio and video recording generated from the interview is on file and available for review.

The following is a summary of the interview with Chief Buhrow:

Prior to conducting the interview, Chief Buhrow asked to verify the interview was administrative, and not criminal. Investigators confirmed the interview was administrative.

Chief Buhrow was advised the investigation involved her background packet, submitted to the DES on July 6, 2016.

Chief Buhrow was advised that according to DES Sergeant Bill Foldesh, #554, Chief Buhrow approached him and asked to have the background packet returned to her. Chief Buhrow said, "I don't remember that at all."

It was further explained to Chief Buhrow that according to Sergeant Foldesh, she approached him and asked to have the background packet returned because of a training document. Chief Buhrow said Sergeant Foldesh told her, that during his review, he came across a training certificate with someone else's name on it. Chief Buhrow said she submitted exactly what was given to her from the Arizona Attorney General's Office (AG) when she asked for a complete copy of her training record. Chief Buhrow said she "thumbed through it," and "just plunked it" to the back of her packet, assuming the AG would provide her with the most current documents. According to Chief Buhrow, she told Sergeant Foldesh to remove the document from her

background packet. Chief Buhrow said Sergeant Foldesh told her he did not want to “do that,” and that was the last Chief Buhrow heard from Sergeant Foldesh.

Chief Buhrow was asked if Sergeant Foldesh approached her about the training certificate. Chief Buhrow stated, “I believe so.”

Chief Buhrow was asked if she ever told Sergeant Foldesh she had to leave a training class early, therefore, she obtained a certificate from another attendee and put her name on it. Chief Buhrow said, “No. And I didn’t ever leave a class early, that I recall, ever.” Chief Buhrow added, Sergeant Foldesh questioned her about the location of the class.

Chief Buhrow was asked if she recalled the class the certificate was for. Chief Buhrow said it was related to use of the internet for investigations, and was held in the basement of the AG office.

Chief Buhrow was asked if there were any other training documents, within her background packet, she had concerns about, or discussed with Sergeant Foldesh. Chief Buhrow said, “Not that I can recall. No.”

Chief Buhrow was asked if she would recall any conversation regarding other training certificates, since she was employed with the DES since June 13, 2016. Chief Buhrow said, “I believe so, ya.”

Chief Buhrow was asked if she recalled attending the “FAA Flying While Armed” class. Chief Buhrow said, “It was a one-on-one that I did with Kempley, um, um, Kathleen Kempley.”

Chief Buhrow was asked when she took the course, approximately. Chief Buhrow said it was during her time with the AG office, and would have preceded when she flew armed. Chief Buhrow said she would have to look through her certificates, if she received one.

Chief Buhrow was asked if she remembered Ms. Kempley giving her a certificate. Chief Buhrow said she did not remember.

Chief Buhrow was asked if the class was the one Sergeant Foldesh referred to as having to leave early. Chief Buhrow said she never had a discussion with Sergeant Foldesh about leaving a class early.

Chief Buhrow was asked when she flew armed, in relation to when she took the class. Chief Buhrow said she took the class just prior to flying. Chief Buhrow added, the class to fly armed was prompted to allow her to fly armed for an anticipated flight. When asked if the class was a

week prior, or a month prior, Chief Buhrow replied, "Somewhere in that range." When asked if it was a week, or a month, Chief Buhrow said it was a week or a month prior, and did not know.

Chief Buhrow was asked if she was aware the course was required before she could fly armed, or if it was brought to her attention. Chief Buhrow said, "They brought it to my attention."

Chief Buhrow was asked where the class, with Ms. Kempley, was held. Chief Buhrow said the class was at the Arizona Counter-Terrorism Information Center (ACTIC) building, off Greenway Road, Phoenix, Arizona.

Chief Buhrow was asked if she recalled what time the class was held. Chief Buhrow said she could not remember. When asked if it was morning, or afternoon, Chief Buhrow said, "I don't want to mistate, I don't remember." Chief Buhrow said it was unlikely the class was held in the morning, but she did not remember. Chief Buhrow said ACTIC would probably have sign-in logs to show her at the facility.

Chief Buhrow was asked why the class was held at ACTIC. Chief Buhrow said Ms. Kempley was assigned to ACTIC.

Chief Buhrow was asked if she recalled having a certificate for the class. Chief Buhrow said she did not know. Chief Buhrow reiterated she did not look through the certificates after they were provided by the AG office.

Chief Buhrow was asked how long the class to fly armed, with Ms. Kempley, was. Chief Buhrow said, "It was fairly lengthy, and was computerized." When asked if it was a half day, or a full day, Chief Buhrow said, "It's been just too long. I, I just remember it had page after page, and it seemed to be a structured class." Chief Buhrow was again asked if she remembered how long the class was. Chief Buhrow said, "No, I'm sorry. I don't."

At this point of the interview, Chief Buhrow was provided a copy of the training certificate for "FAA Flying While Armed" class, and asked if the certificate looked familiar. Chief Buhrow said, "No. That's not. Usually they have you fill out your own, and that's not my handwriting. And that looks like those are two different handwritings."

Chief Buhrow was asked if she was saying she did not complete the certificate. Chief Buhrow replied, "That's not my handwriting. In fact, it looks like somebody changed it."

Chief Buhrow was again asked to confirm she did not write on the certificate. Chief Buhrow said, "This does not look like my handwriting."

Investigators told Chief Buhrow she was being asked “one more time” if she did not write on the certificate. Chief Buhrow said, “I did not do this, if you are talking about the potential change of this page. No, I did not.”

Chief Buhrow was asked if she received the certificate from someone else, “whited out” their name, and put her name on the certificate. Chief Buhrow said, “Absolutely not.”

Chief Buhrow was told, that according to Sergeant Foldesh, their conversation was in regard to the document, and telling Sergeant Foldesh she left a course early, obtained another person’s certificate, “whited out” the name and added her name. Chief Buhrow said, “He has changed the conversation. The conversation was about a certificate that was in my file, that had P.J. Janek’s name on it, and had to do with a training put on in the basement of the Attorney General’s office. And, it had to do with internet investigations. This is a complete fabrication and distortion of our conversation, completely.”

Chief Buhrow was advised, that prior to the interview with Sergeant Foldesh, he did not review the document, and relayed the information about circumstances with the certificate. Chief Buhrow was also advised that Sergeant Foldesh’s statements were consistent with changes noticed on the certificate. Chief Buhrow said, “No, it’s not. I have never taken someone else’s name off of a certificate and put mine on it. I have never done that.”

Chief Buhrow was asked if she could think of anyone else who would put her name on the certificate. Chief Buhrow said, “Anyone with a beef, who would want my job. I have no idea.” Chief Buhrow added, she would be interested in having a handwriting analysis completed, because the handwritings were different. Chief Buhrow was told there was no question about the handwriting, on the certificate being two different handwritings.

Chief Buhrow was provided with the three National Law Enforcement Telecommunications System (NLETS) inquiries, provided by the Federal Air Marshall Service (FAMS), showing three requests from the AG, for her to fly armed. Investigators pointed out the date the inquiry was submitted to the FAMS, was August 12, 2011, the same day the certificate showed the training course was completed. Chief Buhrow was asked how someone else would know she needed the training certificate, the same day as the requests. Chief Buhrow said, “This may be a legitimate thing, but I did not have anything to do with it. In fact, I don’t even know that I have it. I would have to look, but, Kathleen Kempley can probably clear that up.” Chief Buhrow added, her supervisor at the time was Meg Henchey, who made arrangements with Ms. Kempley to give the course to Chief Buhrow.

Chief Buhrow was provided a copy of her "Monthly Report" for August, 2011, which she completed while employed with the AG office. Chief Buhrow said, "These things aren't necessarily connected. I just listed all of the different things that I did. So, one isn't necessarily related to the other."

Chief Buhrow was asked who would know she needed the training certificate on August 12, 2011, to fly to New Mexico on August 15, 2011, if she did not put her information on the training certificate. Chief Buhrow said Kathleen Kempley, Meg Henchey, or anyone in the training department.

At that point in the interview, Chief Buhrow was read the email response from Kathleen Kempley, which read: *"So I have no recollection at all of giving this training. But I don't see anything wrong with the form. Program numbers were good for two years. In the files that AZPOST audited (Joann had these), there would be a roster and a list of the class numbers (so you can make sure 09-06 was the FAA class). If I gave that class, it was a one off for her – I know I did not teach it to a group. I wish I could say for certain one way or the other, but I can't. I honestly can't even remember being able to give that class, but I know I went to training when we were doing our own extraditions. That may have allowed me to train but I have no idea."*

Chief Buhrow was asked if she was certain Ms. Kempley provided the training. Chief Buhrow said, "Yes," and reiterated she did not take the training with anyone else, or from anyone else.

Chief Buhrow was asked if she recalled a conversation with anyone, following the course, asking them to prepare a training certificate for her. Chief Buhrow said, "No. I don't even think at that point I would have realized a training certificate was in order. That it was necessary."

Chief Buhrow was asked if she knew why Sergeant Foldesh would be so descriptive about her approaching him, and saying the background had a training certificate that was obtained from someone else, with the name whited out, and her name put in place of it. Chief Buhrow paused and said she had a lot of theories, but did not know where Sergeant Foldesh would get the information from.

During this point of the interview, Sergeant Sharp asked Sergeant O'Brien to retrieve Chief Buhrow's background packet from his office. While waiting for Sergeant O'Brien to return, Chief Buhrow said, "I would be interested to know what other certificates people who may have come from the AG's office, who were also at the DES, that they would have had access to their personnel records. If there is one that looks identical to all of this, that has somebody else's name on it, that I obviously would not have had access to."

Chief Buhrow was asked if she recalled telling Sergeant Foldesh who she obtained the certificate from. Chief Buhrow said she never discussed the certificate with Sergeant Foldesh.

Chief Buhrow was again asked if she recalled telling Sergeant Foldesh the name of a person she obtained the certificate from, whiting out the name, and putting her name on the certificate. Chief Buhrow said, "I'm. That never happened. I, I never did that."

Chief Buhrow was provided with another training certificate from her background packet, with her name on the certificate. Chief Buhrow was asked to confirm her name on the "FAA Flying While Armed" certificate was not hers. Chief Buhrow said, "Uh huh. It looks close, but." Investigators asked Chief Buhrow if it was, or not. Chief Buhrow said, "I did not write that." Investigators pointed to the name, and asked Chief Buhrow if she wrote the name. Chief Buhrow said, "I did not write this, on this certificate." Chief Buhrow was again asked if she wrote her name on the certificate. Chief Buhrow said, "No. That is not me writing that." Chief Buhrow then compared the two certificates and said the writing was not the same. Investigators asked Chief Buhrow if she was saying the writing on the two certificates was not the same. Chief Buhrow said, "I am saying that. I'm saying that I have studied handwriting and that is not the same." Chief Buhrow started pointing out small discrepancies between different letters, within the two names on the documents. Chief Buhrow was asked if she was saying the names were written by two different people. Chief Buhrow was asked if the name on the additional certificate was her handwriting. Chief Buhrow said, "It is hard to say because usually my L would be bigger."

Chief Buhrow was again asked if the handwriting was hers, or not. Chief Buhrow said, "I think it's questionable." Chief Buhrow said she may have the actual training certificate, and she may be able to compare the writing on the copy, to that of the original. Chief Buhrow was reminded the certificates were obtained by her, from the AG, and submitted in her background packet. Chief Buhrow said if she could compare the two, she would be able to confirm it was her writing, or not.

At this time, Chief Buhrow was permitted a 15 minute break.

Chief Buhrow was asked if she could provide an explanation on how the date on the training certificate, August 12, 2011, and the request to fly armed was the same date. Chief Buhrow said, "I had nothing to do with either. So, I don't know."

Chief Buhrow was asked if the request to fly was made on her behalf. Chief Buhrow said the request may have been for her, but she did not make it. When asked who made it, Chief Buhrow said, "That may have been Joann...I can't think of her last name. Our office administrator at the AG office, who was doing those sorts of things at the time. I believe it was her."

Chief Buhrow was asked if she had to make the request through NLETS. Chief Buhrow said she would not have made the request, and it would have been made by the Chief at the time.

Chief Buhrow was asked if she knew why the first request to fly was denied. Chief Buhrow said, "No." When asked if she knew the requests were submitted, Chief Buhrow said, "Yes. I believe at the time, I knew that they were trying to allow me to fly armed."

Chief Buhrow was again asked if her supervisor, or her, were making the request, why the training certificate would have been dated the same day as the requests. Chief Buhrow said she never saw the document. Chief Buhrow was reminded she submitted the document with her background packet. Chief Buhrow said the information in her packet was sent by the AG, and she did not review it thoroughly. Chief Buhrow said she did not know what the AG "put in there," but she submitted the packet to Sergeant Foldesh. Chief Buhrow added she did not know if the certificate was from Sergeant Foldesh, or the AG.

Chief Buhrow was asked if she requested the documents for her background packet. Chief Buhrow stated, "Yes I did. Well, at the time, it wasn't for my background packet. At the time it was just to have a copy of my complete file."

Chief Buhrow was asked if she recalled seeing the certificate when she submitted the background packet. Chief Buhrow hesitated and stated, "I know I took that class." She was again asked if she recalled seeing the certificate when she submitted the background. Chief Buhrow stated, "Again. I didn't closely review it. I took it straight from what the AG's office gave me and just plunked it onto the back of my application."

Chief Buhrow was asked if she could think of a reason someone else would falsify the document. Chief Buhrow stated, "Yes. To make me look bad. To try to get me into trouble, and to. I mean, there are so many different reasons someone might do this." She was asked how anyone would know she made NLETS requests on the same date the training certificate was dated. Chief Buhrow said, "You would have to ask them. I don't know."

Chief Buhrow was asked how someone would anticipate she would be going through a background packet, six or seven years later, and falsify a document from 2011. Chief Buhrow said, "I'm not saying anything other than the fact that I've never seen this. I'm not saying that I didn't take the course. And, in fact, I believe Ms. Kempsey did not say that I didn't take the course. My memory is consistent with her memory, that it was a one-on-one thing, and that you can very easily corroborate by going to ACTIC, because they have a very solid log-in, log-out process. You could go and pull their records for log-in and log-outs, and prove that I was there that day." Chief Buhrow was reminded Ms. Kempsey also stated she did not remember giving the course to her, and did not think she was able to give the class. Chief Buhrow said Ms. Kempsey was incorrect.

Because Chief Buhrow was permitted a break and opportunity to speak with her support observer, she was again asked if the writing on the training document was hers. Chief Buhrow stated, "I do not believe that I confirm that that is. I do not believe that I have ever seen this certificate. So, if I have never seen this certificate, that cannot be my writing." Investigators asked Chief Buhrow to answer the question, if the writing was hers, or not. Chief Buhrow said, "I do not believe it is." Chief Buhrow was asked if she could answer yes, or no. Chief Buhrow said, "I believe it's been altered." When asked if she meant the certificate, Chief Buhrow said, "Yes." Investigators told Chief Buhrow there was no doubt the certificate had been altered, and asked her again, if the writing was hers. Chief Buhrow stated, "I don't know if someone has a copy of my name, that was written that way, somewhere else, and they traced it." Chief Buhrow was asked, yet again, if the writing was hers. Chief Buhrow said, "On this certificate, as is, I did not write my name on this certificate." Investigators told Chief Buhrow to forget the document, focus on her name, and answer if the name itself was her writing or not. Chief Buhrow paused and stated, "I don't know where it was taken from. So, I don't know. I don't know." Investigators instructed Chief Buhrow to assume the name was taken from another document, and asked if the writing was hers. Chief Buhrow said, "Because it's an altered document, I am not willing to confirm that it is, or isn't, because..."

Chief Buhrow was shown another certificate from within the background packet and asked if the name, Lauren Buhrow, was her writing. Chief Buhrow paused and stated, "I'm not sure." When asked why she was not sure, Chief Buhrow stated, "Because it's a different slant and bubbiness than is normal for me. I may have had a very stress-free day and I could have written it that way, but that does not look like my normal writing." Chief Buhrow was asked again if the writing was hers. She paused for several seconds and stated, "I'm not sure. I don't know where the source of this came from." When asked "where the source of what" came from, Chief Buhrow replied, "Where the source of this document came from." Chief Buhrow was reminded the certificate came from her background packet, and information she provided from the AG. Chief Buhrow said, "Based on the circumstances, I have reason to believe that someone at the AG's office may have altered that document." Chief Buhrow was asked several times, to verify if writing on the two training certificates was hers. Chief Buhrow provided several different explanations as to why the documents, or training, may not be accurate, but refused to answer if her name on the documents was in her writing.

Chief Buhrow was asked if anyone, other than herself, completed the POST questionnaire within her background packet. Chief Buhrow said she completed the questionnaire herself, and verified any writing within the questionnaire would be hers. Chief Buhrow was provided with the POST questionnaire, containing questions 157 through 160. Under question 160, Chief Buhrow wrote the last name of "Buhrow." When asked if the writing was hers, Chief Buhrow stated, "Is this that document that you just said? I believe so, yes. Yes, I believe that is my writing." The three documents were placed in front of Chief Buhrow and asked if the writing, which she admitted

was hers, was consistent with the other two documents. Chief Buhrow said, "No." She started pointing out small differences between letters within the names.

Chief Buhrow was advised the documents were going to be submitted to a handwriting analysis expert. Chief Buhrow replied, "Good." Chief Buhrow was then asked if she could provide an explanation, if the writings did come back as hers, how that could occur. Chief Buhrow stated, "Someone traced my handwriting from somewhere else. I did not fill out this document. I have never seen this document."

Chief Buhrow was asked to confirm that her explanation, that someone else, on August 12, 2011, the same date as the NLETS requests to fly, had reason to falsify a training certificate. Chief Buhrow said she may not have had the training certificate, and someone else falsified the document to put into her file. Chief Buhrow added, Ms. Kempley may have realized she forgot to document the training, and produced the certificate.

Chief Buhrow was asked if Ms. Kempley would have traced her name on the document, when Ms. Kempley, as the training coordinator with access to original training documents, would not have produced an original for Chief Buhrow to sign. Chief Buhrow said she did not think Ms. Kempley would do that, but someone else at the DES, through friends, falsified the document. Chief Buhrow continued with different explanations of what could have happened. Chief Buhrow was reminded that people with the DES would not have known Chief Buhrow made requests to fly on August 12, 2011. Chief Buhrow replied, "I'm sure they have friends."

Chief Buhrow was asked how Sergeant Foldesh could have perfectly described his interaction with her, which fits the discrepancies with the training certificate. Chief Buhrow said, "Because we had a conversation about a different certificate." Chief Buhrow was asked if she "whited out" the other certificate. Chief Buhrow said, "No, of course not." Chief Buhrow was again asked how Sergeant Foldesh would mention her whitening out a name, and putting her name on it, which is consistent with the document. Chief Buhrow did not answer the question, and said the course she took was "computerized," and investigators may be able to locate the record for it. Chief Buhrow was again asked how Sergeant Foldesh could be so descriptive in his conversation with her. Chief Buhrow said, "Because he is a liar." Chief Buhrow was asked if she was suggesting Sergeant Foldesh falsified the document. Chief Buhrow said, "I don't know. Whoever did, he must be in cahoots with." Chief Buhrow continued with explanations of how Sergeant Foldesh may have falsified the document. Chief Buhrow added, "I am not lying. This is a complete and total farce."

Chief Buhrow was shown her August 2011, monthly management report from when she was employed with the AG. The document did not include the course in the "training" section of the form. When asked why it was not documented, Chief Buhrow said, "An oversight. I put it in one place instead of another." Chief Buhrow was asked where else she may have documented

the training. Chief Buhrow examined the document, paused, and said, "I might still have my calendar from 2011." Chief Buhrow said the monthly report was not required, but something she did to "help her just kind of remember what was going on at the time." Chief Buhrow was asked if employees were required to complete a monthly report. Chief Buhrow said they were required to do "some sort of report," but she believed she was the only person adding "that kind of information."

Chief Buhrow was asked to confirm she believed the training document was "sabotage" against her, from someone else. Chief Buhrow said, "Yes." Chief Buhrow added, the document may not have been an intentional sabotage, but may be possible Ms. Kempsey forgot to put the certificate in her file, and copied Chief Buhrow's information over someone else's certificate.

Chief Buhrow was asked if she knew she needed the certificate to fly armed. Chief Buhrow said she did not know she needed the form, but needed the course. Chief Buhrow said Ms. Kempsey told "whoever" needed to know, the course was completed.

Chief Buhrow was again asked if she thought Ms. Kempsey would have "doctored" a certificate, rather than just printing a new certificate for her to sign. Chief Buhrow said, "I don't know. I just find it extremely interesting that this, and this, are different handwriting. I. I. They always give you, if they are going to have you fill out your own name, you end up filling out this whole line." Chief Buhrow was referring to the difference in writing between her name, and the "Agency" line next to it, which read "Arizona Attorney General Office." Chief Buhrow was again reminded that the differences were consistent with Sergeant Foldesh's statements. Chief Buhrow said, "That is absolutely not true. It's just not."

Chief Buhrow was asked what benefit Sergeant Foldesh would have to put a falsified certificate in her background packet. Chief Buhrow said, "I think that's speculation. You are asking me to speculate on any multitude of possible outcomes. I think right now, there is tremendous turmoil going on at DES, and people have a lot of their own agendas going on. And, I won't presume to know what his is, but I do believe he has one. By the mere fact he brought this up now. If he knew this, and if he saw this back in June, why is he only now bringing this up?"

Chief Buhrow asked investigators why, if she took the class, the document was an issue. Chief Buhrow was told there was no proof she took the class. Chief Buhrow said she would not have been given the ability to fly armed if she did not take the class. Chief Buhrow was told she could have relayed she did take the course, when she did not, and falsified the document to show proof she took the class. Chief Buhrow hesitated, and asked, "Did you have your mind made up before you came in here?" Investigators told Chief Buhrow their minds were not made up, prior to the interview.

Chief Buhrow was asked, if someone were trying to “sabotage” her career, why she thought it would be on a training document, which would have no effect on her getting hired by the DES. Chief Buhrow replied, “Obviously.” When asked what she meant, Chief Buhrow said she had a conversation with Sergeant Foldesh, about a training document. Chief Buhrow said where the conversation was false, was the conversation was not about the “FAA Flying While Armed” document, but was about another document with P.J. Janek’s name on it.

Chief Buhrow was advised of Arizona Revised Statute §38-1104, and given a break to consult with her representative.

Chief Buhrow returned from the break and provided the following statement:

“I would like to say that I have cooperated, and answered all of your questions to the very best of my ability, and I have been truthful. I have not seen that document that is in question, where it appears to be altered. I have never seen it before. I did not alter it, nor have I altered any document related to my training, or any other document, for that matter. And, I did take that training. I would like to make note that Bill Foldesh did not raise this specific issue with me at the time. Although, he was comfortable enough to bring up the other training certificate, at the time. The one that had P.J. Janek’s name on it. And, I just find that suspect that he would bring up one, and not the other. And, if he had a problem with it, he is in L.A., and he had plenty of resources to do so. Um, I find it highly suspect that he is doing so now. Um, I also, and this is probably the most pivotal point, I took a polygraph about my background, and the documents that I turned in, and whether or not they were truthful. And, I passed that polygraph. So, I can prove that I have been truthful. Not only with you, but I have been truthful about my background packet. I have appreciated the opportunity to work at DES. I wish this had not been their chosen method to go about this. Again, will not presume to know everyone’s M.O., or reasoning behind things, and I don’t care, except that the truth be told. And, I am telling it.”

That concluded the interview.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

In accordance with Arizona Revised Statute §41-773 (c), the Director of the Arizona Department of Administration shall prescribe definitions for each of the causes for dismissal or discipline for covered employees:

“Dishonesty”

Means a knowingly dishonest action, statement or omission by an employee. It includes those committed outside of work which could bring discredit to the State of Arizona. It includes theft, cheating, false oral and written statements, fraud, and any action or omission which demonstrates a lack of ethics or integrity.

b. Knowingly making false or inaccurate statements on travel claims, attendance/time reporting, or other official documents.

e. Making false, unfounded, or inaccurate statements, whether intentional or not, to coworkers or supervisors.

It is alleged that Chief Buhrow submitted false documentation during the background portion of her hiring phase with the Arizona Department of Economic Security.

A. You are (check appropriate box)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.

C. As set forth in the case of *Garrity vs. New Jersey*, 385 U.S. 493 and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.

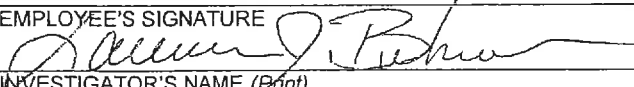
D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (Print)

Lauren Buhrow

EMPLOYEE'S SIGNATURE



DATE

01/18/2017

TIME

2:00 PM

INVESTIGATOR'S NAME (Print)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE



DATE

1-18-17

TIME

1:40

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona



ARIZONA DEPARTMENT OF PUBLIC SAFETY
**EMPLOYEE / SUPPORT
 OBSERVER AGREEMENT**

PROFESSIONAL STANDARDS NO.
 2016-336

- BAB 1. I, BRYCE A. BARRAZA, have agreed to be the Support Observer for Department of Economic Security employee LAUREN BUHROW #694 throughout the course of the:
- Critical Incident Investigation
 Professional Standards Investigation
- BAB 2. I am not a witness to nor do I have any involvement in the incident under investigation.
- BAB 3. I am not in the chain-of-command or under the supervision of the employee being interviewed.
- BAB 4. I understand that **no confidentiality** exists regarding any communication between the employee being interviewed and the Support Observer.
- BAB 5. I understand that I may be present at all investigative interviews and meetings between the employee under investigation and any portion or all of their chain-of-command, but I shall act as a non-participant observer. *(This only applies to the support observer of subjects under investigation)*
- BAB 6. I may interrupt an interview to request to speak with the employee privately, but this request shall be granted at the discretion of the investigator.
- BAB 7. Throughout the investigation and subsequent chain-of-command review, I shall not act as an advocate on behalf of the employee. I may participate in a passive role as a coach to provide information to the employee.
- BAB 8. I may be a Support Observer to an employee as long as it does not adversely affect my job performance as determined by my supervisor.
- BAB 9. I may cancel my agreement as the Support Observer at anytime throughout the administrative investigative process.

SIGNATURE(S)				
	LAUREN BUHROW	694	1/18/17	Decline
Employee Signature	Printed Name	Badge No.	Date	
	BARRAZA, BRYCE	N/A	1/18/17	
Support Observer Signature	Printed Name	Badge No.	Date	
	JEFF SILVERS	4626	1-18-17	
Investigator Signature	Printed Name	Badge No.	Date	

CONFIDENTIAL INFORMATION – DO NOT REPRODUCE ANY PORTION OF THIS REPORT.

On Wednesday, December 28, 2016, at approximately 1425 hours, Arizona Department of Economic Security (DES) Internal Affairs Detective Sergeant Bill Foldesh, #554, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Sergeant Foldesh reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-336. Sergeant Foldesh advised he understood, and signed the document.

Sergeant Foldesh had been employed with the DES for approximately 16 years, and was assigned to the Internal Affairs Unit. Sergeant Foldesh's supervisor was Bryce Barraza, and had been for approximately one and one-half years.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Sergeant Foldesh:

Sergeant Foldesh was asked to explain his involvement with the background and hiring process of DES Chief Lauren Buhrow, #694. Sergeant Foldesh said in addition to Internal Affairs, he is the Peace Officer Standards and Training (POST) liaison for DES. As the POST liaison, Sergeant Foldesh coordinates background checks for new hires. Sergeant Foldesh said Chief Buhrow's background packet was his introduction to her.

Sergeant Foldesh was asked if he was the background investigator for Chief Buhrow. Sergeant Foldesh said, "No," and explained he was the coordinator for gathering information for the background packet. Sergeant Foldesh said the background investigator was Loren Wunderlee, an employee with D and L Investigations.

Sergeant Foldesh was shown a copy of the Affirmation document for Chief Buhrow. Sergeant Foldesh confirmed his signature on the document, which he signed on behalf of Mr. Barraza. The Affirmation document required a signature from the subject of the background, in this case Chief Buhrow, affirming that all statements and disclosures provided in the background are truthful, by penalty of Arizona Revised Statute §13-2702.

Sergeant Foldesh asked to provide investigators with additional information about Chief Buhrow's background packet. Sergeant Foldesh said he waited a long time for the background packet to return, "for a variety of reasons." Sergeant Foldesh said he was awaiting response from the Arizona Attorney General's Office (AG), who appeared to be reluctant to provide specific information about Chief Buhrow's employment with them. Sergeant Foldesh added he also had

to wait for information from the Scottsdale Police Department (SPD), a previous employer of Chief Buhrow. Sergeant Foldesh said he had timelines on when information had to be returned to POST, which he thought was 90 days, and that deadline was approaching. Sergeant Foldesh said the background had to be signed, which he did on behalf of Mr. Barraza. According to Sergeant Foldesh, he was getting pressured "from the very top" to get the background processed. Sergeant Foldesh said his responsibility was to ensure all documentation was within the packet, and the investigator, Mr. Wunderlee, did not document anything he found "outrageous." Sergeant Foldesh said he called POST and asked their recommendation on hiring Chief Buhrow. Sergeant Foldesh said POST responded, "It's up to you guys." Sergeant Foldesh found their response "awkward."

Sergeant Foldesh was asked what was awkward about POST's response. Sergeant Foldesh said they normally respond with something similar to, "passed with flying colors." Sergeant Foldesh said, "This one was different."

When asked if POST provided an explanation of their response, Sergeant Foldesh said, "I did not dive into it." Sergeant Foldesh added this situation was an "awkward" position for him. Sergeant Foldesh said he read enough of Chief Buhrow's background information to know what happened with the SPD and the AG. According to Sergeant Foldesh, Chief Buhrow's background packet was different from any other he was involved with.

Sergeant Foldesh was asked who he was referring to, when he said he was getting pressure "from the very top." Sergeant Foldesh said the pressure was coming from Jay Arselano, who was the Inspector General during the time Chief Buhrow's background. Sergeant Foldesh said he did not get pressured personally, but the information was "filtered through." Sergeant Foldesh added that under the previous administration, there was a consequence if you "were not part of the team." Sergeant Foldesh said Chief Buhrow was a direct hire, and came to DES under high recommendations of DES Protective Services Unit Supervisor Charles Loftus (terminated), and had close connections with the DES supervisor Jay Arselano (terminated).

Sergeant Foldesh was asked if he was provided with definitive answers of why Chief Buhrow was released by the AG office. Sergeant Foldesh said he did not get details of information within the background packet. Sergeant Foldesh reiterated his responsibility was to ensure all of the required documentation was within the packet, and the investigator did not identify any moral or ethical concerns which would prevent Sergeant Foldesh from signing the packet.

Sergeant Foldesh was asked what issues, within Chief Buhrow's background packet, made him reluctant to sign the packet. Sergeant Foldesh responded, "Three terminations." Sergeant Foldesh added he was concerned because Chief Buhrow was going to be in an administrative role. Sergeant Foldesh said the reasons for the terminations, to include issues at the Arizona Law

Enforcement Training Academy (ALEA), and her involvement with revealing records while at the AG office.

Sergeant Foldesh was referred back to the Affirmation document which was signed by Chief Buhrow on July 6, 2016, and by Sergeant Foldesh on August 19, 2016. Sergeant Foldesh was asked, what time Chief Buhrow asked if she could have her background packet returned to her. Sergeant Foldesh said it was sometime between the two dates. Sergeant Foldesh added that Chief Buhrow came to his office and asked to see the background packet, as it related to her training materials.

Sergeant Foldesh was asked his response to Chief Buhrow's request. Sergeant Foldesh said, "It was the weirdest thing." Sergeant Foldesh added, as the POST liaison, once you receive something, regardless of its contents, an officer cannot ask to have it back. According to Sergeant Foldesh, Chief Buhrow told him her request was regarding a training course she attended. According to Chief Buhrow, she left the training and did not acquire her training certificate. Sergeant Foldesh said Chief Buhrow told him she obtained a training certificate from another officer who attended the class. Sergeant Foldesh was unsure, but thought the officer was DES employee Mark Roberts. Chief Buhrow told him she "whited out" Mr. Roberts' name, and put her name on the certificate. Sergeant Foldesh said after Chief Buhrow realized she was not going get the packet, she acted "a little uncomfortable." According to Sergeant Foldesh, Chief Buhrow left his office for "two or three seconds," returned and stated, "Don't believe everything you read. There are two sides to every story." Sergeant Foldesh asked Chief Buhrow what she was referring to. Chief Buhrow made reference to the incident while she was employed by the AG. Sergeant Foldesh told Chief Buhrow it was "time for her to go."

Sergeant Foldesh was asked if Chief Buhrow's actions led him to believe there may be something falsified in her background packet. Sergeant Foldesh said, "Yes." Sergeant Foldesh added Chief Buhrow may have attended the class, but questioned why she would have needed to take a certificate from another officer, white out the information, and add her name to the document.

Sergeant Foldesh was asked if he examined the documents within the background packet. Sergeant Foldesh said, "No," and added the packet was relinquished to Mr. Barraza, who forwarded the packet to Mr. Arselano.

Sergeant Foldesh was asked if he discussed any of the materials in the background packet with Mr. Wunderlee. Sergeant Foldesh said they only discussed documents in the front of the packet, which he did with every candidate. Sergeant Foldesh said he and Mr. Barraza discussed the problems with the SPD and the AG.

Sergeant Foldesh said although he was in Internal Affairs, he “better get some direction” because of Chief Buhrow being a close associate with the inspector general. Sergeant Foldesh did not want to give the impression he was “targeting” Chief Buhrow for any reason.

Sergeant Foldesh was asked if he was involved with several background packets of employees. Sergeant Foldesh said, “Yes.” Sergeant Foldesh said during his time with the DES, and Internal Affairs, he coordinated the packets with POST and had reviewed several training certificates.

Sergeant Foldesh was provided with the Arizona Peace Officer Standards and Training Board, Program Compliance Confirmation, dated August 12, 2011. The confirmation was for the FAA Flying While Armed course, signed by Chief Buhrow. Sergeant Foldesh noted the difference in handwriting with Chief Buhrow’s name, and the agency line, which said Arizona Attorney General Office. Sergeant Foldesh then noticed the makeover of the line below Chief Buhrow’s name. Sergeant Foldesh said that was the first time he saw the document, which was consistent with what Chief Buhrow explained to him while trying to get her background packet.

Sergeant Foldesh was asked, based on his experience with background packets, if he would have approved Chief Buhrow’s background packet. Sergeant Foldesh said Chief Buhrow would have definitely been subject to more questioning.

Sergeant Foldesh changed topic and told investigators he had to be direct with Chief Buhrow, and her displaying herself as a peace officer until the background was approved by POST and the DES. Sergeant Foldesh said Chief Buhrow attended meetings and events wearing a gun and badge. According to Sergeant Foldesh, her actions could pose a problem for him, as the POST liaison. Sergeant Foldesh said the first time he told Chief Buhrow, she apologized and said she would not make the mistake again. Sergeant Foldesh said Chief Buhrow presented herself as a peace officer twice more, and was told by Sergeant Foldesh each time to not wear her badge and gun until the background was complete. According to Sergeant Foldesh, after he told Chief Buhrow the second time, she told him Mr. Loftus allowed her to wear the badge and gun. Sergeant Foldesh corrected Chief Buhrow, and told her Mr. Loftus was not the POST liaison, or her supervisor. Sergeant Foldesh said after the third time, he was very direct with Chief Buhrow. When Sergeant Foldesh was talking with Chief Buhrow, Mr. Loftus walked by his office. Sergeant Foldesh said Chief Buhrow looked at Mr. Loftus and told him they were misunderstanding her ability to carry her firearm, and had to wait until the background packet was complete. Sergeant Foldesh told Chief Buhrow if she presented herself as a peace officer again, before the packet was completed, there would be consequences. Sergeant Foldesh did not think Chief Buhrow wore her firearm again, until the packet was complete.

Sergeant Foldesh was asked whose signature was required for final approval on Chief Buhrow’s background packet. Sergeant Foldesh said it was his, but wanted to make it clear that he made Mr. Barraza aware of the concerns within the packet. Sergeant Foldesh added that he felt

“immense pressure from above” to approve the packet.

Sergeant Foldesh was asked if he believed there would be ramifications if he did not sign off on the packet. Sergeant Foldesh said, “I better have some darn good excuses, or justification, on why I didn’t.”

Sergeant Foldesh was asked, in his opinion, if Chief Buhrow had sufficient experience to occupy her position with the DES. Sergeant Foldesh said, “No.” Sergeant Foldesh added that he has been with the DES for 16 years. The position Chief Buhrow was assigned, required a fair amount of experience related to entitlement fraud. Sergeant Foldesh said the position was responsible for trafficking, financial exploitation of the elderly, childcare administration, and close coordination with the public assistance benefits fraud unit, more commonly known as welfare fraud. Sergeant Foldesh made mention of the search warrants executed on September 20, 2016 (Mayra Ramirez, PSU complaint #2016-337). Sergeant Foldesh said participants of the search warrant brought concerns about Chief Buhrow, to his attention. Sergeant Foldesh said her unit asked him about different profiles, and putting the case together, rather than asking Chief Buhrow.

Sergeant Foldesh was asked if any of the concerns brought to his attention, regarding the search warrant, involved safety concerns. Sergeant Foldesh said, “Yes,” and added that he was made aware of Chief Buhrow leaving the scene to get lunch. Sergeant Foldesh said Chief Buhrow, as the commanding, and armed officer, should have stayed on scene. Sergeant Foldesh said during search warrants, there was always a commanding officer on scene to fulfill tasks, or answer questions. Sergeant Foldesh reiterated that Chief Buhrow was in the tight circle of Mr. Arselano, and if you were not part of the team, you would be terminated.

That concluded the interview.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

- A. You are (*check appropriate box*)
 - the subject of
 - a witness in an administrative investigation into ADES work-related matters that will be discussed shortly.
- B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.
- C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.
- D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (<i>Print</i>)		
Bill Foldish <i>FOLDISH</i>		
EMPLOYEE'S SIGNATURE	DATE	TIME
<i>Bill Foldish</i>	12/28/2016	1405
INVESTIGATOR'S NAME (<i>Print</i>)		
Sgt. Jeff Sharp		
INVESTIGATOR'S SIGNATURE	DATE	TIME
<i>J. Sharp</i>	12/28/2016	1405
LOCATION OF INTERVIEW		
-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona		

On Thursday, January 19, 2017, at approximately 1450 hours, Arizona Department of Economic Security (DES) Detective Sergeant Mark Roberts, #693, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Sergeant Roberts reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-336. Sergeant Roberts advised he understood, and signed the document.

Sergeant Roberts had been employed with the DES for approximately eight months, and was assigned to the Protective Services Administration. Sergeant Robert's supervisor was Carlos Contreras, since November 23, 2016. Prior to November 23, 2016, Sergeant Roberts' supervisor was Charles Loftus, who was no longer employed by the DES.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Sergeant Roberts:

Sergeant Roberts was asked who he was employed with prior to the DES. Sergeant Roberts said he worked with the Arizona Attorney General's Office (AG) for eight years, as a special agent with the healthcare fraud unit. Prior to his employment with the AG, Sergeant Roberts worked for the Arizona State University Campus Police Department for 27 years, and retired as a commander.

Sergeant Roberts was asked if he knew Lauren Buhrow, #694, while he was employed with the AG. Sergeant Roberts said, "Yes."

Sergeant Roberts was asked if he attended the "FAA Flying While Armed" course. Sergeant Roberts said, "Yes." Sergeant Roberts could not recall when he took the course, but estimated approximately five or six years ago. Sergeant Roberts said the Maricopa County Sheriff's Office (MCSO) discontinued transporting out-of-state prisoner transports, therefore, the AG unit created a unit to assume the responsibility.

Sergeant Roberts was asked if he attended the course with any other AG employees. Sergeant Roberts said, "I don't recall. If it was with others, it would have been a small number of people." Sergeant Roberts said the training took place at the AG.

Sergeant Roberts was asked if Chief Buhrow was in the class. Sergeant Roberts said he did not remember if she was, or not. Sergeant Roberts added, Chief Buhrow was on the same extradition team he was assigned, in addition to another ten people.

Sergeant Roberts was asked if Chief Buhrow ever asked for his "FAA Flying While Armed" certificate. Sergeant Roberts said, "No. I don't." Sergeant Roberts said he never gave Chief Buhrow any of his training certificates, and did not know why he would.

Sergeant Roberts was provided with Chief Buhrow's "FAA Flying While Armed" certificate and asked if the writing was his. Sergeant Roberts said, "No. That is not my writing."

Sergeant Roberts was advised that during the investigation, PSU was informed Chief Buhrow may have obtained her training certificate from Sergeant Roberts. Sergeant Roberts said he usually wrote "AGO," rather than writing out "Arizona Attorney General" on his training certificates.

Sergeant Roberts was asked if he remembered Kathleen Kempley, and if so, where her office was located. Sergeant Roberts did remember Ms. Kempley, and said her office was on the second floor of the AG.

Sergeant Roberts was asked if Ms. Kempley's office was ever at the Arizona Counter Terrorism Information Center (ACTIC) building. Sergeant Roberts said Ms. Kempley's office was there "for a time" because she was involved with computer forensics. Sergeant Roberts said Ms. Kempley maintained an office at both locations.

Sergeant Roberts was asked if Ms. Kempley provided his training for the "FAA Flying While Armed" course. Sergeant Roberts said he thought so, but would have to locate his certificate to verify.

Sergeant Roberts was asked if he had contact with Chief Buhrow since she was put on administrative leave. Sergeant Roberts said, "I have not."

Following his interview, Sergeant Roberts sent an email to the PSU to clarify details of when he took the "FAA Flying While Armed" course. Sergeant Roberts said he attended the course with the MCSO, rather than the AG. Sergeant Roberts also provided a copy of his training certificate.

That concluded the interview.



MARICOPA COUNTY SHERIFF'S OFFICE

SHERIFF JOE ARPAIO
 TRAINING DIVISION
 PROGRAM APPROVAL FORM
 OFFICE-SPONSORED TRAINING



Az POST administrative rules and Office Policy require law enforcement agencies to maintain training records for any and all employees. This form must be signed below by a certified instructor/facilitator and qualifies as official documentation of the student's attendance at the training. The agency providing the aforementioned training **MUST** ensure that each student is provided with a copy of this program approval. It shall be the student's responsibility to complete this form, retain the original for their records and deliver a completed copy to his/her agency for inclusion in their respective training file.

Agency Approval Number: 80908043 Date(s) of Training: 6/9/09

Program Title: Law Enforcement Officers Flying Armed

Agency Conducting Training: Maricopa County Sheriff's Office

Location of Training:

ATTESTMENT: This program meets the requirements of Arizona Administrative Code R13-4-111 for the specified hours of credit.

Proficiency Hours _____ Continuing Hours 2 Equivalency Qualifying _____

VERIFICATION OF ATTENDANCE

Attendee's Name (Type/Print): Mark A. Roberts #369 Agency: AZAG

Civilian Serial #: _____ Deputy Serial #: _____ Detention Serial #: _____

Posse Serial #: _____ Reserve Serial #: _____ Other Agency #: _____

Instructor Name (Type or Print): Mike Newman Serial #: #927 Agency: MCSO

Facilitator Name (Type/Print): Deb Schoeninger Serial #: #987 Agency: MCSO

Instructor/Facilitator Signature: [Signature] # 927 Location Where Lesson Plan is Maintained: MCSO


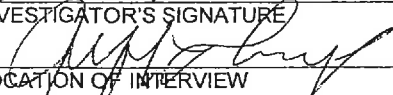
For Az POST continuing or proficiency training credit, this form must be signed by an Az POST certified instructor. For all other training to be credited and recorded by the Office, this form must be signed by an instructor recognized by the Maricopa County Sheriff's Office.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

- A. You are (*check appropriate box*)
 - the subject of
 - a witness in an administrative investigation into ADES work-related matters that will be discussed shortly.
- B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.
- C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.
- D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (<i>Print</i>) <i>Mark A. Roberts</i>		
EMPLOYEE'S SIGNATURE 	DATE/ <i>1/19/2017</i>	TIME <i>1450</i>
INVESTIGATOR'S NAME (<i>Print</i>) Sgt. Jeff Sharp		
INVESTIGATOR'S SIGNATURE 	DATE <i>1-19-17</i>	TIME <i>1450</i>
LOCATION OF INTERVIEW -2102 West Encanto Boulevard Suite 270 Phoenix, Arizona		

ARIZONA DEPARTMENT OF PUBLIC SAFETY
INTEROFFICE MEMORANDUM



FRANK L. MILSTEAD
DIRECTOR

DATE: February 7, 2017
TO: Colonel Frank L. Milstead, #12710, Director
FROM: Sergeant Jeff Sharp, #4686, Professional Standards Unit
SUBJECT: INVESTIGATIVE NARRATIVE – PROFESSIONAL STANDARDS COMPLAINT #2017-336

On Wednesday, December 2, 2016, the Department of Public Safety (DPS) became aware of possible misconduct on the part of Arizona Department of Economic Security (DES) Chief Lauren Buhrow, #694. A Professional Standards case number was drawn alleging *dishonesty*.

On Friday, December 16, 2016, the investigation was assigned to Sergeant Jeff Sharp, #4686, of the Professional Standards Unit (PSU) for completion.

Summary

On Wednesday, July 6, 2016, Chief Buhrow submitted documentation as part of a background packet for employment with the DES. The documentation included an Affirmation, which explained the importance of all information within the packet being truthful, under penalty of Arizona Revised Statute §13-2702.¹

Once the background packet was submitted and under review, Chief Buhrow approached the DES Internal Affairs, and Arizona Peace Officer Standards and Training (POST) liaison, Sergeant Bill Foldesh, #554, and asked that the background packet be returned to her. When Sergeant Foldesh asked Chief Buhrow why she was requesting the packet, she mentioned a training document that was obtained from another officer, and changed to show Chief Buhrow attending a training course. Sergeant Foldesh declined Chief Buhrow's request, and maintained possession of the packet.

PSU investigators examined the documents within Chief Buhrow's background packet. During examination of an Arizona Peace Officer Standards and Training Board certificate, titled "FAA Flying While Armed," investigators immediately recognized three sections on the certificate which appeared to be altered.²

¹ Addendum 1 – Affirmation document signed by Chief Buhrow

² Addendum 2 – Arizona Peace Officer Standards and Training Board training confirmation certificate

Background

Chief Buhrow had been employed with the DES for approximately seven months, and was assigned to the Office of the Inspector General, Special Operations Unit. Chief Buhrow's supervisor was Juan Arcellana, who was recently terminated from the DES.

Investigation

On Thursday, December 15, 2016, PSU Sergeants Sharp and Matt Murray, #4608, met with DPS Inspector I, Dennis Young, #1169. Inspector Young was serving as the interim Inspector General for the DES, following an investigation which resulted in the termination of several high level employees. According to Inspector Young, prior to assuming his position, he was made aware of possible misconduct by Chief Buhrow, from the DPS Deputy Director Heston Silbert, #10000. Inspector Young relayed that Chief Buhrow's background packet, submitted to the DES for her employment, may contain a falsified document. During Inspector Young's meeting with the PSU, he provided investigators with the background packet. Inspector Young said Sergeant Foldesh told him Chief Buhrow made attempts to remove a training document from the packet, which may have been copied from another law enforcement officer, and altered to show her information. At the time of the meeting with PSU, Inspector Young had not looked through the packet, and did not know which document was in question.

Following the meeting with Inspector Young, Sergeants Sharp and Murray examined training documents within the packet. Upon examination of the Arizona Peace Officer Standards and Training Board, Program Compliance Confirmation titled "FAA Flying While Armed (addendum 2)," Sergeants Sharp and Murray immediately noticed three discrepancies on the document. The first was the section titled "Date(s) of Training." A majority of the prefilled information on the document was typed; however, the actual date in the section, "08.12.2011," was hand-written. The second and third discrepancies were within the section titled "Verification of Attendance." The line between Chief Buhrow's name, and the title "Name of Peace Officer," appeared redone, evident by the curved, and thicker line, which was not uniform with the rest of the document. The print for the agency, "Arizona Attorney General Office," appeared different than printing in other sections of the document.

Case note: According to Federal Statute 49 CFR 1544.219 (a) (1) (iv), unless otherwise authorized by the TSA, the armed law enforcement officer must meet the following requirements: Has completed the training program "Law Enforcement Officers Flying Armed."

The investigation revealed on August 12, 2011, Chief Buhrow, who was employed with the Arizona Attorney General's Office (AG), made three requests to obtain permission from the Federal Air Marshall Service to fly armed, as a law enforcement officer. According to documentation provided by the Federal Air Marshall Service, Law Enforcement Liaison Michael Vogt, the first request was submitted on August 12, 2011, at 1528 hours. That request was denied. According to Mr. Vogt, the records system used by his agency did not provide an explanation of why the request was denied. After the first request was denied, two additional

requests were submitted on August 12, 2011, at 1642 and 1644 hours, and were accepted.³ Mr. Vogt also provided the PSU with the accepted National Law Enforcement Telecommunications System (NLETS) inquiries, which included flight information for Chief Buhrow. The inquiries verified Chief Buhrow flew from Phoenix, Arizona, to Albuquerque, New Mexico, on August 15, 2011, and returned to Phoenix, Arizona the same day.⁴ The NLETS inquiry contained a section titled "Raw Reply Message." Within that section, the requestor confirmed the "FAA Flying While Armed" training was completed, by answering "Yes."

Case note: The information provided by Mr. Vogt confirmed the requests for Chief Buhrow to fly armed were submitted on August 12, 2011, the same date written on the training certificate for "FAA Flying While Armed."

Case note: Investigators contacted Assistant Federal Security Director Craig Hamil with the TSA to obtain the roster Chief Buhrow would have been required to sign, prior to boarding the airplane. Director Hamil advised the rosters for 2011 were outside of their retention period and have been purged.

Sergeant Foldesh was asked to explain his involvement with the background and hiring process of Chief Buhrow. Sergeant Foldesh said in addition to Internal Affairs, he was the Peace Officer Standards and Training (POST) liaison for the DES. As the POST liaison, Sergeant Foldesh coordinated background checks for new hires. Sergeant Foldesh said Chief Buhrow's background packet was his introduction to her.

Sergeant Foldesh was shown a copy of the Affirmation document for Chief Buhrow. Sergeant Foldesh confirmed his signature on the document, which he signed on behalf of DES employee Bryce Barraza. The Affirmation document required a signature from the subject of the background, in this case Chief Buhrow, affirming that all statements and disclosures provided in the background are truthful, by penalty of Arizona Revised Statute §13-2702.

Sergeant Foldesh asked if he could provide investigators with additional information about Chief Buhrow's background packet. Sergeant Foldesh said he waited a long time for the background packet to return, "for a variety of reasons." Sergeant Foldesh said he was awaiting response from the AG, who appeared reluctant to provide specific information about Chief Buhrow's employment with them. Sergeant Foldesh added he also had to wait for information from the Scottsdale Police Department (SPD), a previous employer of Chief Buhrow. Sergeant Foldesh said he had timelines on when information had to be returned to POST, which he thought was 90 days, and that deadline was approaching. Sergeant Foldesh said the background had to be signed, which he did on behalf of Mr. Barraza. According to Sergeant Foldesh, he was getting pressure "from the very top" to get the background processed. Sergeant Foldesh said his responsibility was to ensure all documentation was within the packet. Sergeant Foldesh said he called POST and asked their recommendation on hiring Chief Buhrow. Sergeant Foldesh said POST responded, "It's up to you guys." Sergeant Foldesh found their response "awkward."

³ Addendum 3 – Document verifying three NLETS requests for Chief Buhrow to fly armed, provided by Mr. Vogt

⁴ Addendum 4 – NLETS returns verifying flight information for Chief Buhrow

When asked if POST provided an explanation of their response, Sergeant Foldesh said, "I did not dive into it." Sergeant Foldesh added this situation was an "awkward" position for him. Sergeant Foldesh said he read enough of Chief Buhrow's background information to know what happened with the SPD and the AG. According to Sergeant Foldesh, Chief Buhrow's background packet was different from any other he had been involved with, which made him reluctant to approve the packet.

Sergeant Foldesh was asked whose signature was required for final approval on Chief Buhrow's background packet. Sergeant Foldesh said it was his, but wanted to make it clear that he made Mr. Barraza aware of the concerns within the packet. Sergeant Foldesh added that he felt "immense pressure from above" to approve the packet.

Sergeant Foldesh was asked what issues, within Chief Buhrow's background packet, made him reluctant to sign the packet. Sergeant Foldesh responded, "Three terminations." Sergeant Foldesh added he was concerned because Chief Buhrow was going to be in an administrative role. Sergeant Foldesh said the reasons for the terminations, to include issues at the Arizona Law Enforcement Training Academy (ALEA), and her involvement with revealing records while at the AG office.

Case note: Chief Buhrow was employed by the SPD from October of 2001, through October of 2002. While attending the Arizona Law Enforcement Academy (ALEA), Chief Buhrow was dismissed from ALEA and recycled to another class, because of an alcohol related incident. After graduating ALEA, Chief Buhrow was terminated for "unprofessional conduct" and "excessive force." Chief Buhrow was employed by the AG from January of 2011, through February of 2016. Chief Buhrow was "released" by the AG, but during her background interviews, said a "confidentiality agreement" prevented her from providing information.

Sergeant Foldesh said sometime between Wednesday, July 6, 2016, when Chief Buhrow submitted the packet, and Friday, August 19, 2016, when the packet was completed, Chief Buhrow asked if she could have her background packet returned to her. Sergeant Foldesh added that Chief Buhrow came to his office and asked to see the background packet, as it related to her training materials.

Sergeant Foldesh was asked about his response to Chief Buhrow's request. Sergeant Foldesh said, "It was the weirdest thing." Sergeant Foldesh added, as the POST liaison, once you receive something, regardless of its contents, an officer cannot ask to have it back. According to Sergeant Foldesh, Chief Buhrow told him her request was regarding a training course she attended. Sergeant Foldesh said Chief Buhrow told him she left the training and did not acquire her training certificate. Sergeant Foldesh said Chief Buhrow told him she obtained a training certificate from another officer who attended the class. Sergeant Foldesh was unsure, but thought the officer was DES employee Mark Roberts. Chief Buhrow told him she "whited out" the recipient's name, and put her name on the certificate. Sergeant Foldesh said after Chief Buhrow realized she was not going to get the packet, she acted "a little uncomfortable." According to Sergeant Foldesh, Chief Buhrow left his office for "two or three seconds," returned and stated,

“Don’t believe everything you read. There are two sides to every story.” Sergeant Foldesh asked Chief Buhrow what she was referring to. Chief Buhrow made reference to an incident while she was employed by the AG. Sergeant Foldesh told Chief Buhrow it was “time for her to go.”

Case note: On Monday, January 19, 2017, PSU conducted an interview with DES employee Mark Roberts, #693. The interview determined Mr. Roberts did not provide the training certificate to Chief Buhrow, as stated by Sergeant Foldesh.

Sergeant Foldesh was asked if Chief Buhrow’s actions led him to believe there may be something falsified in her background packet. Sergeant Foldesh said, “Yes.” Sergeant Foldesh added, Chief Buhrow may have attended the class, but questioned why she would have needed to take a certificate from another officer, white out the information, and add her name to the document.

Sergeant Foldesh was asked if he examined the documents within the background packet. Sergeant Foldesh said, “No,” and added the packet was relinquished to Mr. Barraza, who forwarded the packet to Mr. Arcellana.

Sergeant Foldesh was provided with the Arizona Peace Officer Standards and Training Board, Program Compliance Confirmation certificate, dated August 12, 2011, for the FAA Flying While Armed course, signed by Chief Buhrow. Sergeant Foldesh noted the difference in handwriting with Chief Buhrow’s name, and the agency line, which said Arizona Attorney General Office. Sergeant Foldesh then noticed the makeover of the line below Chief Buhrow’s name. Sergeant Foldesh said that was the first time he saw the document, which was consistent with Chief Buhrow’s explanation of why she wanted the background packet returned to her.

Prior to conducting the interview with Chief Buhrow, she asked to verify the interview was administrative, and not criminal. Investigators confirmed the interview was administrative.

Chief Buhrow was advised that according to Sergeant Foldesh, while her background packet was under review, she approached him and asked to have her background packet returned to her. Chief Buhrow said, “I don’t remember that at all.”

It was further explained to Chief Buhrow that according to Sergeant Foldesh, she approached him and asked to have the background packet returned because of a training document. Chief Buhrow said Sergeant Foldesh told her that during his review, he came across a training certificate with someone else’s name on it. Chief Buhrow said she submitted exactly what was given to her from the AG when she asked for a complete copy of her training record. Chief Buhrow said she “thumbed through it,” and “just plunked it” to the back of her packet, assuming the AG would provide her with the most current documents. According to Chief Buhrow, she told Sergeant Foldesh to remove the document from her background packet. Chief Buhrow said Sergeant Foldesh told her he “did not want to do that,” and that was the last she heard from Sergeant Foldesh.

Case note: Chief Buhrow's background packet did contain a training certificate for "Utilizing Social Media as an Investigative Tool." The certificate was issued to P.J. Janek, who was a former employee of the AG.

Chief Buhrow was asked to clarify that Sergeant Foldesh approached her about the training certificate. Chief Buhrow stated, "I believe so."

Chief Buhrow was asked if she ever approached Sergeant Foldesh to discuss a training certificate for a class she attended, but left early. Therefore, she obtained a certificate from another attendee and put her name on the certificate. Chief Buhrow said, "No, and I didn't ever leave a class early, that I recall, ever."

Chief Buhrow was asked if there were any other training documents, within her background packet, she had concerns about, or discussed with Sergeant Foldesh. Chief Buhrow said, "Not that I can recall. No."

Chief Buhrow was asked if she would recall a conversation with Sergeant Foldesh, regarding other training certificates, since she was employed with the DES since June 13, 2016. Chief Buhrow said, "I believe so, ya."

Chief Buhrow was asked if she recalled attending the "FAA Flying While Armed" class. Chief Buhrow said, "It was a one-on-one that I did with Kempley, um, um, Kathleen Kempley." Chief Buhrow said she took the class at the Arizona Counter Terrorism Information Center (ACTIC) building, where Ms. Kempley was assigned at the time.

Chief Buhrow was asked when she took the course, approximately. Chief Buhrow said it was during her time with the AG office, and would have preceded when she flew armed. Chief Buhrow said she would have to look through her certificates, if she received one. Chief Buhrow could not recall if she received a certificate following the training, or not.

Chief Buhrow was asked when she flew armed, in relation to when she took the class. Chief Buhrow said she took the class just prior to flying. Chief Buhrow added, the class to fly armed was prompted to allow her to fly armed for an anticipated flight. When asked if the class was a week prior, or a month prior, Chief Buhrow replied, "Somewhere in that range." When asked if it was a week, or a month, Chief Buhrow said it was a week or a month prior, and did not know.

Chief Buhrow was asked if she recalled what time the class was held. Chief Buhrow said she could not remember. When asked if it was morning, or afternoon, Chief Buhrow said, "I don't want to mistate, I don't remember." Chief Buhrow said it was unlikely the class was held in the morning, but she did not remember. Chief Buhrow said the ACTIC would probably have sign-in logs to show her at the facility.

Case note: Investigators contacted DPS Security to inquire on the guest roster for ACTIC during the time in question. The roster for August of 2011 has been purged, and is not available.

During the investigation, it was discovered Ms. Kempley retired from the AG in 2012. Investigators received limited cooperation from the AG, but did obtain an email from Ms. Kempley, forwarded to investigators from Georgia Davies, who is the current training coordinator for the AG.⁵ In the email, Ms. Kempley stated she had no recollection of giving the “Flying While Armed” course. Ms. Kempley advised if she did give the class, it would have been a one-on-one class. Ms. Kempley closed her email by stating “I honestly can’t even remember being able to give that class, but I know I went to training when we were doing our own extraditions.” When a copy of the email was presented to Chief Buhrow, she said Ms. Kempley was wrong, and reiterated she obtained the training from Ms. Kempley.

In regard to the subject of Chief Buhrow receiving the training from Ms. Kempley, investigators became suspicious that after Ms. Kempley provided the email, she may have contacted Chief Buhrow, and discussed details about the class. Although Chief Buhrow had a difficult time recalling other details of the class, she was quick to provide information about who taught the class, where the class was taught, and it being a “one-on-one” with Ms. Kempley.

Chief Buhrow was provided a copy of the training certificate for “FAA Flying While Armed (addendum2)” class, and asked if the certificate looked familiar. Chief Buhrow said, “No. That’s not. Usually they have you fill out your own, and that’s not my handwriting. And that looks like those are two different handwritings.”

Chief Buhrow was asked if she was saying she did not complete the certificate. Chief Buhrow replied, “That’s not my handwriting. In fact, it looks like somebody changed it.”

Chief Buhrow was again asked to confirm she wrote on the certificate. Chief Buhrow said, “This does not look like my handwriting.”

Investigators told Chief Buhrow she was being asked “one more time” if she did not write on the certificate. Chief Buhrow said, “I did not do this, if you are talking about the potential change of this page. No, I did not.”

Chief Buhrow was provided with another training certificate from her background packet, with her name on it, for “Accident Avoidance Training.”⁶ Chief Buhrow was asked to confirm her name on the “FAA Flying While Armed” certificate was not hers. Chief Buhrow said, “Uh huh. It looks close, but.” Investigators asked Chief Buhrow if it was, or not. Chief Buhrow said, “I did not write that.” Investigators pointed to the name specifically, and asked Chief Buhrow if she wrote the name. Chief Buhrow said, “I did not write this, on this certificate.” Chief Buhrow was again asked if she wrote her name on the certificate. Chief Buhrow said, “No. That is not me writing that.” Chief Buhrow then compared the two certificates and said the writing was not the same. Investigators asked Chief Buhrow if she was saying the writing on the two certificates was not the same. Chief Buhrow said, “I am saying that. I’m saying that I have studied

⁵ Addendum 5 – Email from Kathleen Kempley

⁶ Addendum 6 – Arizona Peace Officer Standards Training Board Program Compliance certificate for Accident Avoidance Training, signed by Chief Buhrow

handwriting and that is not the same.” Chief Buhrow started pointing out small discrepancies between different letters, within the two names on the documents. Chief Buhrow was asked if the name on the additional certificate was her handwriting. Chief Buhrow said, “It is hard to say because usually my L would be bigger.”

Chief Buhrow was again asked if the handwriting was hers, or not. Chief Buhrow said, “I think it’s questionable.” Chief Buhrow said she may have the actual training certificate, and she may be able to compare the writing on the copy, to that of the original. Chief Buhrow was reminded the certificates were obtained by her, from the AG, and submitted in her background packet. Chief Buhrow said if she could compare the two, she would be able to confirm it was her writing or not.

Chief Buhrow was then asked if anyone, other than her, completed the POST questionnaire in her background packet. Chief Buhrow said she completed the questionnaire, by herself. Chief Buhrow was provided with a copy of a page from the questionnaire, containing questions 157 through 162.⁷ Chief Buhrow was directed to handwriting on the questionnaire, where the name “Buhrow” was printed, and asked if it was her writing. Chief Buhrow said it was, but still denied the handwriting on the certificates as hers.

Chief Buhrow was told, according to Sergeant Foldesh, their conversation was in regards to a training certificate, and telling Sergeant Foldesh she left a course early, obtained another person’s certificate, “whited out” the name, and added her name. Chief Buhrow said, “He has changed the conversation. The conversation was about a certificate that was in my file that had P.J. Janek’s name on it, and had to do with a training put on in the basement of the Attorney General’s office. And, it had to do with internet investigations. This is a complete fabrication and distortion of our conversation, completely.”

Chief Buhrow was asked if she received the certificate from someone else, “whited out” their name, and put her name on the certificate. Chief Buhrow said, “Absolutely not.”

Chief Buhrow was advised that prior to the interview with Sergeant Foldesh, he did not review the document, and relayed the information about circumstances with the certificate. Chief Buhrow was also advised that Sergeant Foldesh’s statements were consistent with changes noticed on the certificate. Chief Buhrow said, “No, it’s not. I have never taken someone else’s name off of a certificate and put mine on it. I have never done that.” When asked how Sergeant Foldesh’s recollection of her comments, could have been so consistent with observations on the training form, Chief Buhrow said she had her theories, but did not know where Sergeant Foldesh would get the information.

Chief Buhrow was asked if she could think of anyone else who would put her name on the certificate. Chief Buhrow said, “Anyone with a beef, who would want my job. I have no idea.”

⁷ Addendum 7 – Arizona Peace Officer Standards and Training questionnaire containing questions 157 through 162

Chief Buhrow added, she would be interested in having a handwriting analysis completed, because the handwritings were different. Chief Buhrow was told there was no question about the handwriting, on the certificate, being two different handwritings.

Chief Buhrow was provided with the three NLETS inquiries, showing three requests for permission to fly armed (addendum 3). Investigators pointed out the date the inquiry was submitted to the FAMS, was August 12, 2011, the same day the certificate showed the training course was completed. Chief Buhrow was asked how someone else would know she needed the training certificate, the same day as the requests. Chief Buhrow said, "This may be a legitimate thing, but I did not have anything to do with it. In fact, I don't even know that I have it. I would have to look, but, Kathleen Kempley can probably clear that up." Chief Buhrow added, her supervisor at the time was Meg Henchey, who made arrangements with Ms. Kempley to give the course to Chief Buhrow.

Chief Buhrow was asked who would know she needed the training certificate on August 12, 2011, to fly to New Mexico on August 15, 2011, and would have put her information on the training certificate. Chief Buhrow said Ms. Kempley, Ms. Henchey, or anyone in the training department.

Chief Buhrow was provided a copy of her "Monthly Report" for August, 2011, which she completed while employed with the AG office.⁸ Chief Buhrow said, "These things aren't necessarily connected. I just listed all of the different things that I did. So, one isn't necessarily related to the other." Chief Buhrow said the monthly report was not required, but something she did to "help her just kind of remember what was going on at the time." Chief Buhrow was asked if employees were required to complete a monthly report. Chief Buhrow said they were required to do "some sort of report," but she believed she was the only person adding "that kind of information." Chief Buhrow did not document that she attended the course.

Throughout her interview, Chief Buhrow was adamant the name on the "FAA Flying While Armed" certificate was not her writing. When provided with the second certificate, Chief Buhrow said she could not confirm the writing on the second certificate was hers, because the first document was "doctored." Therefore, she could not confirm the second certificate was not "doctored," and would not admit the writing was hers. At one point, Chief Buhrow said she studied handwriting analysis, and started pointing out small discrepancies between the two signatures, trying to convince investigators the writing was not hers.

Following the interview with Chief Buhrow, investigators contacted Sergeant Foldesh and requested a second interview. Sergeant Foldesh was on leave to attend to a family illness, therefore, the interview was conducted over the telephone. Prior to conducting the interview, Sergeant Foldesh was asked if he recalled signing the DES Subject Interview Protocol. Sergeant Foldesh said, "Yes." Sergeant Foldesh was advised that his answers must be honest and truthful. Sergeant Foldesh said he understood.

⁸ Addendum 8 – August, 2011 monthly activity report for Chief Buhrow

Sergeant Foldesh was asked to explain the circumstances with Chief Buhrow approaching him and asking for her background packet to be returned. Sergeant Foldesh was consistent with his first interview, starting with Chief Buhrow approaching him, while in his office, and asking to have the packet returned to her. When Sergeant Foldesh asked why, Chief Buhrow said she submitted a training certificate from a class, which she left early from, and put her name on the certificate. Sergeant Foldesh said Chief Buhrow admitted she put “white out” on the document so she could write her name on it.

Sergeant Foldesh was asked if he recalled a conversation with Chief Buhrow about a certificate that had P.J. Janek’s name on it. Sergeant Foldesh said he recalled Mr. Janek’s name being mentioned for something, but clearly remembered the events and comments surrounding Chief Buhrow falsifying a training certificate. Sergeant Foldesh added, it appeared to him after Chief Buhrow provided an explanation of why she falsified the document, and was not getting the packet returned, Chief Buhrow realized she “may have messed up.”

Throughout the investigation, Chief Buhrow told investigators the writing on the “FAA Flying While Armed” certificate was not hers. Then Chief Buhrow said if the writing on the certificate was hers, it was transposed, by someone else, onto the document. Chief Buhrow even said the name may have been traced, onto the document, by someone else. When Chief Buhrow was provided with the training certificate for “Accident Avoidance Training,” she would not admit the writing was hers. Chief Buhrow said because the first certificate was “doctored,” she could not confirm the second was not “doctored.” Therefore, she would not admit the writing was hers. Chief Buhrow even compared the two, side by side, and said she studied handwriting analysis. Chief Buhrow pointed out small discrepancies between the two names in attempt to convince investigators the writing was not hers. Prior to asking Chief Buhrow about a third signature, investigators asked Chief Buhrow if all of the writing contained on her POST questionnaire, contained in the background packet, was completed by only her. Chief Buhrow said, “Yes.” She was directed to her handwriting for question #160, specifically the last name of “Buhrow.” Chief Buhrow admitted the writing was hers.

The investigation was unable to confirm Chief Buhrow attended the “FAA Flying While Armed” course.

On Thursday, January 19, 2017, investigators contacted Forensic Scientist Alan Kreitl, #4823, who conducted a forensic document examination on the three documents presented to Chief Buhrow. On Monday, January 23, 2017, Mr. Kreitl completed a DPS Scientific Examination Report which stated, “The questioned handwritten entry on item #1 (FAA Flying While Armed certificate) was written by the writer of items #2 (Accident Avoidance certificate) and #3 (POST questionnaire), Lauren Buhrow.”⁹

⁹ Addendum 9 – DPS Scientific Examination Report completed by Alan Kreitl, #4823

ADDENDA LIST

Professional Standards #2016-336

1. Affirmation document signed by Chief Buhrow
2. Arizona Peace Officer Standards and Training Board training confirmation certificate for "FAA Flying While Armed"
3. Document verifying three NLETS requests for Chief Buhrow to fly armed
4. NLETS returns verifying flight information for Chief Buhrow
5. Email from Kathleen Kempley
6. Arizona Peace Officer Standards and Training Board training confirmation for "Accident Avoidance Training," signed by Chief Buhrow
7. Arizona Peace Officer Standards and Training questionnaire containing questions 157 through 162
8. August, 2011 monthly activity report for Chief Buhrow
9. Arizona Department of Public Safety Scientific Examination Report completed by Alan Kreitl, #4823

AFFIRMATION

Under penalty of perjury as enforced under Arizona Revised Statutes 13-2702, I hereby state and declare the above answers and statements contained in each section of this 30 page questionnaire were furnished directly by me and are true.

I make this declaration fully aware the Department of Economic Security, Office of Inspector General Special Operations may choose to verify the validity of these statements and disclosures through a polygraph examination and a background investigation.

Further, if it is shown I have made a false or misleading statement or omission, I understand this would be grounds for my disqualification as a job applicant and termination of my employment now or in the future.

This form must be signed in the presence of the background investigator conducting your interview.

Applicant's Name (Printed): LAUREN BUHROW

Lauren J. Buhrow
Applicant's Signature

7-6-16
7-26-16
Date

Reviewed with Applicant:

Loren J. Wunderle

James Norwood or Loren Wunderle
Private Background Investigators
Arizona Investigations & Professional Consultants, PLLC

07/06/2016
Date

Received by Department of Economic Security Office of Inspector General Special Operations:

Belle Okelob for BRYLE BARRAZA
Department Background Investigator

08-19-16
Date



~~AZ POST~~
AZ POST LOG & BOOK
FILE



Arizona Peace Officer Standards and Training Board



PROGRAM COMPLIANCE CONFIRMATION Agency Sponsored Training

INSTRUCTIONS TO ATTENDEES: The agency sponsoring this training MUST ensure that each peace officer in attendance is provided with copy of this completed form. It shall be the officer's responsibility to deliver the completed form to their respective agency for inclusion in their training file. Do not send this form to AZ POST. Arizona administrative rules require law enforcement agencies to maintain training records for any and all peace officers they employ. When signed by an AZ POST instructor and/or facilitator, this form meets AZ POST requirements for such records.

AGENCY CONFIRMATION NUMBER: 09-06

DATE(S) OF TRAINING: 08.12.2011

COURSE/PROGRAM TITLE: FAA Flying While Armed

AGENCY SPONSORING TRAINING: AZ ATTORNEY GENERAL'S OFFICE

LOCATION OF TRAINING: MARICOPA COUNTY, AZ

ATTESTMENT: This program meets the requirements of Arizona Administrative Code R13-4-111 and, therefore, may be used to satisfy the certification retention requirements for the hours of training specified below.

PROFICIENCY _____ Hours CONTINUING 2.0 Hours

VERIFICATION OF ATTENDANCE

Lauren Buhrow Arizona Attorney General Office 381
Name of Peace Officer (type/print) Agency Badge/I.D. No.

CERTIFICATION:

The above-named peace officer has attended training as specified and successfully completed any required testing. All lesson plans and attendance rosters for this course are on file with, or available from, AZ POST.

KATHLEEN KEMPLEY on file
Name of Instructor/Facilitator (type/print) Social Security Number

AZ Attorney General
Agency

[Signature] AG's OFFICE
Instructor/Facilitator Signature Location where Lesson Plan is Maintained if not at AZ POST

08/12/2011 16:44:30	WXX89022	LAUREN BUHROW	NA	AZ ATTORNEY GENERAL'S OFFICE	Accepted
08/12/2011 16:42:49	TDG76922	LAUREN BUHROW	NA	AZ ATTORNEY GENERAL'S OFFICE	Accepted
08/12/2011 15:28:14	Denied	LAUREN BUHROW	NA	AZ ATTORNEY GENERAL'S OFFICE	Denied

Sensitive Security Information

Treat LEOFA reports the same as other documents with SSI. DO NOT post them where people without a Need to Know can access them.

Unique ID
[REDACTED]

Time Request Received

08/12/2011 16:42:49

Name

LAUREN BUHROW

Reply Status

Accepted

Agency Name

AZ ATTORNEY GENERAL'S OFFICE

Officer Type

STATE

Credentials Number

[REDACTED]

Officer Cell Phone

[REDACTED]

EIT ID

null

Raw NLETS Message Test

[REDACTED] LEOFA NAM/BUHROW,
LAUREN.AGY/AZ ATTORNEY GENERAL'S
OFFICE.BCN/BSO/381.OFC/STATE.NAO/HORNE, TOM, ATTORNEY
GENERAL.CRT/YES.CPN/6025687572.APN/6025424853.EIT/NA.EIN/NA.NOA/SOUTHWE
ST.FLN/1023.DOF/081511.DAP/PHX.CAP/NONE.FDA/ABQ

Raw Reply Message

AM.VAFAM0199.AZ007015A.*T06532CFE1.TXT Flying Armed LEO Request Approved.
Your unique LEOLANE Identifier is: [REDACTED] Name: LAUREN BUHROW Agency: AZ
ATTORNEY GENERAL'S OFFICE Badge/Credential: BSO/381 Name of Authorizing Official:
TOM, ATTORNEY GENERAL HORNE Completed Training: YES Cell Phone: 6025687572
Escorted Individual: NA Departing Airport: PHX Connecting Airport: NONE Final Destination
Airport: ABQ Airline: SOUTHWEST Flight Number: 1023 Flight Date: 081511 Print out this
reply and present it at the airport's LEO Lane.

Sensitive Security Information

Treat LEOFA reports the same as other documents with SSI. DO NOT post them where people without a Need to Know can access them.

Unique ID

[REDACTED]

Time Request Received

08/12/2011 16:44:30

Name

LAUREN BUHROW

Reply Status

Accepted

Agency Name

AZ ATTORNEY GENERAL'S OFFICE

Officer Type

STATE

Credentials Number

[REDACTED]

Officer Cell Phone

[REDACTED]

EIT ID

null

Raw NLETS Message Test

[REDACTED] AM.VAFAM0199.*T06538C56E.TXT LEOFA NAM/BUHROW,
LAUREN.AGY/AZ ATTORNEY GENERAL'S
OFFICE.BCN/BSO/381.OFC/STATE.NAO/HORNE, TOM, ATTORNEY
GENERAL.CRT/YES.CPN/6025687572.APN/6025424853.EIT/NA.EIN/NA.NOA/SOUTHWE
ST.FLN/2375.DOF/081511.DAP/ABQ.CAP/NONE.FDA/PHX

Raw Reply Message

AM.VAFAM0199.AZ007015A.*T06538C56E.TXT Flying Armed LEO Request Approved.
Your unique LEOLANE Identifier is: [REDACTED] Name: LAUREN BUHROW Agency: AZ
ATTORNEY GENERAL'S OFFICE Badge/Credential: BSO/381 Name of Authorizing Official:
TOM, ATTORNEY GENERAL HORNE Completed Training: YES Cell Phone: 6025687572
Escorted Individual: NA Departing Airport: ABQ Connecting Airport: NONE Final Destination
Airport: PHX Airline: SOUTHWEST Flight Number: 2375 Flight Date: 081511 Print out this
reply and present it at the airport's LEO Lane.

From: Shane, Kathleen [REDACTED]
Sent: Friday, December 30, 2016 8:46 AM
To: Eckert, Robert
Subject: Re: Please Review

So I have no recollection at all giving this training. But I don't see anything wrong with the form. Program numbers were good for two years. In the files that AZPOST audited (Joann had these), there would be a roster and a list of the class numbers (so you can make sure 09-06 was the FAA class). If I gave that class, it was a one off for her - I know I did not teach it to a group. I wish I could say for certain one way or the other, but I can't. I honestly can't even remember being able to give that class, but I know I went to training when we were doing our own extraditions. That may have allowed me to train but I have no idea.

Wish I could be more help.

k2



Arizona Peace Officer Standards and Training Board



PROGRAM COMPLIANCE CONFIRMATION Agency Sponsored Training

INSTRUCTIONS TO ATTENDEES: The agency sponsoring this training MUST ensure that each peace officer in attendance is provided with copy of this completed form. It shall be the officer's responsibility to deliver the completed form to their respective agency for inclusion in their training file. Do not send this form to AZ POST. Arizona administrative rules require law enforcement agencies to maintain training records for any and all peace officers they employ. When signed by an AZ POST instructor and/or facilitator, this form meets AZ POST requirements for such records.

AGENCY CONFIRMATION NUMBER: 10-01

DATE(S) OF TRAINING:
March 8, 2011

COURSE/PROGRAM TITLE:
ACCIDENT AVOIDANCE TRAINING

AGENCY SPONSORING TRAINING: AZ ATTORNEY GENERAL'S OFFICE

LOCATION OF TRAINING: MARICOPA COUNTY, AZ

ATTESTMENT: This program meets the requirements of Arizona Administrative Code R13-4-111 and, therefore, may be used to satisfy the certification retention requirements for the hours of training specified below.

PROFICIENCY 5.0 Hours CONTINUING _____ Hours

VERIFICATION OF ATTENDANCE

Lauren Buhrow *AGO* _____
Name of Peace Officer (type/print) Agency Badge/I.D. No.

CERTIFICATION:
The above-named peace officer has attended training as specified and successfully completed any required testing. All lesson plans and attendance rosters for this course are on file with, or available from, AZ POST.

RONALD GIBSON/HINCHAY/ALLEY on file AZ ATTORNEY GENERAL'S OFFICE
Name of Instructor/Facilitator (type/print) Social Security Number Agency

Ronald Gibson _____
Instructor/Facilitator Signature AG's OFFICE
Location where Lesson Plan is Maintained if not at AZ POST

- 157 Have your actions ever resulted in an injury to another person or animal? Yes No
- 158 Have you ever lied in court or neglected to present the complete truth in any case? Yes No
- 159 Are you now, or have you ever been a member, or associated with members, of any gang or subversive organization? Yes No
160. Have any of your relatives (including your spouse) or your spouse's relatives ever been convicted or imprisoned for a crime? Yes No

If yes, please list name and relation: [REDACTED] - ex-step-mother, uncertain of crime(s)
 Charge: [REDACTED] sister - DUI likely drug-related

DOMESTIC VIOLENCE

161. Have you ever been charged with or convicted of a misdemeanor crime of domestic violence? Yes No
- Are you aware this background investigation may include the interview of your past or current spouse or partner? Yes No

The term of "misdemeanor crime of violence" as defined under federal or state law involves the use of physical force committed by a current or former spouse, parent or guardian of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent or guardian, or by a person similarly situated to a spouse, parent or guardian of the victim.

FELONY CRIMINAL HISTORY STATEMENT

The next section of questions also asks about specific criminal offenses. Respond to each offense as it applies to you. For each criminal offense **MARK ALL ANSWERS THAT APPLY.** Be sure to mark at least one response for each offense. Even if you were in the military and were in violation of the offenses under the UCMJ, make sure you include these offenses. Also, include any offenses committed as a juvenile.

162. ARSON – Intentionally setting a fire to destroy something or cause damage.
- a. I have been accused of it.
 - b. I have committed it.
 - c. I have been arrested for it.
 - d. I have been tried in court for it.
 - e. I have been convicted (or pled guilty or no contest).
 - f. None of the above.

**MONTHLY ACTIVITY REPORT FOR AGENT L. BUHROW
SPECIAL INVESTIGATIONS SECTION
FOR AUGUST, 2011**

FILES	CASE NAME	DATE OPENED	ATTORNEY	CR/SJ/CFI NUMBERS	CASE TYPE (i.e. THEFT)	AGENCY ASSIST NAME	SEARCH OR SEIZURE WARRANT NO.	NO. OF VICTIMS & LOSS	SIGNIFICANT EVENTS THIS MONTH
3	Grace Martinez Lynn Roth	8/31/2009 3/30/2011	Lawson Cheval	65 SJ 144	ACJIS Violation Embezzlement			0/SD 1/\$160K+	Final report/prep. Almost completed. Evidence impounded
	Melissa A. Tatal	5/10/2011	Flynn		Embezzlement			1/\$200K+	1st Partial Forensic team response received, to review list of folders/contents for applicability to case Met with Andy Abraham and Casey Blais from Birch and Pappas case. Awaiting Barnes and Pappas case. Awaiting word from Carmen Chenal regarding US attorney's office's case.
	Barness/Pappas	5/22/2011	Cheval		Fraud Schemes			3+/\$11.6 mill+	File/older prep. for trial/SJ ONGOING meetings to discuss case progress Briefing, attempts to locate and interviews conducted, reports written
	PPD								
	FB								
	Cheetahs								

MONTHLY ACTIVITY UPDATE	MONTHLY TOTAL FOR AUGUST 2011
Conflicted Cases	
Computer Forensic Assists	
Financial Analysis Assists	
Subpoenas/Racketeering Demand/454/R-9	6
Civil Investigative Demands	1 (tobacco unit/OT)
Assurance of Discontinuance (Case Name)	
Consent Agreement (Case Name)	
Judgment (Case Name)	
Impound Orders	2
Value of Assets Seized	
Special Projects	
Knock & Talk	
Background/Criminal History - Investigation	
Public Records Request (Case Name)	
Special Detail(s)	1 (Martinez -re-prisoner audio request)
Meetings/Trainings	-4 hrs (Meballe, court sentencing attend)
Surveillance	6 meetings (1 briefing, 1 MFU) meetings, 1 SIS meeting.
Other (Specify)	1.25 hrs S/L, 3 Criminal history requests.

MONTHLY ACTIVITY UPDATE	MONTHLY TOTAL FOR AUGUST 2011
Conflicted Cases	
Computer Forensic Assists	
Financial Analysis Assists	
Subpoenas/Racketeering Demand/454/R-9	6
Civil Investigative Demands	1 (tobacco unit/OT)
Assurance of Discontinuance (Case Name)	
Consent Agreement (Case Name)	
Judgment (Case Name)	
Impound Orders	2
Value of Assets Seized	
Special Projects	
Knock & Talk	
Background/Criminal History - Investigation	
Public Records Request (Case Name)	
Special Detail(s)	1 (Martinez -re-prisoner audio request)
Meetings/Trainings	-4 hrs (Meballe, court sentencing attend)
Surveillance	6 meetings (1 briefing, 1 MFU) meetings, 1 SIS meeting.
Other (Specify)	1.25 hrs S/L, 3 Criminal history requests.



ARIZONA DEPARTMENT OF PUBLIC SAFETY

SCIENTIFIC EXAMINATION REPORT

DR NO. 2016-236

Page 1 of 1

AGENCY Arizona Department of Public Safety



AGENCY NO. 2016-236

OFFICER SHARP, #4686

DATE January 23, 2017

NAME(S)

EXAMINATION REQUESTED

Forensic Document Examination

ITEMS

1. Copy of an Arizona Peace Officer Standards and Training Board form dated 8/12/11 bearing a questioned handwritten name
2. Copy of an Arizona Peace Officer Standards and Training Board form dated 3/8/11 bearing a known handwritten entry of Lauren Buhrow (Name of Peace Officer)
3. Copy of a page of a questionnaire/application (section 160) bearing known writing of Lauren Buhrow

RESULTS / INTERPRETATIONS

Examination and comparison of questioned item #1 with known items #2 and #3 resulted in the following opinion:

- The questioned handwritten entry on item #1 was written by the writer of items #2 and #3, Lauren Buhrow.

A handwritten signature in black ink, appearing to read "Alan M. Kreitl".

ALAN M. KREITL, #4823, Forensic Scientist
Central Regional Crime Laboratory
2102 W. Encanto Blvd., Phoenix, AZ 85009
602-223-2375

Laboratory System Accredited by the ASCLD/LAB - International (ISO)

Any notes, photographs, charts, or graphs generated during the examination are retained in the laboratory.



Arizona Peace Officer Standards and Training Board



PROGRAM COMPLIANCE CONFIRMATION Agency Sponsored Training

INSTRUCTIONS TO ATTENDEES: The agency sponsoring this training MUST ensure that each peace officer in attendance is provided with copy of this completed form. It shall be the officer's responsibility to deliver the completed form to their respective agency for inclusion in their training file. Do not send this form to AZ POST. Arizona administrative rules require law enforcement agencies to maintain training records for any and all peace officers they employ. When signed by an AZ POST instructor and/or facilitator, this form meets AZ POST requirements for such records.

AGENCY CONFIRMATION NUMBER: 10-01 DATE(S) OF TRAINING: March 8, 2014

COURSE/PROGRAM TITLE: ACCIDENT AVOIDANCE TRAINING

AGENCY SPONSORING TRAINING: AZ ATTORNEY GENERAL'S OFFICE

LOCATION OF TRAINING: MARICOPA COUNTY, AZ

ATTESTMENT: This program meets the requirements of Arizona Administrative Code R13-4-111 and, therefore, may be used to satisfy the certification retention requirements for the hours of training specified below.

PROFICIENCY 5.0 Hours CONTINUING _____ Hours

VERIFICATION OF ATTENDANCE

Lauren Buhrow AGO _____
Name of Peace Officer (type/print) Agency Badge/I.D. No.

CERTIFICATION:
The above-named peace officer has attended training as specified and successfully completed any required testing. All lesson plans and attendance rosters for this course are on file with, or available from, AZ POST.

RONALD GIBSON/HINGHEY/ALLEY on file AZ ATTORNEY GENERAL'S OFFICE
Name of Instructor/Facilitator (type/print) Social Security Number Agency

Ronald Gibson AG's OFFICE
Instructor/Facilitator Signature Location where Lesson Plan is Maintained if not at AZ POST

- 157 Have your actions ever resulted in an injury to another person or animal? Yes No
- 158 Have you ever lied in court or neglected to present the complete truth in any case? Yes No
- 159 Are you now, or have you ever been a member, or associated with members, of any gang or subversive organization? Yes No
160. Have any of your relatives (including your spouse) or your spouse's relatives ever been convicted or imprisoned for a crime? Yes No
- If yes, please list name and relation: [REDACTED] - ex-step-mother, uncertain of crime(s) likely drug-related
- Charge: [REDACTED] sister - DUI

DOMESTIC VIOLENCE

161. Have you ever been charged with or convicted of a misdemeanor crime of domestic violence? Yes No

Are you aware this background investigation may include the interview of your past or current spouse or partner? Yes No

The term of "misdemeanor crime of violence" as defined under federal or state law involves the use of physical force committed by a current or former spouse, parent or guardian of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent or guardian, or by a person similarly situated to a spouse, parent or guardian of the victim.

FELONY CRIMINAL HISTORY STATEMENT

The next section of questions also asks about specific criminal offenses. Respond to each offense as it applies to you. For each criminal offense **MARK ALL ANSWERS THAT APPLY.** Be sure to mark at least one response for each offense. Even if you were in the military and were in violation of the offenses under the UCMJ, make sure you include these offenses. Also, include any offenses committed as a juvenile.

162. ARSON – Intentionally setting a fire to destroy something or cause damage.

- a. I have been accused of it.
- b. I have committed it.
- c. I have been arrested for it.
- d. I have been tried in court for it.
- e. I have been convicted (or pled guilty or no contest).
- f. None of the above.



INTERVIEW WITH DET. SGT. BILL FOLDESH

Q=Man

Q1=Sgt. Todd O'Brien

A=Sgt. Bill Foldesh

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Q: Okay today's date is December 28, 2016. Time is now 1425 hours. This interview concerns Professional Standards Case Number 2016-336 and is being conducted at the Professional Standards Unit Office, 2102 W. Encanto. Present for this interview PSU Sergeants Jeff Sharp and Todd O'Brien and a witness to the investigation, Mr. Bill Foldesh from DES. Mr. Foldesh, you've had the opportunity to review the subject interview protocol regarding internal investigation number 2016-336. Do you have any questions about the document at this time?

A: No, sir.

Q: You are aware this is an administrative and confidential investigation and is not to be discussed with anyone outside of this interview?

A: Yes, sir.

Q: You are aware the subject interview protocol compels you to give complete and truthful answers?

A: Yes, sir.

Q: Please state your full name, badge number, assignment and how long you've been with DES.

A: Bill Foldesh, Badge Number 554. Uh, current assignment since August of 214. God, the time has flown. Two fourteen. I've been with DES since October of 2000.

Q: And what is your current assignment, sir?

A: Internal Affairs detective sergeant.

Q: Who is your supervisor and how long have you worked for him?

46
47 A: (Bryce Baraza). Uh, he's been my sup- as, uh, supervisor since day one. So
48 that would be August of 214.
49
50 Q: The...
51
52 A: No. I should say 2 s- 215 - 215.
53
54 Q: Okay and have you been in IA since '15 or you've been in IA since '14?
55
56 A: IA since '15.
57
58 Q: Oh '15. Okay and, Mr. Foldesh, I've kind of explained to you the reason that
59 we're here. Um, it involves (Lauren Borough). And I guess where I wanna
60 start is by having you explain to me what involvement you had with her being
61 hired, um, with her background. So if you can, kind of explain that to me.
62
63 A: Sure. So, uh, one of the other responsibilities I have in Internal Affairs is as
64 the (POST) liaison. And as the (POST) liaison, I, uh, coordinate the
65 background checks for our new officers. And that's - that was my introduction
66 to, uh, (Lauren) was, uh, as, uh, she was a new officer from us - came from
67 the Attorney General's Office.
68
69 Q: Okay.
70
71 A: She did.
72
73 Q: Okay so were you her background investigator?
74
75 A: No. I coordinate the packet. The background investigator is (Lauren
76 Wonderly).
77
78 Q: Okay.
79
80 A: Uh, (DNL) Investigations I believe is their...
81
82 Q: That's a - that's a private firm?
83
84 A: Yes.
85
86 Q: Okay. And let me take you to one of the documents that you have signed
87 which is the affirmation for (Lauren Borough). And that's your signature on
88 there on behalf of (Bryce Baraza), is that correct?
89
90 A: That's correct.

91
92 Q: And just for the record, this affirmation, um, talks about under perjury under
93 state law that all the information in this background packet is truthful?
94
95 A: Mm-hm. Yes.
96
97 Q: Okay it was brought to my attention that at some point - and correct me if this
98 is wrong - (Lauren) approached you and asked if she could have this back to
99 remove a document?
100
101 A: Yes. Now, uh, but if...
102
103 Q: Go ahead.
104
105 A: Before we get to that...
106
107 Q: Mm-hm.
108
109 A: ...part, though, where I signed for (Bryce Baraza), this particular packet took a
110 long time for it to come back for a variety of reasons. Um, we were waiting
111 for response from the AG's office. Um, the best I could tell whether - was
112 there a reluctance from the AG's office to provide us, uh, any specific details
113 as to her employment with the AG, um, and not only the AG's office but the
114 other, uh, police departments that she had worked for.
115
116 Q: Scottsdale?
117
118 A: Scottsdale.
119
120 Q: Mm-hm.
121
122 A: And, uh, some, uh, uh, um, referral-type information. Um, so it just took a
123 long time. And we were getting close to the end for when this, um, the, um,
124 from when I submit what's called the (A1) to (POST). Uh, I believe it's 90
125 days. I may be wrong on that. But we were coming close to the end of that.
126 Um, at this time in August, uh, (Terry Azbil) was our (CLEO). But he was no
127 longer with us as I remember. There was, uh, I don't know who the (CLEO)
128 was to be honest with you at that point.
129
130 Q: Okay.
131
132 A: Um, but it needed to be signed off, otherwise, this thing was gonna eclipse
133 and then she'd have to go through it all over again. And there was a lot of
134 pressure put on me to just get this packet through. And that came from the
135 very top. Okay so nothing in writing but, uh, it was getting very near the end.

136 (Bryce), uh, I spoke to him...
137
138 Q: Mm-hm.
139
140 A: ...by phone. I says, "Look. I - I've got everything now. I have it. Um, I don't
141 review everything in here in detail. Just to make that under each section that
142 the documents that are there that are supposed to be." As the (POST) liaison,
143 it's none of my business to look at their financial stuff and things of that
144 nature. But I do look at the beginning section where it is, uh, announcements
145 or proclamations are made by the background investigator. That would be Mr.
146 (Wonderly). So I did review that to make sure there was nothing in there that
147 was outrageous. Spoke to (POST) is, "What's your recommendation on this?"
148 And basically, (POST) was saying, "It's up to you guys," which was awkward
149 for me.
150
151 Q: Will they normally keep you, uh...
152
153 A: They'll say - oh, yeah, they'll say, "Passed with flying colors. Like (Paul
154 Kwaylar) and (John Only) who we just completed...
155
156 Q: Mm-hm.
157
158 A: ...um, gave that kind of a - a thumbs-up, uh, recommendation. This one was
159 different.
160
161 Q: Did they give you any explanation of why they felt that way?
162
163 A: Mmm, I didn't dive into it.
164
165 Q: Okay.
166
167 A: Okay? Again, this was getting into an awkward position for me because I'm
168 not the (CLEO).
169
170 Q: Mm-hm.
171
172 A: Uh, I knew some from reading the material in the beginning of this what had
173 happened at Scottsdale and what had happened at the AG's office.
174
175 Q: Mm-hm.
176
177 A: And I knew that this could be - I mean, it was different than what I'd ever
178 seen on any other packet. So regardless, it was important for me. We're
179 getting near the end. "(Bryce), what do you want me to do?" "Well, if you
180 could, sign it for me."

181
182 Q: Okay.
183
184 A: And that's what you see here.
185
186 Q: Let me stop you there real quick. When you said that you were getting
187 pressure from the top, was that from Mr. (Loftus)? Or was that from Mr.
188 (Jeffries)?
189
190 A: No, that would...
191
192 Q: Or...
193
194 A: ...be from, uh, (Arselano) - J. (Arselano)...
195
196 Q: S- okay.
197
198 A: ...the - at that time the inspector general.
199
200 Q: Okay.
201
202 A: I didn't get it personally. It was just filtered through. Uh, you have to
203 understand that that administration that we worked under, there was no - there
204 was a - there was a consequence if you did something outside of - if you
205 weren't a part of the team.
206
207 Q: Yeah, that's kind of the conclusion we're comin' to.
208
209 A: Okay so this particular person was a direct hire - I knew it - came over under
210 recommendations - high recommendations from Mr. (Loftus)...
211
212 Q: Mm-hm.
213
214 A: ...and had close connections with Mr. (Arselano).
215
216 Q: Okay when you said there were - you were waiting on the AG's office...
217
218 A: Yeah.
219
220 Q: ...to provide you with information, eh, and I seen where a lot of that's
221 surrounded. Were you given any definite answers on to why she was let go?
222 The only thing I could see that there were questions with release of
223 confidential information. Um, did you find any more than that? Were you
224 given any more details?
225

- 226 A: No. And I didn't - again, I didn't get into the details of, uh, this packet. That's
227 - that is generally not mine. Now, I do, just like I said, look at the tabs, make
228 sure there's documents in there. Um, this one - because there was no (CLEO)
229 gonna be reviewing it, um, I looked at the front to see if there was any moral
230 or ethical, uh, obstacles that prevent me from even putting my name down
231 there for (Bryce Baraza) as a law enforcement officer. Mr. (Baraza) is not law
232 enforcement.
233
- 234 Q: Okay and I know you signed off on it. You said you had pressure to do that.
235 What concerns did you see in there that - I'm getting the impression you were
236 hesitant to do that but you were getting pressure from the top, is that correct?
237
- 238 A: Mm-hm.
239
- 240 Q: What issues did you see that...
241
- 242 A: Uh, three terminations.
243
- 244 Q: Okay.
245
- 246 A: That was, uh, to me, that's just, "Really?"
247
- 248 Q: Okay.
249
- 250 A: Uh, and this is a person that's gonna be in a - an administrative role. Um,
251 okay, uh...
252
- 253 Q: Right.
254
- 255 A: It was just very awkward.
256
- 257 Q: Okay.
258
- 259 A: And the reasons for the terminations, uh, the - the hap- Scottsdale is a - is a - a
260 - a, um, rookie...
261
- 262 Q: Mm-hm.
263
- 264 A: ...uh, doing something with the car or somethin'. There was...
265
- 266 Q: Okay.
267
- 268 A: ...a prisoner or something.
269
- 270 Q: Mm-hm.

271
272 A: Uh, she was on FTO. And that's something at the academy...
273
274 Q: Mm-hm.
275
276 A: ...and then that, uh, whatever happened over there at the AG's Office. There
277 was a whole, uh, group of people that were involved with something over
278 there at the AG's. And even today, I don't know what it was.
279
280 Q: Okay.
281
282 A: But I just know it had something to do with revealing records.
283
284 Q: Right. Okay and Ms. (Borough) com- completed this affirmation letter on July
285 6. Looks like you signed it on August 19.
286
287 A: Mm-hm.
288
289 Q: Do you remember approximately how long it was after that or even during
290 that time that (Lauren) came to you asking to have this packet back...
291
292 A: Well, this was - yeah, it was sometime...
293
294 Q: ...or (unintelligible) on this?
295
296 A: ...between this and, um, she knew that I had, uh, the, uh, records, I guess, for
297 her training.
298
299 Q: Mm-hm.
300
301 A: Uh, and she might have even known that somehow I had the whole packet.
302
303 Q: Okay.
304
305 A: Not - I - I forget what that sequence was. But she did come to my office one
306 day and asked to see the packet as it related to her training, uh, materials.
307
308 Q: Okay so she asked you directly?
309
310 A: Yes
311
312 Q: And what was your response to her?
313
314 A: Uh, well, that was, uh, the weirdest thing. I mean, it was - you guys
315 understand 'cause you've been peace officers for a long time. In the position

316 that I'm in as the (POST) liaison and the person that works with these packets,
317 um, once you receive something, regardless of what's in it, you - an officer
318 can't come to you and say, "Can I have that back?" And that's what she was
319 asking. I didn't know exactly what the training record was. But she did tell me
320 that it had to do with a training class that she attended, that she, uh, left the
321 training, forgot to pick up the ra- not the roster but the, uh...

322
323 Q1: The certification?

324
325 A: ...certification.

326
327 Q: Mm-hm.

328
329 A: And, uh, she used a certification from another AG officer that attended. I
330 believe it was (Mark Roberts) but I can't say for sure. And she whited that out
331 and put her name on.

332
333 Q: Okay you s...

334
335 A: I did not delve into the packet because that, to me, was, uh, even though I'm
336 in Internal Affairs, I better get some direction on this one because she's a
337 close associate with the IG. I know that. I didn't wanna give the impression
338 that I was targeting her for any reason. And so I did report that to (Bryce).

339
340 Q: Okay do you remember what (Bryce)'s response was to that or...

341
342 A: "I'll take care of it."

343
344 Q: Okay.

345
346 A: Now, there was another thing.

347
348 Q: Mm-hm.

349
350 A: After, eh, she queried me on it a little bit and she was acting a little
351 uncomfortable herself when she realized that, "No, you can't have that." Um,
352 she walked down the hall. Wasn't two or three seconds later, came back. She
353 said, "Don't believe everything you read."

354
355 Q: Okay.

356
357 A: What - she says, "There's..."

358
359 Q: Yeah.

360

- 361 A: ...two sides to every story.” “What are you talking about, (Lauren)?” And she
362 was referring to the situation at the AG. Uh, “I hope you give me an
363 opportunity to explain my side.” “(Lauren), that’s not my, uh, responsibility in
364 this.” And so at that point, I said - I said, “(Lauren), it’s time for you to go.” I
365 really wanted to say, “You - you’re - the more you’re standing here, the worse
366 it’s getting for you.”
367
- 368 Q: How long did that - how long was that conversation you had with her
369 approximately?
370
- 371 A: The second one or the total?
372
- 373 Q: Um, the - with the training record the first - yeah, total.
374
- 375 A: Total was, I would say, less than three minutes.
376
- 377 Q: Okay so when she said that to you, did that lead you to the assumption that
378 maybe there was something - I’ll say falsified in her background packet?
379
- 380 A: Yes.
381
- 382 Q: Okay.
383
- 384 A: She might have attended the class, okay? But that doesn’t, uh, how can you,
385 without going to the class - the actual class roster, whenever it was and
386 finding out whether or not she signed in, okay?
387
- 388 Q: Mm-hm.
389
- 390 A: Uh, we - we might have been to verify that. But that does not still give you the
391 right to take somebody else’s, white it out and put your name down there.
392
- 393 Q: Right.
394
- 395 A: Now that’s falsification of a document. And so if that existed in here, then,
396 yeah, there’s something in here that’s completely inappropriate. Couple that
397 with this other stuff that happened with the other two agencies. It’s like,
398 “Okay I want somebody else to really take this and take a look at it.”
399
- 400 Q: Mm-hm. Do you know if anybody examined those documents and brought
401 anything to your attention after examining those?
402
- 403 A: No, nobody did.
404
- 405 Q: Okay.

406
407 A: It went from me to (Bryce). And then from what I understand, (Bryce), uh,
408 gave it to the inspector general.
409
410 Q: Okay did you have any conversation with Mr. (Wonderly) about anything else
411 in the packet?
412
413 A: Uh, only the first part. Pardon me. And that was, um, uh, and - and I would do
414 that with every candidate. What - what did you see? Was there anything here
415 that's - that we need to be aware of?
416
417 Q: And you have that conversation...
418
419 A: His...
420
421 Q: ...with Mr. (Wonderly)?
422
423 A: Yeah, very brief. Uh, and it was just that part of it that, uh, well, that she had
424 these problems with these two agencies. Um, I queried her. I guess the
425 polygraph examiner queried her on it. But, um, what you see is what you get.
426
427 Q: Okay have you been involved in several of these backgrounds?
428
429 A: Mm-hm. Yes.
430
431 Q: So you've seen numerous training records, post-certification records and - and
432 things like that throughout your experience with these?
433
434 A: Yeah, since I've been with, uh, DES Internal Affairs, I've been the person that
435 coordinates the background packets.
436
437 Q: Okay let me show you - and for the record, this is a training confirmation for
438 (Lauren) dated August 12, 2011. I'm gonna have you take a look at that and
439 see if you notice anything that is odd or jumps out at you.
440
441 A: Well, this is, uh, where it says, "Agency - Arizona Attorney General's
442 Office," the handwriting is different from the name of the peace officer.
443
444 Q: Mm-hm.
445
446 A: Oh whoa. Uh, under (Lauren)'s name, the line is not straight.
447
448 Q: Okay.
449
450 A: This is the first time I've...

451
452 Q: So would that be consistent with her explanation to you of whitening something
453 out and then...
454
455 A: Yeah.
456
457 Q: ...putting her name on it?
458
459 A: It would be. And this is - really, I did not go over these things.
460
461 Q: Okay.
462
463 A: So this is the first time I've seen this.
464
465 Q: Okay.
466
467 A: It's only two hours. What the hell are you doing? Aye, yai, yai. Um, yeah, so,
468 I mean, right off the bat, I see that - that this - this handwriting identifying the
469 agency...
470
471 Q: Mm-hm.
472
473 A: ..is different than the person who printed their name, in this case (Lauren
474 Borough). And then I see under this - under (Lauren)'s name, looks like, uh,
475 uh, a squiggly line or something. It's not a straight line at all.
476
477 Q: Okay, thank you. And I know you said you were getting pressure from the top
478 to get this background packet through. Um, just let me ask you. With your
479 experience in these and your experience at DES, if this packet was your
480 responsibility, would (Lauren) have been accepted employment with DES?
481
482 A: She would a been subjected to, uh, much further - more questioning.
483 Absolutely. Um, let me say this that from the time that she was on, uh, or
484 came on with us, I had to remind her and be quite direct with her as it related
485 to her, uh, displaying herself as a peace officer. Until this, uh, comes back
486 from (POST) and they sign off on it and until the agency signs off on it, of
487 course you can't display yourself as a peace officer. Okay? It's pending.
488
489 Q: Mm-hm.
490
491 A: But she was routinely going to meetings, uh, different events where people
492 would get back with me and say, "Hey, (Lauren)'s running around with badge
493 and a gun." Um, that creates problems for me as the (POST) liaison because
494 now it gives the impression that I have given this person and I have seen your
495 records to indicate that you are, indeed, a peace officer. "Now, you're,

496 through other people, making me aware that you're doing this. And I've told
497 you before, don't do that." and she would, uh, the first time it happened, she
498 said, "Oh I'm sorry. I misunderstood."
499

500 Q: Mm-hm.

501

502 A: Okay? Happened three times. On the third...

503

504 Q: You - you told her specifically that...

505

506 A: Told her...

507

508 Q: ...she's not cleared to carry a badge and a gun yet.

509

510 A: That is correct.

511

512 Q: And that was because this was not complete. The background packet was...

513

514 A: The background packet is not complete. That goes for any officer.

515

516 Q: Okay.

517

518 A: All right first time it happened, "Don't do this," being, "Hey, you can't do it
519 for these reasons. Maybe you're not aware of it," blah, blah. "Oh I
520 misunderstood." I don't know what there is to misunderstand regarding this.

521

522 Q: Mm-hm.

523

524 A: Second time, "Well, (Charlie) said dah, dah, dah." I had to remind her,
525 "Unfortunately, Mr. (Loftus) is not the (POST) liaison. And he is not your
526 supervisor. And this comes back on me. Uh, do not do this. You - I don't
527 know how else to say it. If you get yourself into a situation where you have to
528 actually discharge the firearm, eh, regardless of whether it goes right or
529 wrong..."

530

531 Q: Mm-hm.

532

533 A: ...you are not a certified peace officer yet. Don't do that." Okay kind of I get
534 dragged into this thing.

535

536 Q: Mm-hm.

537

538 A: Well, darn it if she didn't do it again. And this time I was very direct with her.
539 And, uh, (Charlie Loftus) happened to be coming by my office. And (Lauren)
540 says, "Oh, (Charlie), we have a misunderstanding. It's - it's after the

541 background packet is signed.” And he goes, “Well, I understood it different.” I
542 go, eh, I wanna say, “What is this? Keystone cops? You can’t do this, guys.
543 Any questions you have on the (POST) stuff, on our firearms, please, has to
544 go through me.” But then I emphasize with (Lauren), “You’re not dragging
545 me and my family and my children into something that you feel you have to
546 do and that is to wear a gun and display yourself as a peace officer. If it
547 happens again, there’s gonna be consequences.” And from that point on, from
548 what I understand, she didn’t do it until this finally got signed off, uh...
549

550 Q: Okay.

551

552 A: But, I mean, it was just to me, we have this information at the beginning of the
553 packet, this lackadaisical approach to - not approach but, “Okay, yeah, I hear
554 you. I hear what you said. Don’t display myself.” And she would do it
555 anyhow. And then asking for her training file, uh, I just...
556

557 Q: So (unintelligible) this.

558

559 A: ...never had anything like this with a peace officer candidate in the past. I was
560 a training coordinator for Game & Fish. Um, and now, uh, you can call it
561 training coordinator and (POST) liaison with the DES. I never had anything
562 like this.
563

564 Q: Okay, eh, and this may beyond what you know with it. But it - it was my
565 understanding that, uh, Mr. (Martinez) and I believe Mr. (Azbil) and one other
566 required to sign off on this packet when it’s completed to approve her
567 employment, is that correct?
568

569 A: Uh, uh, I - I don’t believe (Terry) was on at this time.
570

571 Q: Okay, uh, Mr. (Martinez) - (Frank Martinez)?
572

573 A: No. (Frank) - (Frank) is not in that position. No.
574

575 Q: Okay.
576

577 A: (Frank) did work for her.
578

579 Q: Okay is there a final signature or signatures required to finalize this packet
580 and approve her employment?
581

582 A: That was - that would have been mine.
583

584 Q: Okay.
585

586 A: Okay so I was, in essence, the final signature on this thing. But, uh, let me be
587 clear that, uh, that it went to (Bryce) with, "This is what's going on. Uh, make
588 sure that, uh, uh, (Jay) review this." And he's not a peace officer either. But,
589 uh, uh, eh, in my position, I'm goin' who else above me is - has peace officer
590 status that is above me?
591

592 Q: Mm.

593

594 A: And unfortunately, at the time, everybody else is the same level as I am.
595

596 Q: Okay and did you eventually sign off on the packet to...
597

598 A: Yeah.
599

600 Q: ...approve her employment?
601

602 A: Mm-hm.
603

604 Q: And...
605

606 A: Oh, well, for her peace officer status.
607

608 Q: Okay and again, was that under pressure from above?
609

610 A: Oh, I...
611

612 Q: Or was that your...
613

614 A: ...felt immense pressure.
615

616 Q: Okay.
617

618 A: There was, um...
619

620 Q: If you didn't sign off on it, do you believe there would have been...
621

622 A: I better have some...
623

624 Q: ...ramifications?
625

626 A: ...darn good excuses or justification for why I didn't. "Are you stalling this?
627 Do you have some kind of," this is what I'm thinking. I didn't get it...
628

629 Q: Mm-hm.
630

- 631 A: ...directly. "But do - what? Do you have some vendetta against this person?
632 Uh, I understand you've kind of butted heads with her," uh, 'cause each time
633 that she would come in, uh, where I became aware of her carrying a firearm,
634 then I would report that to (Bryce).
635
- 636 Q: Mm-hm.
637
- 638 A: After one time as a peace officer candidate, that's generally about all you get,
639 okay?
640
- 641 Q: Yeah.
642
- 643 Q1: Right.
644
- 645 A: That's been my experience. You break the rules once, you're just a candidate,
646 okay? But each time, I would report that to (Bryce).
647
- 648 Q: Okay do you believe if you didn't sign off on this, there would have been
649 negative ramifications towards you?
650
- 651 A: Absolutely. If I allowed this thing to lapse, I - there better be some
652 justification that you have Foldesh.
653
- 654 Q: Okay.
655
- 656 A: And again, I - I don't feel that it's my responsibility in the background packets
657 to get into reading each and every page because I'm not the (CLEO).
658
- 659 Q: Mm-hm. Okay, Todd, you have anything?
660
- 661 Q1: Mm-mm.
662
- 663 A: She was getting her, uh, um, she was foll- uh, (Charlie Loftus) was her
664 mentor. That's the way it was set up...
665
- 666 Q: Mm-hm.
667
- 668 A: ...although they're not in the same chain a command. Um, so any time that sh-
669 there was a law enforcement question, the badge, displaying yourself as a - as
670 a peace officer, um, it was apparent in the end that she was going to Mr.
671 (Loftus) to get his opinion. And apparently, my credibility as, eh, as high...
672
- 673 Q1: Okay.
674
- 675 A: ...as his. Didn't measure up. Well, unfortunately, Mr. (Loftus) was giving

676 information to her that was incorrect in addition to other law enforcement
677 (POST) issues that he was giving that was incorrect. And I found this out
678 because (Lori Talorday) and now (Lori) - I forget where her name is now. She
679 just recently got married - would, uh, "Hey, who - who's the liaison over
680 there? Is it you or (Charlie)?" "Why? What's going on?" "Well, (Charlie) was
681 asking about this." And then I have to call (Charlie). "(Charlie), I'm the
682 liaison if you have a question so the (POST) knows just this one person to go
683 to." Uh, on the situations that I'm aware of, he was ask, eh, eh, a- actually
684 giving information back to his people and the protective services that was not
685 consistent with (POST) guidelines.
686

687 Q: Okay.

688
689 A: And I don't know why that was. It was like this - it was really just the silliest
690 stuff.

691
692 Q: Mm-hm. Did you ever bring any of this to the attention of (POST)?

693
694 A: Uh, only from, uh, speaking with (Lori) that (Lori), eh, "If you have any
695 questions with DES, please come to me on it."
696

697 Q: Okay.

698
699 A: She understood.

700
701 Q: Okay.

702
703 A: And every time that I had a situation like that, I brought it up with my
704 supervisor, (Bryce).

705
706 Q: Okay.

707
708 A: And each time, it was, "Okay we'll take care of it. Thank you."
709

710 Q: And, Mr. Foldesh, I - I sure you answered this. But in your opinion, did
711 (Lauren) have sufficient experience to fill this position?

712
713 A: No.

714
715 Q: Okay anything else?

716
717 Q1: Nope.

718
719 A: I've been with DES 15 years - 16 years. And the position that she was coming
720 into required a fair amount of, um, experience as it relates to entitlement

721 fraud. She's in the trafficking, uh, division.
722

723 Q: Mm-hm.
724

725 A: Uh, they call it special ops. I think it's about to be called something else. So
726 you have trafficking. You have, uh, financial exploitation of the elderly, um,
727 the, uh, childcare administration. Uh, and there's, uh, close coordination with
728 the, um, public assistance benefit fraud unit more commonly knows as -
729 known as food stamps, welfare fraud.
730

731 Q: Mm-hm.
732

733 A: Uh, she didn't have any of this. There was, uh, uh, uh, the way that she would
734 try to put together a taskforce, coordinating with USDA because that's who
735 you have to coordinate with on trafficking because they're the umbrella
736 agency for these things. There was a search warrant that they conducted - one
737 or two. Um, and I wasn't involved those. I think at the time I had an injury or
738 I would have been assigned. Found out later she did what? Really? What? But
739 they were - the unit would be coming to me because of my 15 years'
740 experience in entitlement fraud asking me about certain, uh, profiles and - and
741 how to put certain things together. Well, instead of going to the supervisor
742 who should just naturally know this stuff, uh, I would be that person. And so I
743 was kind of in the background and helping direct them on these different tasks
744 that they had and still do. And I - I'm glad to do it because any experience that
745 I have that would help us catch the bad guy, well, hey, let's go do it.
746

747 Q: Mm-hm.
748

749 A: But, um, there were, uh, administrative policies as it related to entitlement
750 fraud that I tried to help her understand and to help her move along. And I
751 gave her the documents to - to help her to go into these meetings. And she
752 took some of those documents, took my name off of them and presented it as
753 her own. But it came back to me as she didn't really know what she was
754 talking about because she didn't understand what those documents were. But I
755 think these documents came from you. And as it turns out, that's the way it
756 was.
757

758 Q: Hm.
759

760 A: It was, "Okay." I get it. Some people wanna take all the credit for themselves.
761

762 Q1: Right.
763

764 A: But gosh darn. Uh, "It took me 16 years to learn this stuff. You haven't even
765 been with us but a couple months. Uh, I'm glad to help ya. I want - if you

766 succeed, then we all succeed.”
767
768 Q1: Right.
769
770 Q: Mm-hm.
771
772 A: But to try to come in here and take all the credit for yourself..
773
774 Q: Do you remember, Mr. Foldesh, when you said people came to you with
775 concerns, eh, especially after the search warrants, were any of those concerns
776 safety-related?
777
778 A: Yeah. There was a time when on one of the warrants - and I forget which one
779 it was - she - I guess she - she left the scene - she was no longer the
780 commanding, uh, officer - uh, to go and get lunch for everybody or
781 something. She was gone for an extended period of time, um, that - I guess
782 leaving the scene without a DES officer on scene.
783
784 Q: When you say an au- an officer, an armed...
785
786 A: Right.
787
788 Q: ...law enforcement officer.
789
790 A: Right.
791
792 Q: Okay.
793
794 A: I guess there was an officer from another agency and I think maybe Phoenix.
795 They might have helped on the entry. I’m not sure what it was. But, um, “Hey,
796 as a commanding officer, have somebody else go get the lunch.”
797
798 Q: Mm-hm.
799
800 A: You know, “Run up to Jack in the Box, wherever you go.”
801
802 Q: Yeah.
803
804 Q1: Yeah.
805
806 A: “But you need to stay on scene. You need to take command. Uh, that - that’s
807 your job.”
808
809 Q: Okay.
810

811 A: And it was basic stuff. I don't know. You guys have been in law enforcement
812 a long time - been on, I'm sure, a host of search warrants. There is that person
813 on scene, uh, who is the commander, uh, or the person in charge that needs to
814 stay there to fulfill whatever questions, task that come about.
815

816 Q: Mm-hm.
817

818 A: Well, okay so it was just another, "Really? Okay whatever."
819

820 Q: Okay.
821

822 A: Some of those stories just got kind of over time, it was, "Really? Okay." But
823 she was, uh, definitely in the - the very tight circle for the former inspector
824 general who, uh, we had seen it. I had personally seen it - people that did not
825 or in his eyes were not a part of the team were terminated just, uh, for no
826 cause.
827

828 Q: Okay.
829

830 A: And so they - I've got a family. And, uh...
831

832 Q: And when you say the inspector general, 'cause I'm not familiar with the
833 ranks, is that Mr. (Loftus)?
834

835 A: No. (Jay Arselano).
836

837 Q: (Arselano). Okay.
838

839 A: Mr. (Loftus) was the, uh, supervisor for the, uh, Protective Services Unit.
840

841 Q: Okay.
842

843 A: Mr. (Arselano) is, uh, was Mr. (Loftus)'s supervisor.
844

845 Q: Okay.
846

847 A: (Lauren) and Mr. (Loftus) work together at the AG's Office. So we brought a
848 hose of AG people over...
849

850 Q: Right.
851

852 A: ...at about the same time Mr. (Loftus) came over.
853

854 Q: Okay.
855

856 A: She had applied for a job - competitive recruitment for a detective position
857 that, uh, I understood she, uh, uh, w- uh, I guess there were much better
858 candidates. Um, but it was shortly, I mean, right after that interview that, uh,
859 she was introduced to Mr. (Arselano). And instead of being hired for a
860 detective position, she was now, uh, hired as - I - I don't know if it was an
861 assistant chief, whatever position she came in as.
862

863 Q: So this background was originally for a detective position.
864

865 A: No. This was for her, uh, job as the, um, uh, whatever...
866

867 Q: The chief.
868

869 Q1: Chief or...
870

871 A: ...the special operations.
872

873 Q: Okay.
874

875 A: Yeah.
876

877 Q: Okay.
878

879 A: So this was not for, uh, detective.
880

881 Q: Is there another background that she...
882

883 A: No.
884

885 Q: ...submitted?
886

887 A: No.
888

889 Q: Okay.
890

891 A: That's, uh, this is our only copy.
892

893 Q: Okay.
894

895 A: So she applied for one job, got the other...
896

897 Q: Okay.
898

899 A: ...without competitive recruitment.
900

901 Q1: With the same background.
902
903 A: This background as a result - was done as a result of her being hired for the
904 special operations unit, uh, chief.
905
906 Q: Oh okay.
907
908 Q1: Okay.
909
910 A: So she didn't get the detective job.
911
912 Q1: So there was no background for the detective job.
913
914 A: No.
915
916 Q1: Okay.
917
918 A: Because she just interviewed.
919
920 Q1: Okay.
921
922 A: She was not selected. She was not going to be selected.
923
924 Q1: Okay.
925
926 Q: All right, Mr. Foldesh, I think that's all that I have. Um, is there anything else
927 you can think of I haven't asked you that you think may be important to this
928 investigation?
929
930 A: Uh, uh, I believe I've covered it. It was, um, as I mentioned, the awkward -
931 I've never had that, uh, presented to me by - I'll - I'll just say it's not - she's a
932 recruit. She's a candidate. Um, "Regardless of how many years you might
933 have had at another agency, you're still now a candidate." And, um, with -
934 couple that with the, uh, violations that she had displaying herself as a peace
935 officer, it was almost like - it was like contempt..
936
937 Q: Mm-hm.
938
939 A: ...for what it means to be a peace officer and the things that you have to do.
940 There are no shortcuts. We know that. Um, but, uh, then you'd hear about like
941 the thing with the search warrant. I was like, "Really?" Uh, I don't, eh, the
942 staff over there that was coming to me for help in directing their tasks, uh, for
943 the entitlement fraud investigation, um, I really don't know what she brought
944 to the table that was going to make her, uh, uh, put her in a position to fulfill
945 the responsibilities that job needs. You really need to come in with your A

946 game and have a lot more experience than what...

947

948 Q: Mm-hm.

949

950 A: ...I believe she was presenting. And even at that, though, I was still more than

951 willing to, you know, "Okay, it is what it is. I'm gonna help you." But then

952 she takes the information I was providing as if she had developed it herself. It

953 was - I didn't hold a grudge. It was like, uh, it was on - I hate to say it. But it

954 was like another (Lauren) story.

955

956 Q: Yeah.

957

958 Q1: Mm-hm.

959

960 A: You start to lose respect for, uh...

961

962 Q: Sure.

963

964 A: ...for people that come out. And we - we've - we've all done this, uh, in a

965 certain way. And, uh, there - from what I remember back in 1979 when I

966 started this gig, that, uh, you kind of have to do it a certain way still.

967

968 Q: Well, it sounds like from your explanation, it's a position that needs to have a

969 pretty thorough investigative background....

970

971 A: Very.

972

973 Q: ...cover all those areas.

974

975 A: Yeah. Entitlement fraud is a very specific, um, uh, uh, type of investigation. I

976 didn't know anything about it.

977

978 Q: Mm-hm.

979

980 A: And it took me, uh, as, uh, I was doing, uh, primarily welfare fraud, (PABF),

981 uh, at least two years to get to feel like you're pretty darn confident at this.

982 And so after some 6,000 cases later, um, eh, eh, for a person like this to come

983 in, eh, it's - I think she was really behind the eight ball. There was - how could

984 she have exceeded at this?

985

986 Q: Mm-hm.

987

988 A: How could she have, eh, excelled? It was nothing that, uh, either one of you

989 that were - let's say that okay, today's we're gonna, uh, deem you the SOU

990 chief. Uh, you would have a difficult time even though...

991
992 Q: Mm-hm.
993
994 A: ...you're both, um, very competent in what you do. This type of thing is a
995 specialized field. And it takes a little bit of time.
996
997 Q: Okay.
998
999 A: So if somebody comes in with, uh, some type of entitlement fraud
1000 investigation from another, uh, maybe federal agency or another state agency,
1001 you can, uh, transition yourself into it.
1002
1003 Q: Mm-hm.
1004
1005 A: But there was just - it was - I don't know. It was just a very - she was behind
1006 the eight ball to say the least.
1007
1008 Q: Okay.
1009
1010 A: But you have to be kind of humble about it because there was a lot of people
1011 that were really wanted you to succeed...
1012
1013 Q: Mm-hm.
1014
1015 A: ...because SOU is an im- such an important unit. And she is - at least for me, I
1016 mean, I was more than willing to give her the support but, "Yeah, you have to
1017 kind of work with me on this too."
1018
1019 Q: Sure. Mm-hm. Okay, Mr. Foldesh, has anything been discussed off tape that
1020 needs to be readdressed on tape between you and I?
1021
1022 A: No.
1023
1024 Q: All right you...
1025
1026 Q1: No.
1027
1028 Q: All right that'll conclude the interview. Time is 1505 hours.
1029
1030
1031 The transcript has been reviewed with the audio recording submitted and it is an accurate
1032 transcription.
1033 Signed _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

INTERVIEW WITH SGT. BILL FOLDESH

Q=Man

Q1=Sgt. Todd O'Brien

A=Sgt. Bill Foldesh

Q: Okay today's date is January 19, 2017. Time is 1315 hours. This interview - interview concerns Professional Standards case number 2016-336 and is being conducted telephonically with Bill Foldesh, uh, from the Department of Economic Security. Uh, Mr. Foldesh has a family illness that he's having attend to. So we're gonna do this over the phone. Uh, Sergeant Foldesh, you can hear me okay?

A: Yes.

Q: Okay and present for this interview again, we have Sergeant Foldesh on the phone and PSU Sergeants Jeff Sharp and Todd O'Brien. Um, before we get started, uh, Mr. Foldesh, during your first interview, you remember reviewing and signing the subject interview protocol in regards to this investigation?

A: Yes.

Q: And as part of that subject interview protocol, uh, you recall reading that, um, all answers to be, uh, fully answered truthfully without any omissions?

A: Yes.

Q: Okay, sir, what I wanna ask you, Mr. Foldesh, is, um, just to cover again your position as the (POST) liaison for DES and the background packets, eh, your job is to ensure that all of the information is gathered and available for that background packet, is that - is that correct?

A: Well, not all of it. I, um, uh, provide the, um, uh, applicants for the, um, law enforcement certification with the questionnaire. And this questionnaire is then routed through our background investigator. And, uh, currently, it's, um, (Wonderly) and Associates, I think is what it's named.

Q: Okay.

46 A: Uh, uh, (Lauren), go ahead and puts, eh, name is lo- first name is (Lauren).
47

48 Q: Mm-hm.
49

50 A: He - he puts, um, all of the items together. Uh, there's like, um, I wanna say
51 somethin' like 14 sections. And, uh, so it's his job to get all - to get all these
52 things from previous employers from, um, uh, people that they're using as
53 references from, uh, just a whole litany of things.
54

55 Q: Okay.
56

57 A: Puts together and the background packet. The background packet is then, um,
58 delivered to me - provided to me. He hands it over. And then I review the
59 different sections to make sure that everything's in there. I, uh, am not in a
60 position to go, uh, through it. It's not my job to go through it with a fine-tooth
61 comb to see if this person is worthy or not of being a (POST)-certified officer.
62

63 Q: Okay.
64

65 A: My job is to make sure the sections have what we need and then forward it to,
66 uh, a supervisor...
67

68 Q: Okay did you - in, uh...
69

70 A: ...whose job it is to do that.
71

72 Q: In that process, did you thoroughly review all or any of Chief (Borough)'s
73 training certificates?
74

75 A: Yeah, there was, uh, I didn't review all of them. No, no, no, no. I, um,
76 reviewed to make sure that they were in there. And, uh, I just kind of flipped
77 through just to, "Okay, yeah, looks like - okay she has, uh, the necessary for
78 like - she's coming down with DES, uh, the necessary hours for her, uh,
79 continuing ed. Uh, in her position, she does need proficiency." So those are
80 the kinda things I'm looking for...
81

82 Q: Okay.
83

84 A: ...not specific, uh, training classes that she might have had in the past.
85

86 Q: In your first interview, you - you mentioned that she came to your office
87 asking to have that background packet returned to her, is that correct?
88

89 A: She wanted to have her training record, um, returned to her.
90

- 91 Q: Okay, and did she say why?
92
- 93 A: Yeah. She - she mentioned a class that she had taken that, uh, she failed to get
94 the, uh, um, you know, the, uh, when you complete a class. What am I trying
95 to say?
96
- 97 Q: The certificate?
98
- 99 A: Certificate. Thank you. Uh, she walked out without getting that and that there
100 was a person over there at the AG's office that took the class with her, um,
101 and that, uh, she had, um, removed that person's name and put her name on it.
102 And it was - it bele- it was the craziest conversation, uh, simply because the
103 amount of time I've been in law enforcement, for somebody to bring
104 something like this up, it's like, "Well, that's - do you understand what you're
105 just asking me?"
106
- 107 Q: Right.
108
- 109 A: So, you know, I denied her that privilege.
110
- 111 Q: Did you - did she say which class it was?
112
- 113 A: No.
114
- 115 Q: Okay.
116
- 117 A: And I didn't - I didn't inquire anymore because of the sensitivity of this
118 particulate issue, um, and knowing that other people, uh, in the chain of
119 command would be reviewing her background packet, I passed that
120 information on to my supervisor in Internal Affairs, uh, for him to pass it on to
121 whoever is would be appropriate for the review.
122
- 123 Q: Okay, do you remember if, uh, Chief (Borough) explained to you a little
124 further in detail how she put her name on that certificate?
125
- 126 A: Mm...
127
- 128 Q: Like how she - how she removed the other person's name and put her name
129 on it?
130
- 131 A: Oh, no. Um, uh, uh, you know, I - I - I wanna say white-out. But I - I don't -
132 somehow, the name was removed and her name was put on there. I wanna say
133 white-out. But I, you know, that's here right now on January 19. I - something
134 like that I have a recollection of.
135

136 Q: Okay do you, eh, where did that conversation take place?
137

138 A: That was at my office.
139

140 Q: Okay so she came to your office and made that request?
141

142 A: Right. Yeah, came to my office, uh, out of the blue.
143

144 Q: Okay.
145

146 A: And then she had another comment, though, on her background packet. Um, I
147 - I don't know. I - I - I guess she had the impression that I go through these
148 things with a fine-tooth comb. Um, that, uh, not everything that you read in
149 the packet is - is what it is. There's two sides to every story.
150

151 Q: Okay.
152

153 A: It was after I told her that I couldn't - that she was not gonna get her training
154 record. And then she, uh, walked away and came back seconds later and made
155 that second comment that I just made.
156

157 Q: Okay.
158

159 A: And that's when I told her, "I - I think it's about time for you to go. And it's...
160

161 Q: Okay.
162

163 A: ...not a good time talk about this."
164

165 Q: Um...
166

167 A: In my mind, she was telling me things that I didn't want to be in the middle
168 of. This is something that somebody higher in the chain of command needs to
169 address.
170

171 Q: Right. Did - if you remember, in your first interview, Mr. Foldesh, I showed
172 you that certificate for the FAA flying while armed that appeared to be
173 doctored.
174

175 A: Yes, I remember that.
176

177 Q: Had you ever seen or - or taken note of that certificate before I showed it to
178 you?
179

180 A: No. I - when you show it to me, that was the first time.

181
182 Q: Okay so you had never - before our interview, you had never seen that
183 document?
184
185 A: If I did, it was flipping through. You know, other words, you know...
186
187 Q: Okay.
188
189 A: ...like you would, uh, have a stack of papers and with your, uh, finger and
190 your thumb you're just kind of flipping through to make sure that, "Okay,
191 these are all like training records."
192
193 Q: Right. Di-...
194
195 A: But I don't looking at any particular item.
196
197 Q: Did you, during your review of any of those training documents, remove
198 somebody's name and put (Lauren)'s name on that document?
199
200 A: Oh my God. No, absolutely not.
201
202 Q: Do you have any reason that you would have doctored any documents within
203 that background packet to sabotage (Lauren) or prevent her from behind
204 hired?
205
206 A: That's absolutely, completely false.
207
208 Q: Okay do you remember in the conversation about these training documents,
209 do you recall, um, asking her about a training document that had PJ (Jannek)'s
210 name on it? Was there a conversation about that at any time?
211
212 A: Boy. That kinds sounds familiar.
213
214 Q: Okay.
215
216 A: That, um, I'm not sure where PJ works or, eh, eh, if - if it's just because of an
217 association that I had with PJ in the past. Uh, the - something about PJ is
218 familiar. Maybe if you can ask me a little more.
219
220 Q: Well, let me ask you this. Your conversation with (Lauren) and her request to
221 get a training document that she put her name onto was the training document,
222 um, involving PJ (Jannek) any part of that conversation?
223
224 A: You know, I - I just - as, um, as I sit here now, I remember something about
225 PJ. But I don't know if it was in reference that I'm remembering it now if it

226 was in reference to (Lauren) or one of the other things that I do in Internal
227 Affairs.
228
229 Q: Okay.
230
231 A: I just - I just - where did PJ used to work? I think he used to work in Yavapai
232 County, didn't he?
233
234 Q: Yeah, there were - he worked in a few places.
235
236 A: Um, anyhow, there was, um, um, it could - and it could a been in that
237 reference because I used to work in Yavapai County for many years.
238
239 Q: Okay, um...
240
241 A: That's - that...
242
243 Q: But there is - there is no question in your mind, Mr. Foldesh, about your
244 conversation with (Lauren) and this training document and her obtaining it
245 from another officer and putting her name on that training document? You're
246 very clear...
247
248 A: That's...
249
250 Q: ...and remember that?
251
252 A: Yeah, absolutely 100%. The fact is that it was, um, almost like kind of a
253 flippant re- request from me. And, uh, from a person that's not involved in
254 Internal Affairs or in a position like I'm in to receive a request like that...
255
256 Q: Mm-hm.
257
258 A: ...was just really out there somewhere. It's like I wanted to say, "Do you know
259 what you just asked me or what you just said?" But I didn't.
260
261 Q: Right.
262
263 A: In my mind, I'm thinkin', "This for - really?" So...
264
265 Q: And...
266
267 A: And that's when I got the story that, uh, "Well, it was really nothing. That was
268 just a record that, you know, I forgot it, walked out of the class and I put my
269 name on it."
270

- 271 Q: Okay from the time...
272
- 273 A: That's - that's exactly what happened.
274
- 275 Q: From the time she submitted those documents, if I remember correctly, the
276 only people that would have had, uh, their hands on it would have been you,
277 Mr. (Wonderly) and Mr. (Arselano), is that correct?
278
- 279 A: No. (Bryce Baraza) is in between there.
280
- 281 Q: Okay.
282
- 283 A: I gave him the, uh, background packet after - after everything was completed
284 on there.
285
- 286 Q: Do you - and this may be your opinion. But in your opinion, any of those
287 people, um, that would have had access to her background packet, do you
288 think any of those people would have had reason to - to doctor this document
289 to prevent (Lauren) from being hired and to sabotage her - her employment?
290
- 291 A: Absolutely not. No, the, uh, uh, Mr. (Baraza) and - and, uh, Mr. (Arselano)
292 certainly was, uh, I think the one that directly hired her. So he wouldn't have
293 done it. I can't imagine. Mr. (Baraza) - he - they're on the same, eh, in
294 essence, the same level in the agency in Inspector (Jones)' office. And I never
295 even heard one bad thing outta his mouth, um, from, uh, directed at her.
296
- 297 Q: Okay. Todd, do you have anything?
298
- 299 Q1: (Unintelligible).
300
- 301 A: And those - those background packets are, uh, all locked up too. They're not -
302 after - when I have it, I'm the only person that has access to that.
303
- 304 Q: Okay so those other names that we mentioned, Mr. (Baraza) and Mr.
305 (Arselano), those are all people that would have been very supportive of her
306 being hired by DES, correct?
307
- 308 A: Absolutely. Absolute because, um, Mr. (Arselano) hired Mr. (Baraza). And,
309 uh, Mr. (Baraza) was a very, um, uh, devoted person to Mr. (Arselano), you
310 know, eh, eh, as he should be. Um, and so the hiring of, uh, (Lauren
311 Borough), um, by Mr. (Arselano) would, uh, Mr. (Baraza) would a supported
312 that 100%.
313
- 314 Q: Okay give me just one minute, Mr. Foldesh. Todd, do you have any
315 questions?

316
317 Q1: Hm-mm.
318
319 Q: Just me review something here real quick, Mr. Foldesh. Give me one second,
320 please.
321
322 A: Okay. Now, as you remember, in - in my, um, initial contact with you, after,
323 uh, she requested these items or the training record, I reported that
324 immediately to Mr. (Baraza).
325
326 Q: Right. Okay, um, during your interview - your first interview with us, you
327 thought that (Lauren) had mentioned getting a certificate from (Mark
328 Roberts).
329
330 A: Yeah, that seemed to make - that seemed to, um, uh, jog my memory that he
331 had attended that class with her.
332
333 Q: And is he working for DES now?
334
335 A: Yes. Mm-hm. He works in the Protective Services Unit.
336
337 Q: Okay just let me ask you this, Mr. Foldesh. Do you know why, eh, eh, can you
338 give me any reason why (Lauren) would say the conversation about changing
339 her name on that training document never took place?
340
341 A: Mmm, no. I - I have no explanation of that except she recognizes maybe after
342 she said it that, "Oops. I said something to the wrong person. That, um, could
343 have an impact on my certification."
344
345 Q: Okay.
346
347 A: Uh, I - I don't think - to be honest, I don't think she was really even thinking
348 about what she just said.
349
350 Q: Okay. Todd, do you have anything?
351
352 Q1: No.
353
354 Q: Mr. Foldesh, is there anything I have not asked you that you think, uh, would
355 be important to cover?
356
357 A: Uh, no. You - you've, uh, I think you've done a - a good job of it capturing
358 what happened. I - I, um, mentioned to you that she came to my office outta
359 nowhere. I don't know go through these files, um, except, uh, really close
360 except say, for example, if there's a medical, uh, 'cause I'll get those if

361 somebody didn't pass a medical, um, for whatever reason. Um, then I look at
362 that one real close to find out, "Well, what do we need to do to...
363

364 Q: Did she say...

365
366 A: ...get this person passed," things...
367

368 Q: ...(unintelligible).
369

370 A: ...like that. But in - with Ms., uh, with (Lauren)'s file, uh, really, it was just
371 flipping through every section to make sure that it was all there before I -
372 'cause it's - that's my job. After (Wonderly)'s done with it, I get it. And if I
373 pass it on to whoever the chief is at the time and I haven't done a good job of
374 making sure all the blanks are filled in, then I look kinda silly. But this
375 business of her stopping by, that's abs- that's absolutely the way it happened.
376 And - and then I - I'm the one that told her after she said something about
377 there's two sides to every story or somethin' like that that I'm the one that told
378 her, "Well, eh, I think it's about time for you to go."
379

380 Q: Okay. All right, sir. Well, I think that's all I have. Uh, that would conclude the
381 interview. Time is 1335 hours.
382

383
384 The transcript has been reviewed with the audio recording submitted and it is an accurate
385 transcription.
386

Signed _____

1
2
3
4
5
6
7 **INTERVIEW WITH MARK ROBERTS**

8 **Q=Jeff Sharp**

9 **Q1=Todd O'Brien**

10 **A=Mark Roberts**

11
12
13 Q: Today's date is January 19, 2017. Time is 1450 hours. This interview
14 concerns Professional Standards Case Number 2016-336 and is being
15 conducted at the Professional Standards Unit Office, 2102 West Encanto.
16 Present for the interview PSU Sergeants Jeff Sharp and Todd O'Brien, and a
17 witness to the investigation Mark Roberts. Mark, what's your badge number?
18

19 A: You're gonna laugh. It's 693.
20

21 Q: Okay.
22

23 A: That doesn't mean I'm reckless though.
24

25 Q: Mark, you've had the opportunity to review and sign the Subject Interview
26 Protocol regarding Internal Investigation Number 2016-336. Do you have any
27 questions about the document at this time?
28

29 A: I do not.
30

31 Q: You are aware this is an administrative and confidential investigation and is
32 not to be discussed with anyone outside of this interview?
33

34 A: I do.
35

36 Q: You are aware the Subject Interview Protocol compels you to give complete
37 and truthful answers?
38

39 A: Yes.
40

41 Q: Please state your full name, badge number, assignment, and how long you've
42 been with the DES.
43

44 A: Uh, my name is Mark Roberts, badge number again is 693, and I - I've been
45 with DPS...

46
47 Q: With D...
48
49 A: ...or, uh, DES...
50
51 Q: ...DES.
52
53 A: ...rather...
54
55 Q: Yes, uh-huh.
56
57 A: ...I started in May of 2016, May 9.
58
59 Q: And what's your assignment?
60
61 A: I work with the Protective Services Administration. Essentially I review
62 threats that come in to the, um, to the organization.
63
64 Q: Who's your current- c- current supervisor and how long have you worked for
65 them?
66
67 A: Uh, Carlos Contreras, and he's been my supervisor since November 23 I think
68 was the date.
69
70 Q: Okay. Who was your supervisor before that?
71
72 A: Charles Loftus.
73
74 Q: And he was your supervisor since May 9?
75
76 A: That's correct.
77
78 Q: Up to November 23?
79
80 A: Yeah.
81
82 Q: Okay. Mr. (Russ) let me ask you, uh, before you were employed with DES w-
83 who were you employed with?
84
85 A: I worked, um, eight years at the Attorney General's Office. I was a special
86 agent with the Healthcare Fraud Unit. Prior to that I was 27-1/2 years at ASU
87 Campus Police Department, and I retired as a commander.
88
89 Q: Okay. During your time at the Attorney General's Office, um, did you become
90 familiar with Lauren Buhrow?

91
92 A: Yes.
93
94 Q: Okay. My question is at any time - well let me ask you this. At any time while
95 you were with the AG's Office did you attend the FAA Flying While Armed
96 class?
97
98 A: Yes.
99
100 Q: Do you...
101
102 A: I did.
103
104 Q: ...know when that was?
105
106 A: No, I could look at my training records and tell you...
107
108 Q: Okay.
109
110 A: ...but I don't remember.
111
112 Q: Okay. Do you know approximately how many years ago?
113
114 A: It's going to be - well let's say five years ago, maybe six.
115
116 Q: Okay.
117
118 A: And so I can equate that with two things. One is, uh, Tome Horne had just
119 come in as Attorney General, so that was six years ago now, and then it was
120 right after that that, uh, the Maricopa County Sheriff's Office stopped, um,
121 handling prisoner transports from out of state. Well, actually anywhere.
122
123 Q: Okay.
124
125 A: And so we had to create a, uh, a unit...
126
127 Q: Okay.
128
129 A: ...to go out and - and get folks. And so it was after that or during that period of
130 time I was selected to, uh, assist with prisoner transports, and I went to that
131 training.
132
133 Q: Okay. Did you attend that training with anybody else? Was that a - a
134 classroom setting or was it individual training?
135

136 A: I don't, uh, I don't re- recall.
137
138 Q: Okay.
139
140 A: It - if - if it was, uh, others it was, um, it would have been, uh, a small number
141 of people.
142
143 Q: Okay. Do you remember where you took that training?
144
145 A: It was at the Attorney General.
146
147 Q: At the AG's Office?
148
149 A: Mm-hm.
150
151 Q: Okay. Do you know if Lauren was in that class?
152
153 A: I don't.
154
155 Q: Okay. Do you remember at any time, Mark, of Lauren, um, asking for your
156 FAA Flying While Armed training certificate?
157
158 A: No, I don't.
159
160 Q: Okay. Do you know if you ever gave her any type of training certificate?
161
162 A: No. I don't know why I would.
163
164 Q: Okay. Let me ask you, and I - I want to preface again, Mark, you are in no
165 wrongdoing in this, okay?
166
167 A: No, I understand. I understand.
168
169 Q: Can you tell me if that's your writing?
170
171 A: No, that is not my writing.
172
173 Q: Okay. Okay. And just to, uh, to further explain it to you now is it was brought
174 up in an interview that Lauren may have received the training certificate from
175 you for the FAA Flying While Armed, and she whited out the information and
176 put her name on it. Eh...
177
178 A: Hm.
179
180 Q: ...so again, you don't remember at any time providing her with the training

181 certificate for that class?
182
183 A: No sir.
184
185 Q: Okay.
186
187 A: Um, one other thing is I - I won't say never did, but...
188
189 Q: Mm-hm.
190
191 A: ...normally I didn't write out Arizona Attorney General's Office.
192
193 Q: Okay.
194
195 A: I would put AAG or AGO.
196
197 Q: Okay.
198
199 A: Because it was internal. It was an internal or kept internally. So, our folks -
200 our - our post folks...
201
202 Q: Mm-hm.
203
204 A: ...knew what that meant. If it were an outside agency that was keeping our
205 files I might write it out like that, but I didn't.
206
207 Q: Okay. And just try and refresh your memory, you can't recall if Lauren was in
208 that class with you or not?
209
210 A: No, I - I don't recall. Uh, sh- I know she was on that team. There were eight or
211 ten of us that were on that team, so that way we aren't - we weren't all gone
212 every time. You know, we could spread - spread the wealth as they would say.
213 Um, I just don't recall who all was in that class.
214
215 Q: Okay.
216
217 A: And there should be a roster someplace.
218
219 Q: Yeah, the - the records keeping is a little sketchy from back then.
220
221 A: Okay.
222
223 Q: Um, m...
224
225 A: So you guys thought of that. I could tell from the...

226
227 Q: Yeah.
228
229 A: ...the - the look on your faces.
230
231 Q: Um, Kathleen Kempley, you remember Kathleen?
232
233 A: Yes.
234
235 Q: Where was her office?
236
237 A: Have you ever been up there, the second floor...
238
239 Q: To the AG's Office?
240
241 A: ...of the AGA where, uh, where the agents were?
242
243 Q: No sir.
244
245 A: Well it's hard to explain then, but, um, sh- her office - I don't e- I don't even
246 know how I would explain it to you. Um, second floor though about mid-point
247 in the building, um, she was very close to where the - the Chief Agent, where
248 his office was.
249
250 Q: Okay. Do you know if Kathleen's office - during the time you were there do
251 you know if Kathleen's office was ever up at the ACTIC Building?
252
253 A: She sh- she was up there. Um, again, I don't remember when, uh, but she did
254 go up to ACTIC for a time, uh, because she was a computer forensics type
255 person.
256
257 Q: Mm-hm.
258
259 A: So I know she was up there, um, but she - as far as I know she maintained an
260 office at the AG as well during that time.
261
262 Q: Okay.
263
264 A: And that's the way it's always been. We've had folks assigned to ACTIC...
265
266 Q: Mm-hm.
267
268 A: ...um, and they would maintain an office there.
269
270 Q: Okay. Did Ms. Kempley provide your training for the FAA Flying While

271 Armed?
272
273 A: I believe so. Again, I would have to go back and look at my...
274
275 Q: Sure.
276
277 A: ...particular one, but I believe that's correct.
278
279 Q: Do you know, uh, Mr. Roberts, eh, is your certificate readily available? Do
280 you have it stashed somewhere that you could provide a copy?
281
282 A: Yes.
283
284 Q: And again, not questioning you. I just want to verify other information off of...
285
286 A: Certainly.
287
288 Q: ...off of what she has.
289
290 A: Mm-hm.
291
292 Q: Okay.
293
294 A: I may be able to get that for you today.
295
296 Q: Okay. And sending an email would be fine. I don't need to...
297
298 A: Okay.
299
300 Q: ...I don't need an exact copy. I said there's just other things on this document
301 that I kind of want to verify now to...
302
303 A: I understand.
304
305 Q: ...now that I know you have a legitimate copy. Um, anything else Todd?
306
307 Q1: No, I can't think of anything else.
308
309 Q: Mr. Roberts, since - and I don't know if you're - well you work there, so I'm
310 sure you're aware that Lauren has been put on administrative leave. Have you
311 had contact with her since she's been on leave?
312
313 A: I have not.
314
315 Q: Okay. Anything else?

316

317 Q1: No.

318

319 Q: Mr. Roberts, anything we have not discussed that you think may be important
320 to this investigation and the questions we've asked?

321

322 A: Nothing I can think of at the moment.

323

324 Q: Okay. Have you and I discussed anything off tape that needs to be readdressed
325 on tape?

326

327 A: I don't believe so.

328

329 Q: Okay. Time is 1500. That'll conclude the interview.

330

331

332 The transcript has been reviewed with the audio recording submitted and it is an accurate
333 transcription.

334 Signed _____

INTERVIEW WITH LAUREN BUHROW

Q=Jeff Sharp

Q1=Todd O'Brien

A=Lauren Buhrow

A1=Mr. (Baraza)

1
2
3
4
5
6
7
8
9
10
11
12
13
14 Q: All right, today's date is January 18, 2017. Time is now 1415 hours. This
15 interview concerns Professional Standards Case Number 2016-336 and is
16 being conducted at the Professional Standards Unit Office, 2102 West
17 Encanto. Present for the interview PSU Sergeants Jeff Sharp and Todd
18 O'Brien, and the subject of the investigation Lauren Buhrow, Badge Number
19 694. Okay to call you Lauren?

20
21 A: Yes sir.

22
23 Q: Okay. Lauren, you've had the opportunity to review and sign the Subject
24 Interview Protocol regarding Internal Investigation Number 2016-336. Do you
25 have any questions about the document at this time?

26
27 A: Uh, just love to know where it came from and what's it based on, the details.

28
29 Q: Okay. And we'll get into that.

30
31 A: Mm-hm.

32
33 Q: Okay? You are aware this is an administrative and confidential investigation
34 and is not to be discussed with anyone outside of this interview?

35
36 A: Uh, I assume I'm able to speak with an attorney if I choose.

37
38 Q: Well, eh, as far as anybody with DES, and that's the good reason that we have
39 a support observer is with the confidentiality he is the one that you're able to
40 bounce things off of within DES.

41
42 A: Okay.

43
44 Q: Okay? But other agencies and people like that it's not to be discussed.
45

46 A: Not agencies, but I mean if I had a personal attorney...
47
48 Q: Mm-hm.
49
50 A: ...a civil attorney?
51
52 Q: Mm-hm. Yeah, that's attorney-client privileges. You're okay with that.
53
54 A: Okay.
55
56 Q: Okay? You are aware the Subject Interview Protocol compels you to give
57 complete and truthful answers?
58
59 A: Yes.
60
61 Q: Please state your full name, badge number, assignment, and how long you've
62 been with DES.
63
64 A: Uh, Lauren (Jean) Buhrow, uh, also go by Lauren (Jean) Elverum. It's my
65 married name.
66
67 Q: Spell that for me please.
68
69 A: Which one, Buhrow?
70
71 Q: Elverum.
72
73 A: Elverum E-L-V-E-R-U-M.
74
75 Q: Okay. Thank you.
76
77 A: Um, my position did you say? It's...
78
79 Q: Yes please.
80
81 A: ...Chief of Special Operations. And I've been with DES since June 13, 2016.
82
83 Q: And I'm not familiar with the rank structure over there. Um, the Chief of the
84 Special Operations Unit is that under the Office of the Inspector General?
85
86 A: Correct.
87
88 Q: Okay.
89
90 A: I reported directly to the IG.

91

92 Q: Okay. Thank you. Please state who your current supervisor is and how long
93 you've worked for him.

94

95 A: Uh, my current supervisor's no longer there, the one that was, so I suppose it
96 would be th- either the Interim IG if the structure stays the same, or who I've
97 been instructed to speak with, which is, uh, my go-between, Sherry Klein...

98

99 Q: Okay.

100

101 A: ...who's the Deputy Inspector General.

102

103 Q: Who was your supervisor?

104

105 A: Uh, Jay Arcellana.

106

107 Q: And how long did you work for Jay?

108

109 A: Since day one, January, uh, 13. I - did I say January? I meant June, I'm sorry.

110

111 Q: Okay. Okay. And you had Mr. (Baraza) as your support observer today?

112

113 A: Correct.

114

115 Q: Mr. (Baraza), do you have any questions on the support observer agreement
116 and your role in this?

117

118 A1: Uh, no, but if I overstep please let me know.

119

120 Q: Okay. And it's - it's pretty basic.

121

122 A1: Okay.

123

124 Q: Um, you know, no interruptions unless you think we need to take a break.

125

126 A1: Mm-hm.

127

128 Q: Um, like I said, your main thing here is - and we'll take a break is, eh, you
129 know, you're here for the opportunity to her, you know, for her to - to talk to
130 and...

131

132 A1: Mm-hm.

133

134 Q: ...bounce things off of. Um, and like I said, if - if it goes very long, then, you
135 know, you can ask for a break. Okay?

136
137 A: Quick - quick question about that.
138
139 Q: Mm-hm.
140
141 A: Um, if - if I do ask for a break and - and you step out, eh, are we being
142 recorded during that time?
143
144 Q: Yes.
145
146 A: Okay.
147
148 Q: Mm-hm. And what we'll do if we do take a break is we'll let you all go to one
149 of the conference rooms or out in the hallway, or there's another breakroom
150 out front that we can let you go to.
151
152 A: Which are not being recorded?
153
154 Q: Correct.
155
156 A: Okay. Thank you.
157
158 Q: Mm-hm. All right Lauren, the reason that we're here, um, is in regards to the
159 background packet that you submitted and signed on July 6. Okay? Um, it was
160 brought to our attention that after your background packet was submitted and
161 under review by Sergeant (Fuldish) that you approached him and asked to
162 have that background packet returned to you?
163
164 A: I don't remember that at all.
165
166 Q: Okay.
167
168 A: Um, no, I - I don't remember that at all.
169
170 Q: Okay. Well according to Sergeant (Fuldish) you approached him, asked him if
171 you could have the background packet back because there was some type of a
172 training document within the background packet.
173
174 A: He told me that he - in reviewing to make sure everything was in there, um, he
175 came across someone else's certificate, training certificate being in my
176 training certificate segment. Um, I had turned over just, uh, exactly what I had
177 gotten from the AG's Office when I asked them for a complete copy of
178 everything in my training file.
179
180 Q: Mm-hm.

181
182 A: They - they gave me that and I just plunked it onto the back of my packet.
183 Um, thumbed through it, you know, but it - it - I assumed that they would
184 have the most current information about all of my trainings.
185
186 Q: Okay.
187
188 A: So I just turned it in as is from what I got from the AG's Office. The training
189 certificate, uh, that (Bill) brought to my attention didn't have my name on it,
190 and I said, "Well, obviously it's not mine. Just take it out." Um, "I'll - I'll
191 look through my records to see if I have my own," um, and he said he didn't
192 want to do that, and...
193
194 Q: Okay.
195
196 A: ...it was dropped.
197
198 Q: So he approached you about that certificate that didn't have your name on it?
199
200 A: I believe so, mm-hm.
201
202 Q: Okay. Did you ever approach mis- uh, Sergeant (Fuldish) and mention a
203 training certificate that, eh, it was a class you attended and had to leave early...
204
205 A: No.
206
207 Q: ...from a - from this class, so therefore you got a - a certificate and put your
208 name on it because you had to leave the class early?
209
210 A: No, and I didn't ever leave a class early that I recall ever.
211
212 Q: Okay.
213
214 A: In fact the class that he was speaking of - at the time he asked me about it just
215 kind of, uh, to test whether or not I had actually been in the class, he said, "Do
216 you remember where it was," and I did.
217
218 Q: Mm-hm.
219
220 A: And I - I told him it was in the basement of the, uh, uh, CAPS Center at the
221 AG's Office.
222
223 Q: Okay. Do you know what class that was?
224
225 A: It, um, it had to do with the internet. Uh, basically, uh, using the internet for

226 investigations.
227

228 Q: Okay. Uh, and just to clarify, you - you mentioned the training certificate that
229 didn't have your name on it, but this other class that was down in the
230 basement are we referring to the same class or something different?
231

232 A: The training certificate was for that class.
233

234 Q: Okay, that had somebody else's name on it?
235

236 A: Right, and I think it's possible that the AG's Office just misfiled it. I do have
237 my own.
238

239 Q: Mm-hm. Okay. Were there any other training documents within your
240 background packet that you had concerns about...
241

242 A: No.
243

244 Q: ...that you discussed with Sergeant (Fuldish)?
245

246 A: Not that I can recall. No.
247

248 Q: Okay. And you had been there s- what June 13 you said?
249

250 A: Mm-hm.
251

252 Q: So if there was you would - you would recall that, correct?
253

254 A: I believe so, yeah.
255

256 Q: Okay. Let me ask you, did you - do you remember attending the FAA Flying
257 While Armed class with the AG's Office?
258

259 A: It was - it was a one-on-one that I did with Kempley, um, um, Kathleen
260 Kempley.
261

262 Q: Okay. Do you know when that was approximately?
263

264 A: I don't. It was during my time at the Attorney General's Office.
265

266 Q: Okay. Um...
267

268 A: And it would have preceded whatever time I flew armed. I am sure that can be
269 discovered whatever time it was that - I - I'd have to look through my
270 certificates to see if I got a certificate or - I don't remember.

271
272 Q: Okay. You don't remember if Kathleen gave you a certificate?
273
274 A: I - off the top of my head I don't.
275
276 Q: Okay. Is that the class that maybe Sergeant (Fuldish) is re- referring to that
277 you had to leave early?
278
279 A: No.
280
281 Q: A class you were attending and had to leave early?
282
283 A: I never had a discussion about leaving early with him.
284
285 Q: Okay. So you got that one-on-one with Miss Kempley?
286
287 A: Yes.
288
289 Q: Okay. And did you fly armed for any reason?
290
291 A: Mm-hm.
292
293 Q: Do you know the timeline from when you did fly armed to when you took that
294 class?
295
296 A: Uh, it was just before I believe.
297
298 Q: Eh, what do you mean just before?
299
300 A: I had - I had the training, and then the r- the reason they prompted the training
301 when they did was so that I could fly armed for an anticipated flight.
302
303 Q: Okay. So are you talkin' a week, a month?
304
305 A: Somewhere in that range, yeah.
306
307 Q: Okay. In which one?
308
309 A: Uh, between a week or a month. I'm - I - I - I'm guessing. I'm - I - I really
310 don't know off the top of my head. It's been a while.
311
312 Q: Okay. Were you aware that you had to take that course before you flew armed
313 or was that something that was brought to your attention in...
314
315 A: They brought...

316
317 Q: ...the planning...
318
319 A: ...it to my attention.
320
321 Q: ...stages?
322
323 A: They brought it to my attention.
324
325 Q: Okay. Where was that, uh, training class held for you with Miss Kempley?
326
327 A: At, uh, ACTIC.
328
329 Q: At the ACTIC Building?
330
331 A: Mm-hm.
332
333 Q: Up off Greenway?
334
335 A: Mm-hm.
336
337 Q: Uh, do you know approximately what time?
338
339 A: I don't. Uh, it's been too long. I'm sorry.
340
341 Q: Okay. Morning, afternoon, evening?
342
343 A: I don't want to misstate. I d- I don't remember.
344
345 Q: Okay.
346
347 A: It, uh, unlikely that it was morning. I'm not a morning person. I usually don't
348 make appointments early in the morning, but I - I don't remember.
349
350 Q: Okay.
351
352 A: I'm sure that they have sign-in logs that would probably show.
353
354 Q: Okay. Were you assigned at ACTIC?
355
356 A: No.
357
358 Q: Why was the class held at ACTIC?
359
360 A: Because she was assigned at ACTIC.

361
362 Q: Okay. So you don't recall if you have a certificate for that class or not?
363
364 A: I - I don't.
365
366 Q: Did you look through - well you notice when you look through the
367 information in your background packet that there was a certificate in there
368 with your name not on it, right?
369
370 A: Eh, no I didn't notice that at all. Uh, w- what I did was I got - I made a
371 request, a public records request for all of my training certificates, um, from
372 the AGO. The AGO gave me a packet with all the things that I asked for, and
373 that was a tabbed section, and so when I was applying for this job I just took
374 that section out and attached it to the back of my application.
375
376 Q: Okay. You didn't review the certificates?
377
378 A: Not in detail, no. I just f- thumbed through it said, "Oh yeah, that looks about
379 right," and assumed it was the most up-to-date and that it would have
380 contained everything.
381
382 Q: Okay. Do you remember how long the class was that you took with Miss
383 Kempley?
384
385 A: It was fairly lengthy and it was computerized.
386
387 Q: Okay. And when you say fairly lengthy, uh, c- half a day, full day?
388
389 A: It's - it's been just too long. Uh, I - I just remember it had page after page, um,
390 and it seemed to be a - a structured, uh, class.
391
392 Q: Okay. You don't remember approximately how long it was?
393
394 A: Uh, no, I'm sorry, I don't.
395
396 Q: Okay. Let me - I'm gonna show you Lauren, and this is the training certificate
397 for the FAA Flying While Arm c- Flying While Armed class. Does that look
398 familiar?
399
400 A: Mmm, no, that's not - usually they have you fill out your own, um, and that's
401 not my handwriting. And it looks like those are two different handwritings.
402
403 Q: So you're saying you did not fill this out?
404
405 A: That's not my handwriting. Uh, in fact it looks - it looks like somebody

406 changed it.
407
408 Q: Mm-hm.
409
410 A: Yeah, I - I don't - I don't think so. Um, I could reach out to Kathleen
411 Kempley.
412
413 Q: That's okay, I've already done that.
414
415 A: Okay.
416
417 Q: But just to confirm you're saying you did not do this?
418
419 A: This does not look like my handwriting...
420
421 Q: Okay, but...
422
423 A: ...nor does that.
424
425 Q: ...let me ask one more time. Did - are you telling me that you did not do this?
426
427 A: I did not do this. If you're talking about the potential change of this page no I
428 did not.
429
430 Q: Okay. You didn't get this certificate from somebody else and, eh, d- white out
431 somebody's name and put your name on here?
432
433 A: Absolutely not.
434
435 Q: Okay. According to Sergeant (Fuldish) and we were talkin' to him that was
436 part of your conversation with Sergeant (Fuldish) about this training document
437 was that you had mentioned to him you left class early, got somebody else's
438 certificate...
439
440 A: No.
441
442 Q: ...whited out the name, and added your name to it.
443
444 A: He has changed the conversation. The conversation was about a certificate
445 that was in my file having to do - it had (P.J. Janek)'s name on it.
446
447 Q: Mm-hm.
448
449 A: And it had to do with a training put on in the basement of the Attorney
450 General's Office, uh, and it had to do with internet investigations. This - this

451 is a s- a complete fabrication.
452
453 Q: Okay.
454
455 A: Uh, and - and a distortion of our conversation completely.
456
457 Q: Okay. Well he hadn't - and again, I'll say that when we showed this to
458 Sergeant (Fuldish) he was not aware of this. He hadn't seen this document,
459 and only relayed the information that you two allegedly had in conversation,
460 that you left training early, got somebody else cer- else's certificate, whited
461 out their name, and then put your name on it, which is drastically different
462 than havin' somebody else's name on training that you didn't attend, and this
463 is consistent with that conversation.
464
465 A: Uh, no it's not. I - I have never taken someone else's name off of a certificate
466 and put mine on it. I've never done that.
467
468 Q: Okay. Can you think of anybody else that would do that?
469
470 A: Anyone with a beef who would want my job. I have no idea.
471
472 Q: Okay.
473
474 A: I'd be interested to t- to, uh, eh, not to tell you how to do your job...
475
476 Q: Mm-hm.
477
478 A: ...but I would do a handwriting analysis 'cause those are clearly different
479 handwritings.
480
481 Q: I - no I agree. I agree that they are. These are the three - three inquiries that
482 were run on your behalf to get permission to fly to New Mexico, to
483 Albuquerque.
484
485 A: New Mexico? New Mexico? Okay.
486
487 Q: Okay? That's where you flew to, correct?
488
489 A: That was for a training, mm-hm.
490
491 Q: Okay. But that is where you flew to, right?
492
493 A: Well I've flown to m- more places than that armed.
494
495 Q: Okay. On this date, on August 12, 2011 is when three inquiries were run,

496 same date, August 12, 2011, and this is the course that you would have to
497 have to apply for permission to fly armed. So if somebody else did this
498 document how would they know that on August 12, 2011 you were needing
499 that permission to fly to New Mexico?
500

501 A: Well, if, I mean, this may be a legitimate thing, but I didn't have anything to
502 do with it. In fact I don't even know that I have it. Um, I - I would have to
503 look, but, uh, Kathleen Kempley can probably clear that up. I believe - my,
504 uh, my supervisor at the time was Meg Hinchey.
505

506 Q: Okay.
507

508 A: And she s- set me up with Kathleen Kempley...
509

510 Q: Mm-hm.
511

512 A: ...to get this done so that I could - training? New Mexico? Was that my (FIPS)
513 Training? No. Fraudulent - do you know what training it - what - what - what
514 training was it? What was the title?
515

516 Q: What makes you say it was training?
517

518 A: Um, because to the best of my knowledge that's the only time I've been to
519 New Mexico.
520

521 Q: Okay. I have this from your - for the record it's the August 2011th monthly
522 report.
523

524 A: Okay.
525

526 Q: And looks like it was assigned to some type of case maybe?
527

528 A: Th- these things aren't necessarily connected.
529

530 Q: Okay.
531

532 A: Uh, I just listed all the different things that I did, so one isn't necessarily
533 related to the other. Um, let me - I...
534

535 Q: And it's not that important, but, eh, eh, just to establish, eh, I mean, you flew
536 to New Mexico on August 15, correct?
537

538 A: August, uh, you - you point a date out like that I'm not sure.
539

540 Q: Okay.

541
542 A: Okay. Uh, this is what...
543
544 Q: On Southwest.
545
546 A: ...document?
547
548 Q: This is the NLETS...
549
550 A: Oh okay.
551
552 Q: ...application to TSA. So whether it was for an assignment or for training it
553 doesn't really matter. We just know that you flew to New Mexico, to
554 Albuquerque. And the time you requested that was on August 12.
555
556 A: Okay.
557
558 Q: Okay? So it goes back to who else would know that you needed this training
559 certificate on August 12 if you didn't do that?
560
561 A: Uh, Kathleen Kempley, Meg Hinchey, anyone in the Training Department.
562 Uh, (Don Witola), uh, uh, what's her name, um, any of the - the support staff
563 who handle our records.
564
565 Q: Okay. Let me read this to you. This is an email that was forwarded to me by
566 the AG's Office from Kathleen, who is now Kathleen Shane.
567
568 A: Mm-hm.
569
570 Q: "So I have no recshelec- recollection at all of giving this training." She didn't
571 see anything wrong with the form. "Program numbers were good for two
572 years,: Um, "There was an (unintelligible) post. There would be a roster of the
573 class numbers. If I gave that class it was a one-on-one. I know I did not teach
574 it to a group. I wish I could say for certain one way or the other, but I can't. I
575 honestly can't even remember being able to give that class, but I
576 (unintelligible) went to training when we were down, uh, doing our own
577 extraditions. That may have allowed me to train, but I have no idea." Are you
578 sure you got that training from Kathleen?
579
580 A: Yes.
581
582 Q: Nobody else gave you that training?
583
584 A: No.
585

586 Q: Nobody else was in there with you?
587
588 A: No.
589
590 Q: Was Kathleen the only one assigned to the ACTIC Center?
591
592 A: No, uh, J- Jim Connell also was.
593
594 Q: Okay. Did he have anything to do with training?
595
596 A: Yeah. He - he was a firearms instructor and other type of instructor. I - I - I
597 don't know all of his instructor credentials.
598
599 Q: Would he have had anything to do with this FAA Flying While Armed class
600 that has Kathleen Kempley's name on it?
601
602 A: I don't know who would have taken it over. Uh, I don't remember the timing
603 of her leaving the AG's Office. Um, uh, I don't know. Uh, eh, not with me.
604
605 Q: Do you remember having a conversation with anybody after you took this
606 class asking them to prepare a training certificate for you?
607
608 A: No. I don't even think at that point I would have realized that a training
609 certificate was in order, that - that it was necessary. I would have thought that
610 it was something they just kept, but I - I don't think I gave it any thought. I
611 figured they had it handled.
612
613 Q: Do you know why Sergeant (Fuldish) would be so descriptive in telling me
614 that you approached him and said there was a training certificate that you
615 obtained from somebody else, and you whited out their name and put your
616 name on it? Do you know where he would get that from?
617
618 A: I - I have a m- lot of theories, but...
619
620 Q: But that's pretty descriptive just to - to make up without seein' the document
621 previous, right?
622
623 A1: M- need a moment. Uh...
624
625 Q: Just a second.
626
627 A1: Mm-hm.
628
629 Q: Eh, eh, yes or no?
630

631 A: I - I don't know. Uh, I don't know where he would get that from.
632

633 Q: Um, can you grab that back- brown packet off my desk for me? It's the big
634 black binder please. When we take a break then you'll be able to discuss with
635 her anything you guys want to discuss. Okay?
636

637 A: Mm-hm.
638

639 A1: Do you need to take a break then Lauren?
640

641 A: Think - I think so. I - I - I'm - I'm shocked this is fabricated.
642

643 Q: Okay. Give me just one minute.
644

645 A: I'd be interested to know what other certificates people who may have come
646 from the AG's Office who are also at DES that they would have had access to
647 their personnel records. If there is one that looks identical to all of this that has
648 somebody else's name on it...
649

650 Q: Mm-hm.
651

652 A: ...that I obviously would not have had access to.
653

654 Q: Do you remember telling Sergeant (Fuldish) who you got the certificate from?
655

656 A: We've never discussed this certificate. We were only ever discussing a
657 different certificate.
658

659 Q: I know it's not - again, I know it's not this one, but do you recall during your
660 conversation with Sergeant (Fuldish) giving him the name of somebody that
661 you obtained a certificate from, whited out the name, and put your name on it?
662

663 A: I - that never, uh, happened. I - I never did that.
664

665 Q: Okay. All right Lauren, what I'm gonna show you is another training
666 certificate for program title Excel for Public Safety. The provider was the
667 Police Technical Incorporated taught by a (Julie Manson), and before you said
668 this is not your writing, is that correct?
669

670 A: Mm-hm. It looks close, but...
671

672 Q: Is it or isn't it? Is this your writing yes or no?
673

674 A: I did not write that.
675

676 Q: This here...
677
678 A: I don't know if somebody...
679
680 Q: ...your name, you did not write your name?
681
682 A: I did not write this on this certificate, no.
683
684 Q: Did you write your name right here?
685
686 A: No.
687
688 Q: That's not your writing?
689
690 A: That is not me writing that.
691
692 Q: Okay.
693
694 A: That is not the same.
695
696 Q: You're saying that this is not the same as that?
697
698 A: I am saying that. I'm saying I've studied handwriting and that is not the same.
699 If you look at the L alone there's a s...
700
701 Q: I'm not lookin' at the L. I'm lookin' at the Buhrow, and you're tellin' me
702 that's not the same?
703
704 A: Are you tellin' me that that's where they got it from?
705
706 Q: I'm asking you...
707
708 A: And no, I'm telling you the B is not the same either. There is a little hook at
709 the bottom of that one, and it extends beyond the B there. There is no hook at
710 the bottom here, and the - it curves at the top there.
711
712 Q: Uh, I'm not gonna get picky with little things like that. Look at that name and
713 look at this name. You tellin' me that these are from a different person?
714
715 A: Yes I am.
716
717 Q: You're tel-...
718
719 A: The R...
720

721 Q: ...that's what you're saying?
722

723 A: ...the R here has no little tag on it. The R here has a little tag on it.
724

725 Q: Mm-hm. Okay, you're getting very specific to little things.
726

727 A: I have...
728

729 Q: I just want to make sure...
730

731 A: ...studied handwriting.
732

733 Q: Okay, I just want to make sure for the tape that you're telling me this writing
734 and this writing is not from the same person, and that you did not write this.
735 Did you write this? Is that your handwriting?
736

737 A: Can I see the certificate?
738

739 Q: You shouldn't have to see the certificate. Is that your handwriting, yes or no?
740

741 A: It's hard to say because usually my L would be bigger.
742

743 Q: Lauren, is this your handwriting, yes or no?
744

745 A: I think it's questionable. Actually, what was that one? The Excel for - I've got
746 - I might have my training certificate with me and we could compare the
747 actual certificate to that one.
748

749 Q: To which one?
750

751 A: To the one you just showed me.
752

753 Q: These are all ones that you submitted from the AG's Office.
754

755 A: Okay, well we could compare the one that I have in my records to that one,
756 and then I can confirm whether or not it was mine because the only ones I
757 would have were ones that I signed.
758

759 Q: Okay. Let's, uh, uh, time is now 1445 hours. Let's take a 15 minute break.
760 We'll reconvene at 1500. Um, if it's open there's a conference room across
761 the hall, and at the end of the hallway by the bathrooms there's a little meeting
762 room up there. So, let's go ahead and take a break and we'll reconvene at
763 1500, 15 minutes. Okay?
764

765 Man: (Unintelligible)?

766
767 Man: That's the copy right there.
768
769 Woman: (Unintelligible). Well, I'm here. (Unintelligible) turn I'm here.
770
771 Woman: Yeah.
772
773 Woman: I'm still here.
774
775 Woman: I'm still here.
776
777 Man: (Unintelligible).
778
779 Woman: Oh okay.
780
781 Man: (Unintelligible).
782
783 Woman: (Unintelligible).
784
785 Man: Can't tell (unintelligible).
786
787 Woman: (Unintelligible).
788
789 Man: (Unintelligible).
790
791 Woman: (Unintelligible).
792
793 Man: (Unintelligible).
794
795 (Bertha): Good afternoon, Professional Standards Unit, this is (Bertha). Yes,
796 (unintelligible). Oh okay, I apologize. No, that - that was - that was my fault. I
797 - I - no. No, you know, what's fair is fair, and I did have it on my list and I
798 just forgot. Um, I was populating the - the report for you, so - oh no, no, that's
799 - that's not a problem. Don't worry. So I'll send that right up. You're
800 welcome. Bye-bye. Oh. (Pam), good afternoon, it's (Bertha). Hey. Can I speak
801 with Lieutenant Colonel, uh, (Chung) please? Oh. Uh, no, I'll just email him.
802 He, um, he just called me. Uh, yeah. Okay. Okay. Okay, thanks. Yes, thank
803 you for taking my call. Um, so I - I realized there's some rationality behind
804 my - my thinking, um, when - in regards to the history. Um, he doesn't have a
805 history. The only - the only allegation that's listed on his history is the current
806 one. Um, I don't know if you want me to go ahead and forward you the - the,
807 uh, sure, sounds great. I'll send it right over. Thanks. Okay, bye-bye. Ah.
808 (Unintelligible).
809
810 Man: (Unintelligible) gonna run down and use the head real quick.

811
812 Q: Okay.
813
814 Man: And I'll tell them that you're ready.
815
816 Q: Okay.
817
818 Man: I do too.
819
820 Woman: We're pressing the flex a lot, huh? I just thought Jeff would want to thank
821 you. He was...
822
823 Man: This is Todd's. This is Todd's.
824
825 Woman: Okay.
826
827 Man: (Unintelligible) that I appreciate it. I'm tryin' to watch my figure, but...
828
829 Woman: I know, but you've already done so good. You look amazing.
830
831 Man: Thank you. I appreciate that.
832
833 Woman: Well, you know, I had to pass it along. You guys wanted to bring it up here,
834 but we ended up (unintelligible), "Go ahead, take it to the sergeant."
835
836 A1: Sorry. Can you show us where the restroom is?
837
838 Man: Yeah. Um, just go up to the front.
839
840 Woman: Uh, I didn't know where to go, so...
841
842 Man: Oh, just go to the front - go to the front and turn right. At the end of the
843 hallway you'll see it right there on your right.
844
845 Woman: I'll be right back.
846
847 Man: Thank you (unintelligible).
848
849 Woman: Yeah, I told (unintelligible) a cookie (unintelligible). He's like, "Just take it
850 anyways (unintelligible)."
851
852 Man: That's - that's nice (unintelligible). Don't mention it though.
853
854 Woman: Yeah.
855

856 Man: I'll eventually break down and have half.
857
858 Woman: I already took some across the way to (Debbie) and - and, uh, (Pat) was there,
859 so...
860
861 Woman: Okay, so this one...
862
863 Woman: (Unintelligible). Thank you.
864
865 A: Should we just go in there?
866
867 Woman: Yes, (unintelligible).
868
869 A: Okay. Where did they get that? That's a horrible picture.
870
871 Q: Todd you ready?
872
873 Q1: Yeah.
874
875 Q: Okay, continuing with the interview. Same people present. Time is 1510
876 hours. Lauren, just let me ask you one more time if you can give me an
877 explanation on how this training certificate dated August 12, 2011 and the
878 requests through NLETS to fly armed are also dated August 12, 2011, can you
879 give me an explanation on how that could, uh, how that could happen?
880
881 A: I had nothing to do with either, so I don't know.
882
883 Q: Are you telling me this request wasn't made on your behalf?
884
885 A: It may have been made on my behalf, but I didn't make it.
886
887 Q: Who made it?
888
889 A: W- uh, p- 2011, that might have been (Joann), uh, I can't think of her last
890 name. Our office administrator at the Attorney General's Office who was
891 doing those sorts of things at the time. I believe it was her.
892
893 Q: But you had to ask her to send this NLETS to get permission...
894
895 A: I wouldn't have...
896
897 Q: ...to fly, correct?
898
899 A: ...done that. I believe the Chief, uh, or my supervisor would have made that
900 request, Meg Hinchey and/or Andy Rubalcava would have made that request

- 901 because I believe the protocol at the Attorney General's Office was that it had
902 to come from the Chief, but I - I'm not positive on that.
903
- 904 Q: Do you know why, uh, the first attempt was denied?
905
- 906 A: I have no idea.
907
- 908 Q: Was it denied and they told you you had to have the class, so that's when you
909 went and got the class?
910
- 911 A: I don't n- I don't know.
912
- 913 Q: Did you know that these requests were submitted?
914
- 915 A: Those requests are which ones?
916
- 917 Q: These here to fly to New Mexico.
918
- 919 A: I - I - yes, I believe at the time I knew that they were trying to allow me to fly
920 armed.
921
- 922 Q: Okay, then, eh, uh, if you or your supervisor are trying to make that request do
923 you know why there would be a certificate for FAA Flying While Armed
924 dated August 12, 2011, the same day that these requests were made?
925
- 926 A: I - I have never seen this document. I don't know, eh, where this ca...
927
- 928 Q: You submitted with your information in your background packet.
929
- 930 A: I don't know if that is the case. I know that the information that has gone
931 through has been submitted to me by the Attorney General's Office. Again, I
932 didn't review it thoroughly. Um, I just turned it over as is assuming that it was
933 the most current information, uh, because they were my most current
934 employer. I don't know what they put in there. Uh, if they put this in there or
935 if s- uh, I know I turned it in to (Bill Fuldish) who also had access to those
936 records. I also know that the background investigator then had to request I - I
937 understand his process is to request records from the source. So I don't know
938 if this record came from the AG's Office, from (Bill Fuldish), or from the
939 AG's Office subsequently. Uh...
940
- 941 Q: Did you re-...
942
- 943 A: ...all...
944
- 945 Q: ...did you request your training records from the AG's Office for your

946 background packet?
947
948 A: Yes I did. Well at the time it wasn't for my background packet. At the time it
949 was just to have a copy of my complete file.
950
951 Q: Do you remember seeing this certificate when you submitted the packet?
952
953 A: I know I took that class.
954
955 Q: Okay. Do you remember seeing this certificate when you submitted it into
956 your background packet?
957
958 A: Again, I didn't - I - I didn't closely review it. I took it straight from what the
959 AG's Office gave me and just p- plunked it onto the back of my application.
960
961 Q: Can you think of any reason, Lauren, that somebody else would do this
962 besides you?
963
964 A: Yes, to make me look bad. To try to get me into trouble and to, I mean, uh,
965 there are so many different reasons someone might do this.
966
967 Q: How would anybody know that you made NLETS requests on the same date
968 that your training certificate is dated? How would anybody else know that?
969
970 A: You - you'd have to ask them. I don't know.
971
972 Q: And why August of 2011 would somebody do something like that in
973 anticipation that six or seven years later you'd be goin' through a background
974 packet? Why would somebody - what purpose would somebody have to make
975 up a document like that?
976
977 A: I'm not saying anything other than the fact that I've never seen this. I'm not
978 saying that I didn't take the course, and in fact I believe Miss Kempely didn't
979 say that I didn't take the course.
980
981 Q: Mm-hm.
982
983 A: My memory is consistent with her memory that it was a one-on-one thing and
984 that you can very easily corroborate by going to ACTIC because they have a
985 very solid login, logout process.
986
987 Q: Mm-hm.
988
989 A: You could go and pull their records for logins and logouts...
990

991 Q: Mm-hm.
992
993 A: ...and prove that I was there that day.
994
995 Q: Miss Kempley also said that she doesn't remember giving it to you. If she did
996 it was a one-on-one.
997
998 A: Which is what I said.
999
1000 Q: But she doesn't even think that she was able to give that class.
1001
1002 A: Well that's incorrect. I can...
1003
1004 Q: Okay.
1005
1006 A: ...even describe to you the room that we were in. Uh, it's - it's - she's
1007 incorrect, and I'm sure, positive that the login, logouts at ACTIC will
1008 corroborate my statement.
1009
1010 Q: Okay. And just one more time, Lauren, I know you - we took a break, and I'm
1011 assuming you guys had the opportunity to talk. Just let me ask one more time,
1012 is this your writing?
1013
1014 A: I do not believe that I can confirm that that is. I do not believe that I've ever
1015 seen this certificate, so if I've never seen this certificate that cannot be my
1016 writing.
1017
1018 Q: So back to the question, is this your writing?
1019
1020 A: I do not believe it is.
1021
1022 Q: You can't answer that yes or no?
1023
1024 A: I believe it's been altered.
1025
1026 Q: This certificate?
1027
1028 A: Yes. Uh...
1029
1030 Q: Oh, it has. There's no doubt in my mind it's been altered, but back...
1031
1032 A: And it was not...
1033
1034 Q: ...to the same question...
1035

1036 A: ...altered by me.
1037
1038 Q: ...back to the - okay, back to the same question, is this name right here, Lauren
1039 Buhrow, is that your writing?
1040
1041 A: I don't know if someone has a copy of my name that was written that way
1042 somewhere else and they traced it. I don't know.
1043
1044 Q: Okay. I'll ask you one more time, is that your writing?
1045
1046 A: This specific...
1047
1048 Q: Is this name right here your writing?
1049
1050 A: On this...
1051
1052 Q: Lauren Buhrow, is that your writing right there?
1053
1054 A: Are you gonna let me answer?
1055
1056 Q: Uh, uh, you keep dodgin' around a yes or...
1057
1058 A: I'm not...
1059
1060 Q: ...no question.
1061
1062 A: ...dodging around it. I'm giving you very specific answers. On this certificate
1063 as is I did not write my name on this certificate.
1064
1065 Q: Okay. And I'll take that for what you said. Now let me ask you, whether you
1066 wrote it on this document or not is that your writing?
1067
1068 A: I don't know where it was taken from, so I don't know. I don't know...
1069
1070 Q: Okay, let's - let's just - let's say it was taken from somewhere else. Okay?
1071 Whether it was taken from somewhere else or not is that your writing?
1072
1073 A: I'm not willing - because it's an altered document I'm not willing to confirm
1074 that it is or isn't because, eh...
1075
1076 Q: Is this your writing? This name right here, is that your writing?
1077
1078 A: I'm not sure.
1079
1080 Q: How are you not sure?

1081
1082 A: Because it's - it's a different slant and bubbiness than is normal for me. I may
1083 have had a very stress-free day and I could have written it that way, but that
1084 does not look like my normal...
1085
1086 Q: Okay.
1087
1088 A: ...writing.
1089
1090 Q: Is that your writing?
1091
1092 A: I'm - I'm not sure. I - I don't know where the source of this came from.
1093
1094 Q: Where the source of what came from?
1095
1096 A: Where the source of this document came from.
1097
1098 Q: It came from your training records from the AG's Office.
1099
1100 A: Okay.
1101
1102 Q: So, eh, is some, eh...
1103
1104 A: Based on the circumstances I have reason to believe that someone at the AG's
1105 Office may have altered that document.
1106
1107 Q: Okay.
1108
1109 A: If they're one of the ones who had...
1110
1111 Q: Okay. Forget this for right now. Forget that for right now.
1112
1113 A: So - so why don't you tell me...
1114
1115 Q: Is this your writing?
1116
1117 A: If this is the one that came from the AG's Office show me the one that came
1118 from my records.
1119
1120 Q: This is what you submitted in your background packet.
1121
1122 A: You said it came from the AG's Office.
1123
1124 Q: Did you not obtain them from the AG's Office? It says, "Agency AGO."
1125

- 1126 A: No badge number's included. It appears to be not...
1127
- 1128 Q: Okay. Uh, I don't care if there is or not. It goes back to the same question, is
1129 this your writing?
1130
- 1131 A: I'm not willing to confirm based on not knowing the source of that record. If
1132 that record came from the same place where that record is I'm not willing to
1133 confirm it.
1134
- 1135 Q: Lauren, eh, you understand what you're tellin' me doesn't make sense. I'm
1136 asking you a simple question. Okay, whether this document is doctored or not
1137 I don't care. Aside from that document, this training class right here you said
1138 you remember takin' that, right, Accident Avoidance Training?
1139
- 1140 A: When the - 2011? Where's the source? Where was it?
1141
- 1142 Q: Maricopa County, AZ is what it says.
1143
- 1144 A: I remember taking one at the training facility that starts with a C out, uh, east.
1145 It's a - used to be a - I don't know if it still is a, uh, academy.
1146
- 1147 Q: Okay. So, there's no reason to doubt that you went to this training.
1148
- 1149 A: Well there is. The - the location doesn't appear to be correct.
1150
- 1151 Q: Okay, and because of that are you denying that you went to this training?
1152
- 1153 A: No. I went to Accident Avoidance Training. I just don't know if I went to this
1154 Accident Avoidance Training.
1155
- 1156 Q: Okay. Is there a reason to think that this training certificate is not accurate?
1157
- 1158 A: Yes because that one's not.
1159
- 1160 Q: Did you complete all of the background information yourself, the
1161 questionnaire, the post questionnaire, and everything that you submitted with
1162 your background packet? Did you complete that yourself?
1163
- 1164 A: Yes.
1165
- 1166 Q: You did all that writing?
1167
- 1168 A: I believe so, yeah.
1169
- 1170 Q: So nothing within that's gonna be completed by anybody else?

1171
1172 A: If you can show me the document I'll - I'll confirm.
1173
1174 Q: Oh no, I'm askin' you, the questionnaire...
1175
1176 A: I - I'm - I'm just...
1177
1178 Q: ...the questionnaire, did anybody else write that in your place?
1179
1180 A: No.
1181
1182 Q: Is there any reason to believe that that would have been fabricated?
1183
1184 A: No.
1185
1186 Q: Is that your writing?
1187
1188 A: Is this that document that you just said? I believe so, yes. Nobody - yes, I
1189 believe that is my writing.
1190
1191 Q: Is that consistent with this?
1192
1193 A: No.
1194
1195 Q: It's not?
1196
1197 A: No it is not. The R had - this one...
1198
1199 Q: Mm-hm.
1200
1201 A: ...has a little tag on the R.
1202
1203 Q: Mm-hm.
1204
1205 A: This one does not. This one has a little curlicue on the backside of the W. That
1206 one does not.
1207
1208 Q: Okay. I'll tell you what we'll do. We'll stop - we'll stop playin' this game. Let
1209 me ask you...
1210
1211 A: Uh, I'm not playing a game. I'm being...
1212
1213 Q: Okay.
1214
1215 A: ...completely honest with you.

1216
1217 Q: Okay. Let me ask you this 'cause I am gonna send this to a r- to have writing
1218 analysis done.
1219
1220 A: Good.
1221
1222 Q: Okay? If it does come back that this is your writing can you give me and
1223 explanation on - on how that could be?
1224
1225 A: Someone traced my handwriting from somewhere else. I did not fill out this
1226 document. I have never seen this document.
1227
1228 Q: So your explanation is that somebody on August 12, 2011, the same date that
1229 you submitted your NLETS request to fly on Oc- on August 15, that
1230 somebody back at that time would have had a reason to doctor up a training
1231 certificate?
1232
1233 A: Maybe I didn't have a training certificate, someone realized they didn't do
1234 one, and they doctored it to - because they needed to put one in my file
1235 because maybe Kathleen realized she had forgotten to do it, and sh- I don't
1236 know. I - there are so many different reasons it could have happened.
1237
1238 Q: And you think Kathleen would have traced your name onto this document
1239 rather than sayin', "Hey Lauren, can you sign this training certificate? Here
1240 you go."
1241
1242 A: I have...
1243
1244 Q: You think she would take that measure?
1245
1246 A: ...I have no idea. I don't believe she would. I believe that this is the work of
1247 someone at DES who may have had access to this same record through
1248 friends, and they did that and - or - I - I don't know, maybe they got a copy of
1249 it when the, uh, uh, the background investigator pulled records or when - I - I
1250 don't know who.
1251
1252 Q: Okay.
1253
1254 A: And they just m- maybe they even took my own name...
1255
1256 Q: Mm-hm.
1257
1258 A: ...and...
1259
1260 Q: The people at DES?

1261
1262 A: Yes, (Bill Fuldish) to be exact.
1263
1264 Q: The people at DES didn't know that you submitted the request to fly on
1265 August 12, 2011 and that you flew to New Mexico. They didn't know that.
1266
1267 A: I'm sure that they have friends.
1268
1269 Q: From 2011?
1270
1271 A: Yeah.
1272
1273 Q: Lauren I'm gonna tell you I don't - I don't believe you.
1274
1275 A: Uh, well...
1276
1277 Q: I think you're afraid to admit to this.
1278
1279 A: The, uh...
1280
1281 Q: I think you did this so you had proof of it...
1282
1283 A: Absolutely not.
1284
1285 Q: Hang on. I think you did this so you had proof of it so that you could fly on
1286 these dates, and submit the request on August 12.
1287
1288 A: Why wouldn't I have just gotten my own certificate?
1289
1290 Q: That would make sense, wouldn't it?
1291
1292 A: It would.
1293
1294 Q: Mm-hm.
1295
1296 A: And...
1297
1298 Q: I agree.
1299
1300 A: Th- there's no reason for me to fabricate it. If I took the class, which I did...
1301
1302 Q: Mm-hm.
1303
1304 A: ...and you can confirm that...
1305

1306 Q: Okay.
1307
1308 A: ...by going to ACTIC.
1309
1310 Q: I don't doubt that you may have gone to ACTIC. I don't doubt that. I'm not
1311 questioning that.
1312
1313 A: What are you questioning?
1314
1315 Q: It was very simple on this document right here. This was my only question.
1316
1317 A: But I didn't fabricate this. I did not do that.
1318
1319 Q: How - how could Sergeant (Fuldish) be so descriptive in telling me your
1320 conversation that fits this perfectly? How could he...
1321
1322 A: Because we had a conversation about a different certificate.
1323
1324 Q: Mm-hm. Did you white out that certificate?
1325
1326 A: No, of course not.
1327
1328 Q: Then why would he tell me you - in your words that in your conversation you
1329 told him there was a certif- a certificate that you whited out somebody's name
1330 on, which is consistent with this line right here, and put your name on it
1331 because you left the class early?
1332
1333 A: There was no class. It was a one-on-one between Kathleen Kempley and I.
1334
1335 Q: Mm-hm.
1336
1337 A: I didn't leave the class early. It - in fact it's even possible because it was a
1338 computerized class that you might be able to show - I don't know how they -
1339 long they keep this information, they might be ab- able to even show how
1340 long I was on that computerized program and that I went all the way through
1341 it.
1342
1343 Q: How would Sergeant (Fuldish) be so descriptive in saying that you told him
1344 that you got a certificate, whited out somebody's name on it, and put your
1345 name on it?
1346
1347 A: Because he's a liar.
1348
1349 Q: I mean, his description is very consistent with this document.
1350

1351 A: Uh...

1352

1353 Q: It's hard for me to call him a liar.

1354

1355 A: ...I'm sure he created a document to f- uh...

1356

1357 Q: You're sayin'...

1358

1359 A: ...fulfill...

1360

1361 Q: ...Sergeant (Fuldish) did this?

1362

1363 A: I don't know. Whoever did he must be in cahoots with.

1364

1365 Q: From 2011 when they have no knowledge that you flew on the same date, on

1366 the 15th when you requested permission on the 12th?

1367

1368 A: Maybe this had my name on it and he whited out my name and rewrote it to

1369 make it fit the story that he wants it to fit.

1370

1371 Q: Mmm.

1372

1373 A: I - I - I am not lying. I am, eh, eh, this is a complete and total farce. I - I don't

1374 know how to prove it to you other than to start calling friends, start looking

1375 through my files now that I know what, eh, is at stake and see what I can

1376 come up with to demonstrate to you that I was there, but I think being a good

1377 investigator that you can contact ACTIC and talk to them about the date that I

1378 was there.

1379

1380 Q: I have no dou- I don't question that.

1381

1382 A: I believe...

1383

1384 Q: I don't question that.

1385

1386 A: ...that they should have some sort of electronic record that I took the course

1387 from start to finish, um, because it was a computerized program.

1388

1389 Q: Do you know...

1390

1391 A: And I...

1392

1393 Q: ...Lauren, and for the record, this is your, again, your August 2011 monthly

1394 report. In the meeting/trainings you don't have that training class listed. Can

1395 you give me an explanation for that?

1396
1397 A: An oversight. I put it one place instead of another. This was for my own
1398 knowledge.
1399
1400 Q: Where else did you put the training class?
1401
1402 A: August, and the training was August. I might have - I might still have my
1403 calendar from 2011.
1404
1405 Q: Well this is your monthly report for August 2011, right?
1406
1407 A: Right, but this was for my own...
1408
1409 Q: And your training isn't - your training isn't...
1410
1411 A: ...this was my own additional - th- this was not required of me. This was to
1412 help me just kind of remember what was going on at the time. This would cue
1413 me. Eh, th- there's no way obviously that I would travel without that, and I
1414 know that I would have had to take that in order to travel, so it was my cue.
1415
1416 Q: This is your monthly report. Is that not for work purposes?
1417
1418 A: This was for my own knowledge.
1419
1420 Q: Oh, so everybody didn't have to do that? It was just for you?
1421
1422 A: I don't know what everyone had to do. I know that we all had to do some sort
1423 of report, but I believe I was the only person adding this kind of information.
1424 Can I see if - if there are...
1425
1426 Q: Sure.
1427
1428 A: ...any other cues on there?
1429
1430 Q: Are you done with this?
1431
1432 A: Mm-hm.
1433
1434 Q: So, I just want to clarify with you, Lauren, that you believe this training
1435 document is sabotage against you from somebody else?
1436
1437 A: Yes.
1438
1439 Q: Even though they didn't realize that you flew on August 12, 2011 or that you
1440 requested to fly on August 12, 2011? Nobody knew that except from years'

1441 back.
1442
1443 A: I will...
1444
1445 Q: And you're tellin' me if someone wants to sabotage you they'll say, "I
1446 remember her flying way back in 2011."
1447
1448 A: It may not have been an intentional sabotage. Like I said, it's entirely possible
1449 that Kathleen forgot to put this in my file and put it in for me having done this
1450 over the top of somebody else's. I don't know because I never saw this. It was
1451 never given to me. I don't know who did it, but it wasn't me.
1452
1453 Q: Okay.
1454
1455 Q1: But you know you needed it to fly?
1456
1457 A: Yeah, I t...
1458
1459 Q1: Or...
1460
1461 A: ...I took the course.
1462
1463 Q1: Right, so you knew that you needed that form to fly armed?
1464
1465 A: I didn't know I needed this form. I knew I needed the course.
1466
1467 Q1: Okay.
1468
1469 A: I knew that Kathleen Kempley worked for the Attorney General's Office and
1470 s- told whoever it was that needed the information that I took the class, that I
1471 completed - successfully completed the class. So I didn't worry about what
1472 paperwork was behind the scenes. I knew that the right people were talking to
1473 each other and that I took the class, and therefore the paperwork would be
1474 there.
1475
1476 Q: So you think Kathleen, who as the training coordinator or whatever her
1477 position was had access to thousands of these training certificates, would have
1478 gone out of her way to we'll say doctor up this training certificate to put your
1479 name on it rather than just printing out one all nice and neat with your
1480 information on it?
1481
1482 A: I don't know. I just find it extremely interesting that this and this are different
1483 handwriting.
1484
1485 Q: I...

1486
1487 A: I - I...
1488
1489 Q: Mm-hm.
1490
1491 A: ...they always give you - if they're gonna have you fill out your own name you
1492 end up filling out this whole line.
1493
1494 Q: Mm-hm. Which is consistent with Mr. F- Sergeant (Fuldish)'s statement that
1495 you got somebody else's certificate, whited out their information, and put
1496 your own in.
1497
1498 A: Uh, but that's absolutely not true. It - it's just not.
1499
1500 Q: And your only explanation is sabotage?
1501
1502 A: I - I d- I haven't had...
1503
1504 Q1: What - what benefit would - would it be to Sergeant (Fuldish) to do that, to
1505 place that in your - in your book? What - what benefit would that be to him?
1506
1507 A: Well...
1508
1509 A1: Yeah.
1510
1511 A: I think that's speculation.
1512
1513 A1: Mm-hm.
1514
1515 A: You're asking me to speculate on any multitude of possible outcomes. I think
1516 right now there is tremendous turmoil going on at DES, and people have a lot
1517 of their own agendas going on, and I won't presume to know what his is, but I
1518 do believe he has one. By the mere fact that he brought this up now - if he
1519 knew this and if he saw this back in, what, June why is he only now bringing
1520 this up?
1521
1522 Q: There's an explanation for that and it's go- goes back to the turmoil, and the
1523 perceived protection that you had by people that no longer work there, and the
1524 fear of coming forward with things and losing his job.
1525
1526 A: That's a convenient explanation.
1527
1528 Q: Well, to me a convenience explanation is blaming this on sabotage. That's a
1529 more convenient explanation.
1530

1531 A: Eh, so why didn't he take it to an external agency at that time? If he believed
1532 that people were so corrupt within DES why didn't he come to DPS or the
1533 FBI or anyone claiming that there was, uh, uh, some- something nefarious
1534 going on in upper management? It's - it's just a...
1535

1536 Q: Mm-hm.

1537

1538 A: ...farce. It's an absolute farce.

1539

1540 Q: Okay. Any other questions?

1541

1542 Q1: No.

1543

1544 Q: Lauren, I don't know how many other ways we can hit this. I - I can tell you
1545 that, um, I'm just gonna tell you I don't believe you. Um, I don't believe your
1546 explanation and why this docu-...
1547

1548 A: My - it's not my explanation. You asked me to con- conjecture. I don't have
1549 an explanation.

1550

1551 Q: Okay, well but...

1552

1553 A: I don't know how this happened. I've never seen this before. Someone else
1554 did it.

1555

1556 Q: Okay. All I can tell you is that, um, I'm gonna write the report with the facts
1557 and submit it to your chain of command. I'm gonna tell you I don't believe
1558 you. Um, you've gone so far left field with this, um, you won't admit that this
1559 is your writing, and I don't care if it's been transposed on here, if it's been
1560 copied on here, whatever, you will not admit that this is your writing.
1561

1562 A: How can it be my writing if I've never seen this document?

1563

1564 Q: Okay. If it was taken from - if it was taken from another document and put on
1565 here, another document that you filled out, and put on here, I'm only asking
1566 you about this little portion right here, is that your writing?
1567

1568 A: Have you compared...

1569

1570 Q: Yes or no?

1571

1572 A: ...all of the other training certificates, held them up to light to see if any of
1573 them exactly match the...
1574

1575 Q: You have about four...

1576
1577 A: ...writing here?
1578
1579 Q: ...you have about four different ways of signing your name on all these
1580 different papers.
1581
1582 A: And I'm guessing...
1583
1584 Q: And the ones that I showed you...
1585
1586 A: ...that one of them will lack up - will - will line up with this one exactly.
1587
1588 Q: So I showed that to you. That's why I showed that to you. And just to make
1589 sure, you're tellin' me that those are different?
1590
1591 A: Yes, if you'll look this...
1592
1593 Q: Okay.
1594
1595 A: ...the B...
1596
1597 Q: Mm-hm.
1598
1599 A: ...comes further than that one does and it hangs down.
1600
1601 Q: Very small difference. S...
1602
1603 A: Very small differences matter in handwriting.
1604
1605 Q: ...see how the U and H - see how the U and H connect? U and H connect,
1606 right? Very small difference in handwriting, but very accurate, correct? See
1607 how the L and the A connect, and the L and the A connect. Very small
1608 difference, but very accurate isn't it?
1609
1610 A: Do you see how the R...
1611
1612 Q: Okay, I'm not...
1613
1614 A: ...has a short tail...
1615
1616 Q: ...here's what I'm gonna do.
1617
1618 A: ...and this one has a long one?
1619
1620 Q: Eh, eh, you refuse to answer my question of this is your writing or not, so

1621 when I sub- hang on...
1622
1623 A: It can't be...
1624
1625 Q: ...hang on.
1626
1627 A: ...my writing if it's...
1628
1629 Q: You understand the...
1630
1631 A: ...been written and transposed...
1632
1633 Q: ...question?
1634
1635 A: ...by someone else...
1636
1637 Q: You understand the question. I'm not gonna play that game.
1638
1639 A: It's not a game.
1640
1641 Q: I'm gonna submit these three documents to a handwriting analysis.
1642
1643 A: Good.
1644
1645 Q: And we'll let them come back with it, and when it does you're refusing to
1646 answer my question if this is your writing or not, plain and simple. You refuse
1647 to answer it.
1648
1649 A: Because it...
1650
1651 Q: So when it...
1652
1653 A: ...can't be my writing if I've never seen the document.
1654
1655 Q: We've clarified that. I've made it as clear as I could possibly make it to you.
1656 So when it comes back that that is your writing...
1657
1658 A: Because maybe someone copied it from somewhere else, but I will never -
1659 you will never hear me say that that is my writing because it's copied if
1660 anything.
1661
1662 Q: Okay.
1663
1664 A: It's someone else's writing copied by mine.
1665

1666 Q: Okay.

1667

1668 A: I did not ever pen that record.

1669

1670 Q: Well what we're gonna do is I'll complete the report. It'll be up to your chain

1671 of command to, uh, come up with the findings.

1672

1673 A: Uh, I'm curious. W- if I took the class...

1674

1675 Q: Mm-hm.

1676

1677 A: ...and you can prove obviously that I took the class what is the issue?

1678

1679 Q: Well Number 1 I can't prove that you took the class. That's first thing.

1680

1681 A: I would not have been given the ability to fly armed if I hadn't.

1682

1683 Q: Unless you said you took the class and you did this to make sure you had

1684 proof.

1685

1686 A: Eh, uh...

1687

1688 Q: I'm just sayin', and - and I'm not sayin' that's what happened. I'm just sayin'

1689 that's an easy explanation.

1690

1691 A: Did you have your mind made up before you came in here?

1692

1693 No, not at all. Not at all. That's why I brought you in here, but as I said, eh,

you're not even in agreement with Sergeant (Fuldish) who never saw this

document until I showed it to him, okay, and him bein' very clear...

I don't believe that.

Okay.

And, uh, is - here's why.

Mm-hm.

1704

1705 A: He got - he was the one who I gave my records to...

1706

1707 Q: Mm-hm.

1708

1709 A: ...and he is the one who got the information back from the background

1710 investigator, held it then for AZ Post to do, so he did see it.

Need:
 subpoenas for
 - Sharp
 - Kereit!
 - Sharne

1711
1712 Q: Okay.
1713
1714 A: He did have it.
1715
1716 Q: He did have it. Yeah...
1717
1718 A: And...
1719
1720 Q: ...there's no doubt he had them 'cause he'd make sure that all the documents
1721 are in here before it's - as the liaison to make sure that it's within the
1722 background packet.
1723
1724 A: So he had it within his ability to...
1725
1726 Q: And I'll tell what my expectations were were for you to come in and say you
1727 took the class, didn't get a certificate, so you got one, put your name on it to
1728 show you have proof of it. That's what I expected.
1729
1730 A: But I did.
1731
1732 Q: But we have not gone that route.
1733
1734 A: I've never, never gotten the certificate.
1735
1736 Q: Okay. I'm just tellin', you asked me if m- I had my mind made up. I didn't.
1737 Uh, that's how I thought things were gonna go, but it's...
1738
1739 A: I would love...
1740
1741 Q: ...definitely gone...
1742
1743 A: ...to tell you that that happened...
1744
1745 Q: Okay.
1746
1747 A: ...but it didn't.
1748
1749 Q: Okay.
1750
1751 A: I'm telling you the truth.
1752
1753 Q: Okay. Well, to answer your question no I did not have my mind made up
1754 when you walked in here. Definitely not.
1755

1756 A: I'm - I'm - I'm - I apologize if I seem upset, but this is upsetting.
1757

1758 Q: Okay, I understand.
1759

1760 A: To have someone falsifying records and to have you attacking me over
1761 something that is false...
1762

1763 Q: Mm-hm.
1764

1765 A: ...is - I - I'm - I'm beside myself that...
1766

1767 Q: Okay.
1768

1769 A: ...that the - this is just wrong.
1770

1771 Q: Okay. You have anything? Lauren per Arizona revised Statute 381104 the law
1772 enforcement officer at the conclusion of the interview is entitled a period of
1773 time to consult with your representative and may make a statement not to
1774 exceed five minutes addressing the specific facts or policies that are related to
1775 the interview. Do you want to take a break, uh, prior to concluding the
1776 interview...
1777

1778 A: Yes please.
1779

1780 Q: ...to make a statement? Okay. We'll, uh, time is 1543. Um, we'll take ten
1781 minutes. Uh, let's reconvene at 15- let's reconvene at 1555. Okay?
1782

1783 Man: (Unintelligible). She said it was too (unintelligible). Well I just got the - I just
1784 got the information that I requested and just (unintelligible) an application
1785 (unintelligible), so if I'm fillin' out an application (unintelligible) picture
1786 (unintelligible) everything is, uh, you know, up-to-date, everything's there,
1787 which I did. (Unintelligible). Do they keep track of who requests information
1788 (unintelligible) that's your first thing (unintelligible), so but what I'm saying
1789 is when you requested that information (unintelligible). Just to get him
1790 (unintelligible). They have record of it and somebody lied (unintelligible), but
1791 we have to - we have to take that stuff out of the equation and jump to the
1792 conclusion that (unintelligible). That's - that's kind of what I was getting from
1793 her is that (unintelligible).
1794

1795 Woman: (Unintelligible).
1796

1797 Man: (Unintelligible) she's submitting the application that she doesn't even go
1798 through (unintelligible).
1799

1800 Woman: (Unintelligible).

1801
1802 Man: (Unintelligible).
1803
1804 Woman: (Unintelligible) you start asking questions (unintelligible).
1805
1806 Man: (Unintelligible).
1807
1808 Woman: (Unintelligible) apparently (unintelligible) her before. (Unintelligible).
1809
1810 Man: (Unintelligible). Hey there.
1811
1812 Woman: Hello.
1813
1814 Man: Thank you ma'am.
1815
1816 Woman: You're welcome.
1817
1818 ((Crosstalk))
1819
1820 Q: All right, continuing with the interview. Time is 1557 hours, uh, same people
1821 are present. Lauren, I just want to see if you can give me an answer on this
1822 one. If it were true that somebody were tryin' to sabotage you or cause
1823 problems with you do you think it would be on a training document that
1824 doesn't apply to anything as far as you being hired?
1825
1826 A: Obviously.
1827
1828 Q: What do you mean obviously?
1829
1830 A: The kernel of truth in this is that (Bill) and I had a conversation about a
1831 training document.
1832
1833 Q: Mm-hm.
1834
1835 A: Where it goes false is that it was not about this training document, but that it
1836 was about a training document that contained another person's name for a
1837 training that I did attend and I can prove it.
1838
1839 Q: Mm-hm.
1840
1841 A: Therefore they would have to go to another.
1842
1843 Q: Okay, but just goin' back to his statement about you admitting to whitening out
1844 somebody's name and putting your name on it.
1845

1846 A: I never admitted that.

1847

1848 Q: Okay.

1849

1850 A: And nor...

1851

1852 Q: Okay.

1853

1854 A: ...would I. C- I've never done that.

1855

1856 Q: Okay. Uh, prior to the break I advised you of Arizona revised Statute 381104
1857 and providing a statement to your chain of command. Would you like to
1858 provide a statement to your chain of command?
1859

1860 A: Uh, is that the f- the five minute?

1861

1862 Q: Yes.

1863

1864 A: Okay.

1865

1866 Q: Mm-hm.

1867

1868 A: Yes. Um...

1869

1870 Q: Okay, go ahead.

1871

1872 A: I would like to say that I have cooperated and answered all of your questions
1873 to the very best of my ability and I have been truthful. I have not seen that
1874 document that is in question where it appears to be altered. Um, I've never
1875 seen it before. I did not alter it, nor have I altered any document, uh, relating
1876 to my training, um, or any other document f- for that matter, uh, and I did take
1877 that training. Um, I'd like to make note that (Bill Fuldish) didn't raise this
1878 specific issue with me at the time, although he was comfortable enough to
1879 bring up the other training certificate at the time, the one, uh, that had (P.J.
1880 Janek)'s name on it. Uh, and I just find that suspect that he would bring up
1881 one and not the other, and if he had a problem with it he is in IA and he had
1882 plenty of resources to do so, um, and I - I find it highly suspect that he's doing
1883 so now. Um, eh, I - I also - and this is probably the most pivotal point, I took a
1884 polygraph about my background, and the documents that I turned in, and
1885 whether or not they were truthful, and I passed that polygraph.
1886

1887 Q: Okay.

1888

1889 A: So I can prove that I have been truthful not only with you, but I have been
1890 truthful about my background packet.

1891
1892 Q: Okay. Is that all your statement? Anything else...
1893
1894 A: Uh...
1895
1896 Q: ...you'd like to add?
1897
1898 A: ...and just that I have appreciated the opportunity to work at DES. Um, I wish
1899 this had not been their chosen method to go about this. I, again, will not
1900 presume to know everyone's MO, um, or - or reasoning behind things, and -
1901 and I don't care, except that the truth be told, and I am telling it.
1902
1903 Q: Okay. Anything else?
1904
1905 A: I - I c-...
1906
1907 Q: Okay.
1908
1909 A: I'm - I'm happy to answer any other questions going forward if..
1910
1911 Q: Okay.
1912
1913 A: ...they would like.
1914
1915 Q: No, I think that's all we have for right now. Um, have you and I discussed
1916 anything off tape that needs to be readdressed on tape?
1917
1918 A: Uh, if you could just reiterate the retaliation protection for, um, Mr. (Baraza).
1919
1920 Q: Yeah, and, eh, as I explained to her, Mr. (Baraza), this - and anybody - and I
1921 know anybody from DPS that may be over there now fully understands the
1922 support observer agreement and how that works. Um, we're very
1923 understanding in knowing that being a support observer does not show any
1924 type of affiliation on either side of the investigation, that because this is so
1925 confidential and has to be held confidential by the subject the support observer
1926 is somebody that they can talk to and bounce things off of. Um, that's the
1927 main role in a support observer, or, you know, during the breaks just, you
1928 know, helping in any way they can. Um, I know everybody over there,
1929 especially from D- you know, people from DPS understand the role of the
1930 support observer.
1931
1932 A1: Mm-hm.
1933
1934 Q: So, eh, I don't see any type of retaliation occurring because you're Lauren's
1935 support observer.

1936
1937 A1: No, thank you, and also I just, uh, I'm not sure if we were being audio
1938 recording at the point, but disclosing that I - I do supervise (Bill Fuldish), and,
1939 uh, therefore indirectly the background packets. So...
1940
1941 Q: Okay. All right. And as long as you're not Lauren's direct supervisor...
1942
1943 A1: Right.
1944
1945 Q: ...um, and thank you for bringin' that up, but then there's no issue with the
1946 support observer.
1947
1948 A1: Okay.
1949
1950 Q: But thank you for bringin' that up.
1951
1952 A1: Sure.
1953
1954 Q: Oh, and again, I'll just remind you it goes back to the confidentiality with this
1955 investigation that you're p- also supposed to adhere to...
1956
1957 A1: Absolutely.
1958
1959 Q: ...and any conversation with Mr. (Fuldish).
1960
1961 A1: N- he won't know.
1962
1963 Q: Okay. All right. Um, if we don't have anything further that'll conclude the
1964 interview. Okay? Time is 1603 hours.
1965
1966
1967 The transcript has been reviewed with the audio recording submitted and it is an accurate
1968 transcription.
1969 Signed _____

**CONFIDENTIAL REPORT
PROFESSIONAL STANDARDS**

**COMPLAINT NUMBER
2016-337**

THE REVIEW OF THIS INTERNAL INVESTIGATION IS SUBJECT TO THE PROVISIONS OF DPS GENERAL ORDERS #2.2.40 AND #2.2.10 AND THE DPS COMPLAINTS AND DISCIPLINE MANUAL. REFER TO THESE DOCUMENTS OR CONTACT THE PROFESSIONAL STANDARDS COMMANDER SHOULD QUESTIONS ON REVIEW OF THIS INVESTIGATION ARISE.

**DO NOT REPRODUCE ANY PORTION OF THIS REPORT
WITHOUT PERMISSION FROM PROFESSIONAL STANDARDS**

EMPLOYEE'S NAME:	L. Buhrow
DATE OF KNOWLEDGE:	12-07-2016
THIRTY DAY DATE:	01-06-2017
SIXTY DAY DATE:	02-05-2017
NINETY DAY DATE:	03-07-2017
ONE HUNDRED-TWENTY DAY DATE:	04-06-2017

TABLE OF CONTENTS
Complaint #2016-337

Disposition

Worksheet

Complaint

Witnesses

Investigation

Addenda

The following classifications of complaints have been established by LEMSC Rule and Arizona Revised Statute § 41-1830.15.

A. The Director of the Department of Public Safety may dismiss or discipline any classified employee based on any of the following causes:

1. Fraud or misrepresentation in securing employment.
2. Incompetency.
3. Inefficiency.
4. Inexcusable neglect of duty or unauthorized absence.
5. Insubordination.
6. Dishonesty.
7. Physical or mental disability subject to the provisions of the Americans with Disabilities Act of 1990 (42 United States Code sections 12101 through 12213).
8. Unauthorized drinking on duty or drunkenness on duty.
9. Being impaired by alcohol or drugs, as provided in ARS Title 13, Chapter 34, while on duty.
10. Commission of any crime classified as a felony.
11. Discourteous treatment of the public or other employees.
12. Commission of any crime involving moral turpitude.
13. Improper political activity as proscribed in section 41-752.
14. Misuse or unauthorized use of state property.
15. Addiction to the illegal use of a narcotic or dangerous drug.
16. Any other failure of good behavior or acts either during or outside of duty hours that are incompatible with or inimical to the interest of the Department of Public Safety.

B. For the purposes of this section:

1. "Incompetency" means the lack of ability or judgment, legal qualifications or fitness to discharge required duties.
2. "Inefficiency" means the failure to produce as required for reasons other than incompetency.

The following sub classifications are used to further define misconduct by the department:

Table 4.1: Incompatible or Inimical Acts

CODE	DESCRIPTION
a	Excessive Force
b	Disclosure of confidential or restricted information
c	Use of position for personal gain
d	Hindering investigation
e	Theft
f	Domestic violence
g	Sexual misconduct
h	Improper procedure
i	Conduct adverse to the Department or employee
j	Driving under the influence
k	Prejudicial behavior or racial bias
l	Failure to supervise
m	Missing court, hearing, or deposition
n	Intemperate use of alcohol
o	Disrespectful treatment of supervisor
p	Racial profiling



ARIZONA DEPARTMENT OF PUBLIC SAFETY
DISCIPLINARY ACTION CONTROL / TRACKING

Professional Standards No.
2016-337

Complaint **Vehicle Collision / Incident** **Critical Incident**

DATE OF KNOWLEDGE BY DPS 12/07/2016	30-DAYS 01/06/2017	60-DAYS 02/05/2017	90-DAYS 03/07/2017	120 DAY NOTICE 04/06/2017
---	------------------------------	------------------------------	------------------------------	-------------------------------------

Double Click HERE to Re-Calculate Dates

EMPLOYEE INFORMATION

LAST NAME Buhrow	SUFFIX	FIRST NAME Lauren	(M.I.)	BADGE NO.	PROBATIONER <input type="checkbox"/> NO <input type="checkbox"/> YES
LOCATION CODE DES	CLASSIFICATION Department of Economic Security				

REVIEW BOARD FINDINGS See attached memo

Vehicle Collision / Incident **Critical Incident**

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
-----------------------	-----------	--------------------------

ASSISTANT DIRECTOR'S FINDINGS See attached memo

Sustained Not Sustained Exonerated Unfounded
 File Reviewed

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
-----------------------	-----------	--------------------------

CHAIN OF COMMAND REVIEW

Employee declined file review

DATE EMPLOYEE REVIEWED INVESTIGATIVE FILE	CHAIN OF COMMAND MEETING DATE
---	-------------------------------

ATTENDEE I.D. #	ATTENDEE I.D. #	ATTENDEE I.D. #	ATTENDEE I.D. #	ATTENDEE I.D. #	SUPPORT OBSERVER <input type="checkbox"/> NO <input type="checkbox"/> YES	I.D. #
-----------------	-----------------	-----------------	-----------------	-----------------	--	--------

RECOMMENDATIONS FOR DISCIPLINARY ACTION See attached memo

File Reviewed

IMMEDIATE SUPERVISOR

DISTRICT CAPTAIN / SECTION MANAGER

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
-----------------------	-----------	--------------------------

File Reviewed See attached memo

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
-----------------------	-----------	--------------------------

Continued

DISCIPLINARY ACTION CONTROL / TRACKING

PROFESSIONAL STANDARDS NO.

2016-337

Complaint Vehicle Collision / Incident Critical Incident

DATE OF KNOWLEDGE BY DPS 12/07/2016	30-DAYS 01/06/2017	60-DAYS 02/05/2017	90-DAYS 03/07/2017	120 DAY NOTICE 04/06/2017
--	-----------------------	-----------------------	-----------------------	------------------------------

EMPLOYEE INFORMATION (from page 1)

LAST NAME Buhrow	SUFFIX	FIRST NAME Lauren	(M.I.)	BADGE NO.	PROBATIONER <input type="checkbox"/> NO <input type="checkbox"/> YES
LOCATION CODE DES	CLASSIFICATION Department of Economic Security				

RECOMMENDATIONS FOR DISCIPLINARY ACTION - continued

File Reviewed See attached memo

BUREAU MAJOR MANAGER

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------	-----------	--------------------------

DIVISION

RECEIVED BY SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------------------	-----------	--------------------------

File Reviewed See attached memo

ASSISTANT DIRECTOR'S RECOMMENDATION

SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------	-----------	--------------------------

DIRECTOR'S OFFICE

RECEIVED BY SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------------------	-----------	--------------------------

See attached memo

DIRECTOR

AZPOST Review: <input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/> See attached memo	
"Brady" Material: <input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> Employee declined interview	DATE EMPLOYEE INTERVIEWED WITH DIRECTOR	SUPPORT OBSERVER <input type="checkbox"/> NO <input type="checkbox"/> YES, I.D. NO.	
SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)			

PROFESSIONAL STANDARDS

RECEIVED BY SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)
----------------------------	-----------	--------------------------

"BRADY" notification to Employee <input type="checkbox"/> YES <input type="checkbox"/> NO		DATE SENT:
SIGNATURE X	BADGE NO.	DATE SIGNED (mm/dd/yyyy)

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT.



ARIZONA DEPARTMENT OF PUBLIC SAFETY
SERVICE OF DISCIPLINE CHECKLIST

PROFESSIONAL STANDARDS NO.

2016-337

CLASS "A" DISCIPLINARY CHECKLIST

- Ensure completion of *Disciplinary Action Control Sheet*, remains in investigative file.
- Preparation and service of *Notice of Charges of Misconduct*.
 - Original served to employee.
 - Copy to be placed in investigative file.
- Ensure completion of *Disciplinary Action Checklist*, remains in investigative file.
- Ensure opportunity for employee to review investigative file.
- Ensure written response by the employee to the *Notice of Charges of Misconduct* to be placed in investigative file.
- Opportunity for Chain of Command review.
- Opportunity for employee to meet with their Assistant Director.
- Opportunity for employee to meet with the Director.
- Preparation and service of *Notice of Disciplinary Action*. Copies of the completed form are to be distributed as follows:
 - One copy filed with the **LEMSC** business manager within 120-day rule, prior to serving employee.
 - One copy to employee within 10 days of filing with **LEMSC**
 - Two copies to **Human Resources**
 - Original to be placed in the investigative file and retained by **Professional Standards**.
- Use of *Affidavit of Personal Service*. Original to be placed in the investigative file and retained by **Professional Standards**.
- If applicable, service of *Accrued Leave Time Deduction Agreement*, remains in investigative file.

CLASS "B" DISCIPLINARY CHECKLIST

- Ensure completion of *Disciplinary Action Control Sheet*, remains in investigative file.
- If PPR entry/counseling is recommended, denote on the *Disciplinary Action Control Sheet* when counseling is conducted.
- If *Letter of Instruction / Reprimand* is recommended, prepare letter for service to employee.
- Have employee sign *Letter of Instruction / Reprimand*.
 - Original signed letter goes to **employee**.
 - One signed copy to **Human Resources**.
 - One signed copy to be placed in investigative file and retained by **Professional Standards**.

CONFIDENTIAL INFORMATION – DO NOT REPRODUCE ANY PORTION OF THIS REPORT.



ARIZONA DEPARTMENT OF PUBLIC SAFETY
INVESTIGATIVE WORKSHEET

PROFESSIONAL STANDARDS NO.
 2016-337

EMPLOYEE						
LAST NAME	SUFFIX	FIRST NAME	M.I.	BADGE NO.	LOCATION CODE	PHONE NO.
A. Buhrow		Lauren		694	DES	
B						
INVESTIGATOR						
LAST NAME	SUFFIX	FIRST NAME	M.I.	BADGE NO.	LOCATION CODE	PHONE NO.
Sharp		Jeffrey		4686	13010100	602-223-2403
DATE	ACTION / COMMENTS (Maximum of 100 characters per line)					BY (Badge)
12/2/16	Date of knowledge					4608
12/7/16	Acting Commander M. Murray requested a complaint number be drawn for Incompetency and					4608
	Improper Procedure					10286
12/16/16	Case file complied					10286
12/16/16	Case forwarded to Sgt. Sharp #4686 for assignment					4686
12/20/16	Review evidence at DES					4686
12/21/16	Interview with Courtney Mays					4686
12/22/16	Interview with Barb Paris					4686
12/23/16	Transcribe Ms. Mays summary					4686
12/27/16	Transcribe Ms. Mays summary					4686
12/27/16	Transcribe Ms. Paris summary					4686
1/9/17	Interview with Lyndee Ho					4686
1/9/17	Transcribe Ms. Ho summary					4686
1/10/17	Interview with Sergeant Damas Salas					4686
1/10/17	Transcribe Sergeant Salas summary					4686
1/11/17	Transcribe Sergeant Salas summary					4686
2/2/17	21 Chief Buhrow for interview on 2/3/17					4686
2/3/17	Interview with Chief Buhrow					4686
2/7/17	Transcribe Chief Buhrow summary					4686
2/7/17	Conduct second interview with Ms. Mays					4686
2/8/17	Transcribe Chief Buhrow summary					4686
2/8/17	Second interview with Salas					4686
2/9/17	Inv narrative					4686
2/10/17	Inv narrative					4686
2/14/17	Transcribe Salas interview					4686
2/15/17	Inv narrative					4686
2/15/17	Forward to Captain Borquez for review					4686
2/22/17	Reviewed and edited					6138
2/22/17	Delivered to Inspector Young					6138
2/23/17	RECEIVED FILE FROM SGT. SHARP, BEGAN REVIEW					1169

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT



ARIZONA DEPARTMENT OF PUBLIC SAFETY

COMPLAINT ACCEPTANCE REPORT

See G.O. 2.2.10 for reference

PROFESSIONAL STANDARDS NUMBER

2016-337

INTERNAL EXTERNAL

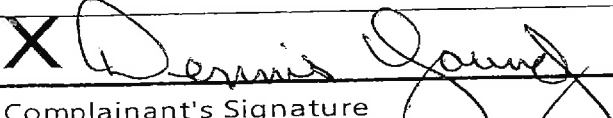
EMPLOYEE NAME (Subject of Complaint)		LAST NAME Buhrow		SUFFIX	FIRST NAME Lauren	M.I.	OR	<input type="checkbox"/> Unknown
CLASSIFICATION Chief		BADGE NO. 694	LOCATION CODE N/A	PHONE NO. 602-773-0243		CELL / ALTERNATE PHONE NO.		
COMPLAINANT NAME		LAST NAME Young		SUFFIX	FIRST NAME Dennis	M.I.	OR	<input type="checkbox"/> Unknown
ADDRESS 2102 West Encanto Boulevard					CITY Phoenix	STATE Az	ZIP CODE 85009	
PHONE NO. 602-223-2000	CELL / ALTERNATE PHONE NO.	OTHER CONTACT INFORMATION, EMAIL, ETC.						
OPTIONAL INFORMATION	ETHNICITY OR NATIONAL ORIGIN				GENDER <input type="checkbox"/> Male <input type="checkbox"/> Female		DATE OF BIRTH (mm/dd/yyyy)	
	COMPLAINANT EMPLOYER	BUSINESS ADDRESS					PHONE NO.	
WITNESS NAME	HOME ADDRESS					PHONE NO.		
WITNESS NAME	HOME ADDRESS					PHONE NO.		
DATE OF INCIDENT	TIME OF INCIDENT	INCIDENT LOCATION						
DATE REPORTED 2/07/2016	TIME REPORTED 1200	METHOD COMPLAINT FILED <input type="checkbox"/> Telephone <input type="checkbox"/> Mail <input checked="" type="checkbox"/> In Person <input type="checkbox"/> Other						
REPORT TAKEN BY Sgt. J. Sharp	BADGE NO. 4686	CLASSIFICATION Sergeant	PHONE NO. 602-223-2403	LOCATION CODE 13010100				

BRIEF SUMMARY OF WHAT HAS OCCURRED:

On December 7, 2016, the Arizona Department of Public Safety became aware of possible misconduct by Chief Lauren Buhrow. It is alleged that on September 20, 2016, Chief Buhrow was the supervisor of a team executing search warrants at two locations, 3421 East McKinley, and 1921 North 16th Street, Phoenix, Arizona. During the execution of the search warrants, Chief Buhrow failed to take precautionary measures to ensure the safety of DES personnel at the McKinley location. It was also alleged that Chief Buhrow failed to leave a complete inventory of items seized during the search warrant.

COMPLAINANT'S SIGNATURE

By signing below I attest that the information submitted on this form is accurate and true to the best of my knowledge and that I have filed the complaint of my own free will and accord.


Complainant's Signature

2/22/2017
DATE

WITNESS LIST

Professional Standards #2016-337

- | | |
|--|---------|
| 1. Lauren Buhrow, #694
Chief, Special Operations Unit
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-9370 | Subject |
| 2. Courtney Mays, #603
Investigation Unit Supervisor
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-9370 | Witness |
| 3. Barbara Paris, #661
Senior Investigator
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-9370 | Witness |
| 4. Lyndee Ho, #687
Forensic Investigator
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-9370 | Witness |
| 5. Damas Salas, #688
Detective Sergeant
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-9370 | Witness |
| 6. Luis Nieblas, #681
Senior Investigator
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-9370 | Witness |

On Friday, February 3, 2017, at approximately 0905 hours, Arizona Department of Economic Security (DES), Special Operations Unit Chief Lauren Buhrow, #694, was interviewed by Sergeants Jeffery Sharp, #4686, and Matthew Murray, #4608, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, in Phoenix, Arizona.

Prior to commencing the interview, Chief Buhrow reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-337, and the Employee Support Observer Agreement form. Chief Buhrow advised she understood, and signed both documents. Chief Buhrow requested DES employee Bryce Barraza serve as her support observer. Mr. Barraza reviewed the Employee Support Observer Agreement form, advised he understood, and signed the form.

Chief Buhrow had been employed with the DES for approximately eight months, and was assigned to the Office of the Inspector General, Special Operations Unit. Chief Buhrow's supervisor was Jay Arselano, who was recently terminated from the DES.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio and video recording generated from the interview is on file and available for review.

The following is a summary of the interview with Chief Buhrow:

Chief Buhrow was advised the interview was in regard to the "Mayra Ramirez" case, and search warrants executed on September 20, 2016. When asked if she recalled the event, Chief Buhrow said, "As much as I can. Yes."

Chief Buhrow was asked how she became involved in the case, and her responsibilities. Chief Buhrow said she was the supervisor of the case agent, Detective Damas Salas, #688.

Chief Buhrow was asked if she was familiar with the investigation, prior to executing the search warrants. Chief Buhrow said, "Yes."

Chief Buhrow was asked about the two briefings held before executing the search warrants, one the afternoon prior (September 19, 2016) and the other the morning of the search warrant (September 20, 2016). Chief Buhrow said, "It sounds about right." Chief Buhrow said she recalled two briefings, but she could not remember if the first was one or two days before the search warrant.

Chief Buhrow was asked if she attended both briefings. Chief Buhrow said, "I believe so." Chief Buhrow said she was involved in a briefing the morning of the search warrants, and she "believed" she was at the briefing the day prior. After more details were provided to Chief Buhrow, she said she was "pretty certain" she was at the briefing.

Chief Buhrow was asked if she was at the briefing the morning of the search warrant. Chief Buhrow said she was. Chief Buhrow was told the operational plan scheduled the briefing for 0700 hours, and she was asked if she recalled what time she arrived. Chief Buhrow said, "Maybe just a little bit before." Chief Buhrow was informed that other interviews the PSU had conducted identified her as arriving approximately 20 to 45 minutes late for the briefing. Chief Buhrow said, "I don't remember." Chief Buhrow was asked if that timeline was more accurate, or if she thought she was at the briefing prior to 0700 hours. Chief Buhrow said, "I just don't remember." Chief Buhrow said she knew she did not miss the briefing, because a briefing was held while she was there. Chief Buhrow was asked if she recalled telling another DES employee she was late, because of traffic. Chief Buhrow said, "I don't remember." Later in the interview, Chief Buhrow said she "may have been late" to the morning briefing, but said it would have been relevant to the start time of the briefing. Chief Buhrow was reminded the start time was 0700 hours, and asked if she recalled being 30 to 45 minutes late because of traffic. Chief Buhrow said, "I don't remember. Inconsequentially, I did not miss the briefing."

Chief Buhrow was asked if she understood the impression other agencies could perceive, if she were 30 to 45 minutes late to the briefing. Chief Buhrow paused and said, "No, I mean if there's nothing being done because the briefing is being held later, it would be inconsequential in my mind." Chief Buhrow was reminded the briefing was scheduled to start at 0700 hours. Chief Buhrow said, "I don't remember if I was. I just don't remember."

Chief Buhrow was asked if she participated in either of the briefings. Chief Buhrow said she thought she spoke with the chief's office after the main briefing, and "confirmed the understanding" with the Attorney General's Office (AG). Chief Buhrow added, she also participated in the first briefing because she recalled seeing Chuck Boyd (NFI). Chief Buhrow was asked if she recalled what instructions she gave during the briefing. Chief Buhrow said "they" would have gone over the operational plan. Chief Buhrow said she also initiated the sign-in sheet that was passed around.

Chief Buhrow was asked if she was present when entry was made into the residence of Ms. Ramirez, located at 3421 East McKinley, in Phoenix, Arizona. Chief Buhrow said the DES "held back" while the AG made the entry. After the scene was declared secure, Chief Buhrow and the DES employees entered the residence.

Chief Buhrow was asked if Detective Salas escorted Ms. Ramirez to the back patio to conduct an interview. Chief Buhrow said Detective Salas sat with Ms. Ramirez at the front of the residence while they were tending to Ms. Ramirez' daughter, who was approximately four or five years old. Chief Buhrow said during that time, entry photographs and sketches were being conducted. After arrangements were made for Ms. Ramirez' daughter, Detective Salas moved Ms. Ramirez to the back patio.

Chief Buhrow was asked what her responsibility, or role was during the search warrant. Chief Buhrow said she was the scene supervisor.

Chief Buhrow was asked what she was doing while Detective Salas was conducting the interview with Ms. Ramirez. Chief Buhrow said she was in the backyard, watching Detective Salas and Ms. Ramirez' daughter.

Chief Buhrow was asked to confirm that Detective Salas transported Ms. Ramirez to the Maricopa County 4th Avenue Jail. Chief Buhrow said she was trying to decide who would process Ms. Ramirez, and she "made the call" for Detective Salas to process her.

Chief Buhrow was asked why someone, other than Detective Salas, was not assigned to process Ms. Ramirez. Chief Buhrow said, "He was the best choice." Chief Buhrow added, Detective Salas was the case agent, and the one with the most experience processing prisoners into the jail.

Chief Buhrow was asked if she recalled how many armed, sworn personnel were at the scene. Chief Buhrow said the number changed throughout the morning. She believed there were two AG, and one DES, armed and sworn on-scene. Chief Buhrow said the DES agent, Tim Truett, #670, was not selected to transport Ms. Ramirez because of a problem in the past. According to Chief Buhrow, Detective Truett once processed a prisoner incorrectly, which resulted in negative publicity. Chief Buhrow added, sworn agents from the business location where the other search warrant was being served (1921 North 16th Street, Phoenix, Arizona) relocated to the residence later in the day.

Chief Buhrow was asked if she recalled three unauthorized people entering the residence. Chief Buhrow said she remembered them coming to the edge of the property. According to Chief Buhrow, the Phoenix Police Department (PPD), who had control of the exterior, were dealing with the three people. Chief Buhrow said it was brought to her attention the three people were at the residence, so she approached them to "see what was going on." Chief Buhrow said one of them was trying to acquire custody of Ms. Ramirez' daughter, but she did not allow the man to take the daughter. Chief Buhrow said she allowed the three people to remain on the edge of the perimeter.

Chief Buhrow was asked if she was made aware the three people entered the residence, and walked to the kitchen area of the house before being confronted. Chief Buhrow said she did not know they walked to the kitchen area, but she was made aware at a later time. Chief Buhrow said their entry was "the fault of the PPD officer who was supposed to be securing the perimeter."

Chief Buhrow was asked if the PPD was present for perimeter security, or as the marked patrol vehicle for law enforcement presence. Chief Buhrow said the PPD was there to maintain and secure the perimeter, and protect the outside of the residence.

Chief Buhrow was asked if anyone was staged at the door to prevent unauthorized people from entering. Chief Buhrow said, "There was somebody there." Chief Buhrow said a member of the AG staff was at the door. When asked if the AG staff was at the door prior to, or after the three entered the house, Chief Buhrow said, "I have no idea what time that happened."

Chief Buhrow was again asked if it was brought to her attention the three people entered the house. Chief Buhrow said, "Later." She was asked how much later. Chief Buhrow said the incident had already happened, and the three people were outside of the house. Chief Buhrow was asked if she recalled who brought it to her attention. Chief Buhrow said, "I don't." When asked if it was a DES employee, or an employee from another agency, Chief Buhrow said, "I don't remember." Chief Buhrow was asked if someone approached her directly, and informed her of the security issue, or if she overheard it in conversation. Chief Buhrow said, "I just don't remember how it came up."

Chief Buhrow was asked if she took any measures to have someone posted at the front door. Chief Buhrow said after the three people entered, she spoke with the PPD officers, and informed them nobody was to enter the residence.

At this point, Chief Buhrow asked if she could have a break for a second. Chief Buhrow was asked if she recalled having the conversation with the PPD officer. Chief Buhrow said, "Yes. Yeah. I just don't know if I want to say something that would potentially get another person into trouble." Chief Buhrow was informed she was the subject of the interview, and "dishonesty" includes omissions. Chief Buhrow said she was not trying to omit anything. Chief Buhrow said she approached the PPD officer, who was sitting in the driveway, and found him sleeping. Chief Buhrow said this occurred at approximately lunch time, because she was offering the PPD officer food. Chief Buhrow said the officer was by himself.

Chief Buhrow was asked if she observed the PPD officers in front of the residence when the search warrant was executed. Chief Buhrow said, "Yeah." When asked how many officers were present, Chief Buhrow said, "There were two, I believe." Chief Buhrow said she thought some PPD officers were "cut from the scene" because, in the past, they had been more heavily involved in the entry and search, and it was her call for them to remain on the perimeter.

Chief Buhrow was asked if she recalled her conversation with the PPD officer. Chief Buhrow said she offered the officer a drink, or pizza, and he did not initially respond. Chief Buhrow said the PPD officer appeared "startled" because she woke him up. Chief Buhrow said the officer declined her offer for food.

Chief Buhrow was asked if she discussed watching the front door with the officer at that time, or another time. Chief Buhrow said, "It was part of the role of the perimeter." Chief Buhrow was again asked if she specifically told the officer to monitor the front door. Chief Buhrow said the front door was the role of the perimeter, and thought the responsibility was discussed during the briefing.

Chief Buhrow was asked if she had a specific discussion with the PPD officers, after the three people entered the house, instructing them to monitor the front door. Chief Buhrow said, "With Phoenix P.D., no. I believe the AG person did that, so I did not feel it was necessary." Chief Buhrow was asked what made her believe the AG monitored the front door. Chief Buhrow said she did not tell the AG to "do it." Chief Buhrow said she did not know why the AG posted at the door, but she figured, "Okay, great. We've got a backup plan if Phoenix P.D. fails again."

Chief Buhrow was again asked if she had a one-on-one discussion with the PPD or AG about securing the front door. Chief Buhrow said, "Well, that was part of the person who remains outside. That's their role. Is to protect the exterior from the people who are coming." Chief Buhrow was again asked if she had a one-on-one discussion with any of them. Chief Buhrow said, "When the family members came, I said to them, with the officers standing there, [nobody is to come in.]" Chief Buhrow did not answer the question, so she was asked a third time if she had a one-on-one discussion with the PPD officers, or the AG, about securing the front door. Chief Buhrow said, "They heard me saying that to the people who came in, so I assumed that they understood that that was what to be." Chief Buhrow was asked to clarify the PPD officers were present when she made the statement to the three unauthorized people, therefore, she assumed the PPD officers heard her. Chief Buhrow said, "Yes, there were two officers there at that point." Chief Buhrow was asked to verify she did not have a specific conversation with the PPD officers, telling them to secure the front door. Chief Buhrow said, "I'm not saying that I didn't, I just don't remember if I did."

At that time, Chief Buhrow was provided a break.

Following the break, Chief Buhrow was asked if she needed to clarify any information before continuing with the interview.

Chief Buhrow said the operational plan was approved by the Chief Law Enforcement Officer, Charles Loftus, #684 (terminated), and the Inspector General, Jay Arselano (terminated), to include the perimeter.

Chief Buhrow was asked to clarify that at the start of the search warrant, there were two PPD officers in the patrol car. Chief Buhrow said she did not know if they were in different, or the same cars, and thought they may have been in two different cars. Chief Buhrow said one of the PPD officers left, so in her mind it made sense they were in two different cars. Chief Buhrow was asked if she recalled, at the time the search warrant was executed, if there were two patrol cars. Chief Buhrow said she thought there were two cars. Chief Buhrow added, later in the day two different PPD officers were on-scene.

Chief Buhrow was asked approximately what time she spoke with the three unauthorized people, in front of the house. Chief Buhrow said, "I don't. I don't have any idea. I don't remember." Chief Buhrow was asked an approximate time. Chief Buhrow said it was the same time arrangements were being made for Ms. Ramirez' daughter to be picked up. Chief Buhrow was asked if it was before, or after lunch. Chief Buhrow said, "My inclination is to before, but I don't remember. I'm not certain. I believe it was before lunch."

Chief Buhrow was asked what arrangements were made for lunch. Chief Buhrow said, "Costco pizza." When Chief Buhrow was asked who left to get the pizza, Chief Buhrow said, "I think I did." Chief Buhrow was told she would remember if she went to Costco, or not. Chief Buhrow said, "Actually, no I don't. I think I did." After a short pause, Chief Buhrow said, "I think I did." Chief Buhrow was asked if she went to get the pizza. She said, "Um hm." Chief Buhrow was asked approximately what time she left to get the pizza. Chief Buhrow replied, "Lunch time." Chief Buhrow was asked to provide an approximate time. She said, "I can't. Lunch time. Middle of the day." Chief Buhrow was asked if it was 1000, 1200, or 1500, in attempt to get an approximate time. Chief Buhrow said she started thinking about it early, but did not think she was able to leave early.

Chief Buhrow was asked if Detective Salas had already left to transport Ms. Ramirez, when she left to get lunch. Chief Buhrow said Detective Salas was still at the house. Chief Buhrow was asked if Detective Salas was still at the residence when she returned from getting lunch. Chief Buhrow said, "I believe so. I'm trying to remember when he left." Chief Buhrow said there would probably be communication between her and "someone" about the pizza, and with Mr. Arselano about who was transporting Ms. Ramirez. Chief Buhrow followed up by saying it could have been, and probably was before lunch. Chief Buhrow was asked to clarify when Detective Salas left the residence to transport Ms. Ramirez. Chief Buhrow said she did not remember the

exact time, and she did not know who left first, her or Detective Salas. Chief Buhrow went off topic and said Tiffany Nelson, from the United States Department of Agriculture (USDA) arrived at the residence, from the business, before any others from the business arrived. Chief Buhrow was asked again, if Detective Salas was still at the residence when she left to get pizza. Chief Buhrow said, "I can't remember. I'm sorry. I can't remember which happened first." Chief Buhrow was reminded that Detective Salas transporting Ms. Ramirez was her decision, and she made the arrangements. Chief Buhrow said, "It was, and it wasn't. I was told by my supervisor to have it be a DES sworn." Chief Buhrow was asked to confirm that when the transport arrangements were determined, Detective Salas left to process Ms. Ramirez. Chief Buhrow said, "Yes." Chief Buhrow was asked to confirm Detective Salas would have transported Ms. Ramirez before she left to get pizza. Chief Buhrow said, "I don't know. I don't know the timing. We are going to go round and round on this. I don't know the exact timing."

Chief Buhrow was asked how long she was gone for, when she went to get pizza. Chief Buhrow said, "Very short amount of time." Chief Buhrow was asked to explain a short amount of time. Chief Buhrow said, "It was right down the street. I didn't clock it, so I am not going to guess." Chief Buhrow was asked to give an approximate time. She replied, "That would be guessing." Chief Buhrow was asked if it were accurate to say between an hour, and an hour and a half. Chief Buhrow said, "Absolutely not." When asked why others would provide information saying it was that long, Chief Buhrow said, "Obviously, the fact that there is the second bogus allegation, somebody is trying to get rid of me."

Chief Buhrow was asked if she believed it was the correct decision for her, as the scene supervisor and chief, and Detective Salas as the case agent, to be gone from the scene. Chief Buhrow said she did not know if the two happened simultaneously. Chief Buhrow added, she was told additional personnel were on their way from the business, to include sworn personnel. Chief Buhrow was again asked if she believed the decision for her and Detective Salas to be away from the scene, was the correct decision. Chief Buhrow responded, "Do you think that if. Well." Chief Buhrow was interrupted and asked to answer the question. Chief Buhrow said, "If I can't remember perfectly, I doubt other people can remember perfectly. They are probably estimating because you asked me to estimate in the same fashion that you are doing to me, and they just threw out a number." Chief Buhrow was informed that investigators did not ask for estimates in other interviews, and the information was provided from their memories. Chief Buhrow stated, "Whoever came up with this, obviously has an agenda. Because, it's ridiculous."

Chief Buhrow was asked a third time if her and Detective Salas being away from the scene, at the same time, was a good decision. Chief Buhrow said, "It was the only option." Chief Buhrow added, there was another supervisor on scene, she could have given scene control to. When asked who the supervisor was, Chief Buhrow said, "Courtney Mays." Chief Buhrow was asked to confirm she was the supervisor. Chief Buhrow said the scene supervisor was something she could delegate. Chief Buhrow as asked if leaving Ms. Mays as the supervisor was appropriate. Chief Buhrow said, "It's my choice. Yes, absolutely."

Chief Buhrow was asked to provide a timeline from when the three unauthorized people entered the house, and when she saw the PPD officer sleeping. Chief Buhrow said there were several times when Ms. Ramirez wanted to go in and out of the house for various reasons. Chief Buhrow added, pursuant to her training as a local, certified police officer, and a federal officer, she notified those in the residence to announce she was entering with Ms. Ramirez. Chief Buhrow said she took that responsibility upon herself to make sure it was done properly. Chief Buhrow did not answer the question, so she was told to stop avoiding the questions, and provide a timeline of when things occurred. Chief Buhrow said at some point, she called to make arrangements for Ms. Ramirez' child. Chief Buhrow added, she was standing outside with the PPD officers and the three unauthorized people. Chief Buhrow was asked if this occurred before, or after lunch. Chief Buhrow said, "Before, I believe." Chief Buhrow was asked if the three were inside of the residence before, or after that incident. Chief Buhrow said she was not made aware they entered the house until later, so she could not provide that timeline. Chief Buhrow was asked if it was after that incident she observed the PPD officer sleeping in his vehicle. Chief Buhrow said, "Correct."

Chief Buhrow was asked if Detective Salas left to transport Ms. Ramirez to the jail, before that incident occurred. Chief Buhrow said, "I just don't remember when he left," and provided possibilities of what may have occurred.

Chief Buhrow was told it was odd, as experienced law enforcement officers, for the case agent to leave the scene to process a suspect into the jail. Chief Buhrow said, "I agree. I was very uncomfortable with that decision, but it was the only decision I had to make. I had two sworn people on scene, besides myself." Chief Buhrow added, she was instructed by her supervisor to have a DES employee process Ms. Ramirez into the jail. Chief Buhrow said she thought about booking Ms. Ramirez herself, but made the decision to have the case agent book Ms. Ramirez, rather than her leave the scene. Chief Buhrow said about the same time Detective Salas was leaving to transport Ms. Ramirez, USDA Special Agent Tiffany Nelson was driving from the business to the residence. According to Chief Buhrow, Special Agent Nelson was familiar with the case.

Chief Buhrow was told investigators were concerned with the three people making entry into the residence. Chief Buhrow clarified the PPD officer was found sleeping after the three people entered the residence. Chief Buhrow added, Ms. Mays started a log of people coming into, and out of the residence. She questioned why, if Ms. Mays was maintaining the log, she would allow people to come in and out of the residence. Chief Buhrow was asked if Ms. Mays was assigned that assignment in the beginning. Chief Buhrow said, "Um hm. At the very beginning." Chief Buhrow was asked if Ms. Mays was a civilian or sworn. Chief Buhrow said Ms. Mays was a civilian. Chief Buhrow was told with Ms. Mays being a civilian, she obviously would not be assigned as door security. Chief Buhrow said, "But it would be reasonable to believe it was her responsibility to be aware of people coming and going."

Chief Buhrow was again asked to clarify the timeline of when she found the PPD officer sleeping. Chief Buhrow originally said the security breach occurred because the PPD officer was sleeping, but later said it was not until lunch time she observed the officer sleeping. Chief Buhrow said there were two officers speaking with the three people, at the front of their police vehicle. Chief Buhrow was asked to clarify there was only one patrol car. Chief Buhrow said one police vehicle was left, but at least two police vehicles that escorted personnel from the staging location to the residence.

Chief Buhrow was asked if she discussed the three unauthorized people with Luis Nieblas, #681. Chief Buhrow said, "Somebody told me." She was again asked if it was Mr. Nieblas. Chief Buhrow said she did not remember who she spoke with.

Chief Buhrow was again asked if she had a one-on-one conversation, with anyone, about securing the front door. Chief Buhrow said when the "AG guy" posted at the door, she thought to herself, "That's good. That's a good backup since what I saw, I feel good about this." Chief Buhrow was asked who the AG person was. Chief Buhrow said she did not know, but could identify him from a photo, if provided.

Chief Buhrow was asked how long she was at the residence after she returned with lunch. Chief Buhrow said she was there "quite a while." Chief Buhrow added, she had lunch, witnessed and participated in the interview. Chief Buhrow then stopped, hesitated, and said without a report to see the order of events, it was "kind of a jumble." Chief Buhrow was asked to estimate how long she was at the residence after lunch. Chief Buhrow said she was there until her supervisor said he needed to meet with her urgently. Chief Buhrow was asked an approximate time she was called by her supervisor. Chief Buhrow said, "I don't know. You can probably find that in either text, or email." Chief Buhrow was again asked how long she was at the residence, after lunch, and before being called to the meeting. Chief Buhrow paused and said, "I don't know. Probably several hours." Chief Buhrow was asked if it would be accurate to say she was at the residence until 1500 hours. Chief Buhrow said, "Maybe." Chief Buhrow added, she was gone in the later afternoon, but does not know when late afternoon was. Chief Buhrow said she was required to

leave, and left Ms. Mays "in charge."

Chief Buhrow provided investigators with details following her meeting with her supervisor. According to Chief Buhrow, the investigation required an amendment to the "subpoena" to address an area that was not part of the original warrant. Chief Buhrow said she met with Detective Salas to work on the "subpoena." Chief Buhrow was asked to clarify she met with Detective Salas, or just spoke with him on the phone. Chief Buhrow said, "I believe both." Chief Buhrow was asked if she met with Detective Salas to amend the search warrant. Chief Buhrow said, "Um hm."

Chief Buhrow was asked how long the meeting was with the Inspector General (her supervisor). Chief Buhrow said, "I don't know. I have no idea. I don't even remember what the topic was. I just remember it was extremely urgent that I leave the scene and go talk to him." Chief Buhrow was asked approximately how long the meeting was. Chief Buhrow said, "Same question. Same answer. I don't know." Chief Buhrow was reminded the incident occurred in September, and it should not be hard to recall specifics of the investigation. Chief Buhrow said, "It's an Achilles heel of mine. I'm sorry. I don't remember specific times. That's why I write things down. And, I don't have any of my records to refer to here."

Chief Buhrow was asked how long her people were at the residence on the day of the search warrant. Chief Buhrow said, "A long time." Chief Buhrow was asked to give an approximate time. Chief Buhrow said, "Until dark."

Chief Buhrow was asked if the PPD was at the residence the entire day. Chief Buhrow said she could not account for the time she was not present, but when she later returned, a female PPD officer was on-scene. Therefore, Chief Buhrow "believed" the PPD was on-scene the entire day.

Chief Buhrow was asked to explain why she left Ms. Mays as the scene supervisor, when other sworn and armed officers were at the residence. Chief Buhrow said, "She's a supervisor. She also happens to be the evidence custodian. She's knowledgeable about search warrants. She has been involved in many of them. There was nothing to be done, other than to wait, and that freed up the officers to be aware."

Chief Buhrow was asked if she was aware the PPD officers were called back to the scene by the DES employees because they were concerned for their safety. Chief Buhrow said, "No. They should have called me and told me that. The scene supervisor should have told me that."

Chief Buhrow was asked to provide her law enforcement experience. Chief Buhrow said she worked for the Scottsdale Police Department for approximately one year. Chief Buhrow said her investigative experience is "significantly more," but for the State Board of Education, investigating immoral and unethical conduct, and many other administrative duties. She was also with the Arizona AG for approximately five years, working fraud and corruption cases.

Chief Buhrow was asked if she had experience with search warrants. Chief Buhrow said she had experience as a member of an entry team, a defensive tactics instructor, attended advanced defensive tactics courses, and was the "elite" instructor for the agency. Chief Buhrow was asked to clarify she had experience with "several" search warrants. Chief Buhrow said, "Not several. Many. Well over 20." Chief Buhrow was asked what role she performed during those search warrants. Chief Buhrow said she was on the entry team, searching and perimeter. Chief Buhrow was asked if she was ever the affiant. Chief Buhrow said, "Yes. Oh yeah." When asked how many times she was the affiant of a search warrant, she said she was either the affiant, or co-affiant, of more than eight search warrants. Chief Buhrow was asked to confirm she had experience with drafting and executing search warrants. Chief Buhrow said, "Yeah." Chief Buhrow was then asked the experience of Ms. Mays. Chief Buhrow said Ms. Mays was an evidence custodian, so she had specialized training in regard to evidence collecting, packaging and recording. Chief Buhrow was again asked why she would leave Ms. Mays as the scene supervisor. Chief Buhrow said, "Because she is a supervisor." Chief Buhrow added, nobody else at the scene was a supervisor, so she left Ms. Mays as the supervisor so that others would listen to her and would "free up" the officers around her. Chief Buhrow added, there was nothing to be done at the time, and personnel were "just waiting around" for the amended search warrant.

Chief Buhrow was told the investigators took issue with the case agent leaving the scene to process Ms. Ramirez, and with her, as the scene supervisor, leaving the scene and assigning a non-sworn person, with experience in evidence collection, as the supervisor of the scene. Chief Buhrow said there were other officers at the residence, very seasoned officers, who Ms. Mays could have "pulled from" at any time.

Chief Buhrow was asked if she assigned Ms. Mays as the supervisor when she left for the meeting. Chief Buhrow said she left Ms. Mays as the supervisor when she left to get lunch, and when she left for the meeting. Chief Buhrow was asked if she verbally told Ms. Mays she was being appointed the supervisor. Chief Buhrow said, "Yes."

Chief Buhrow was asked if personnel from the business arrived at the residence, prior to her leaving for the meeting. Chief Buhrow said, "I believe so. Again, the timing. It's not my forte. I don't have a clock that marks things in my mind. That is why I take notes, and why I write reports, and that is why." Chief Buhrow was asked if they were there before she left for the meeting. Chief Buhrow paused and said, "I think so." Chief Buhrow was reminded that earlier she said personnel from the business "started showing up." Chief Buhrow said, "Yeah. I just

don't remember at what point, whom." Chief Buhrow was asked to confirm if Special Agent Nelson, and Patricia Contreras, who is the Assistant Special Agent in Charge (ASAC) and USDA supervisor, were at the residence before she left for the meeting. Chief Buhrow said they were both present. Chief Buhrow was asked why either of them were not left in charge. Chief Buhrow said, "Because I can't control her. She's not under my. I mean, she would for all intense and purposes be able to call shots. People would listen to her, just the same way they would listen to Tiffany. It was a group venture. It's a team effort." Chief Buhrow added, she was "more or less" leaving Ms. Mays in charge of the DES staff and situations related to evidence. Chief Buhrow was asked to confirm there was not really "scene supervision," but only evidence supervision. Chief Buhrow said, "No, that's not true." Chief Buhrow was asked who the scene supervisor would have been. Chief Buhrow said, "Phoenix. Well, Phoenix P.D. would have been the perimeter." She was again asked who would have been the scene supervisor. Chief Buhrow said, "They could have gone to Courtney and Courtney could have affected, through her sworn, to handle anything that came up."

Chief Buhrow was asked if she believed her assigning Ms. Mays as the scene supervisor, with other sworn and armed personnel available, was the correct decision. Chief Buhrow said, "It was the call that I made at the time. Based on the circumstances, and the sense of urgency for me to leave the scene, it was who was immediately available."

Chief Buhrow was asked what the sense of urgency was to get lunch. Chief Buhrow said people were getting hungry and "cranky," and she wanted them to be able to "go the long haul for the good of the investigation." Chief Buhrow was asked why the meeting was so urgent. Chief Buhrow said, "I don't know. My boss told me I needed to get to the office, and I needed to get there now." Chief Buhrow was again asked what made the meeting so urgent. Chief Buhrow said, "I don't remember." Chief Buhrow said she has been "racking her brain," but could not remember. Chief Buhrow was asked what the meeting was about. Chief Buhrow said, "It was about information that was needed. I think it was about information that was needed by the Director, but I don't recall."

During her conversation with Sergeant Murray, Chief Buhrow said she "reprimanded" the PPD officers for allowing unauthorized people into the scene. Chief Buhrow was asked to clarify if she was referring to her conversation with the three unauthorized people, in front of the two PPD officers. Chief Buhrow said, "No, I talked to them again."

Chief Buhrow was asked if she believed she took the necessary measures to ensure the security of the employees, while at the residence. Chief Buhrow said, "Yes. And I believe that I was backed up by my senior in command." Chief Buhrow added, she did the best with what she had.

Chief Buhrow was asked if there was ever a discussion about postponing the search warrant until they had more experienced personnel available. Chief Buhrow said she recalled asking for additional staff from the DES Internal Affairs and Protective Services, but was told they were unavailable.

Chief Buhrow was asked about evidence item E-1, taken from the business, but not put on the evidence inventory list. Chief Buhrow said she was not at the business. Chief Buhrow was asked if she was aware the item was not included on the inventory list. Chief Buhrow said, "No. That was Charles Loftus' scene." Chief Buhrow was asked if she was later informed about the item. Chief Buhrow said, "I don't remember that conversation." Chief Buhrow was asked to confirm she did not know anything about the item. Chief Buhrow said, "Not that I recall. That seems like something that would stand out in my memory." Chief Buhrow was provided with a photograph of item E-1, and provided with details. Chief Buhrow asked if Ms. Ramirez was provided with an updated log. Chief Buhrow was told that Ms. Ramirez did not receive an inventory list, updating the missing item. Chief Buhrow then said, "I am having a recollection of some conversation about something where we were told that as long as we provided a follow-up, corrected inventory, that it would be okay." Chief Buhrow was asked if that conversation was between her and Detective Salas. Chief Buhrow said she did not remember, or if it was even for the Ramirez case. Chief Buhrow was asked to confirm this was the only search warrant she conducted while with the DES. Chief Buhrow said, "No," and added, she was involved with almost every search warrant with the DES while she was employed with the AG. It was clarified that this was the only search warrant she executed while assigned to the DES. Chief Buhrow said, "I believe so. Ya."

Chief Buhrow was asked if she recalled the conversation with Detective Salas, and how they were going to address the issue of not having item E-1 on the inventory log. Chief Buhrow said she did not remember if the conversation was with Detective Salas. Chief Buhrow said she just recalled a conversation about updating a log, and providing Ms. Ramirez with a copy. Chief Buhrow added, someone had a conversation with the AG office about how to handle the situation. Chief Buhrow was asked how she remembered that information, but not if she had a conversation with Detective Salas, or not. Chief Buhrow said, "Well, it's coming to me." Chief Buhrow again resorted to needing her emails, or phone, to provide information she was being asked about. Chief Buhrow was informed the question was in regard to a conversation between her and Detective Salas. Chief Buhrow continued to provide reasons why her email or phone would assist her with the information.

Chief Buhrow was asked if she recalled coming to the conclusion that an amendment would be completed, and submitted with the search warrant return. Chief Buhrow said, "That sounds familiar."

Chief Buhrow was asked to confirm that she was not familiar with the evidence item, E-1, that was left off the inventory log. Chief Buhrow said, "No. I'm not familiar with it." After a short pause, Chief Buhrow said, "Evidence item documentation, logging, that would be a role of the evidence custodian." Chief Buhrow was advised she would be involved, as the Chief, if an item of evidence was not properly logged. Chief Buhrow responded that the mistake would be within the responsibility of the evidence custodian supervisor. Chief Buhrow was asked if she believed her evidence custodian would handle such a situation, without bringing it to her attention. Chief Buhrow said, "Sadly, I can tell you they tried to handle a lot of things by themselves, between themselves. They had very good relationships with the AG staff, and they left me out of a lot of conversations and I was trying to get that under control." Chief Buhrow was asked to clarify, if Detective Salas said he had a conversation with her, and how to handle the missing item, she did not remember. Chief Buhrow said the information sounded familiar, but the search warrant return and the log are different. Chief Buhrow added, the fact something may have been missing could have escaped her understanding of the conversation, or her memory. Chief Buhrow then said she recalled the conversation about an amendment to the return, but she would not have "put together" that the item was from the inventory log left at the house.

Chief Buhrow was asked if she recalled being informed an item was not logged, and Ms. Ramirez was not provided with a corrected inventory log. Chief Buhrow said, "I recall being. I do. Uh, it's coming to me. There was talk about giving it to her attorney, and that was sufficient." When asked if that step was taken, Chief Buhrow said, "Uh. Damas told me he would do it."

Chief Buhrow was asked if she, as the Chief of the Special Operations Unit, had the experience to successfully coordinate and execute the search warrant, or if she was put in a position she was not capable of fulfilling. Chief Buhrow said she had the proper guidance, mentors and experience with search warrants.

Chief Buhrow was asked if she had additional information that may be pertinent to the investigation. Chief Buhrow said she believed investigators received information accusing her of not having experience. Chief Buhrow provided a "Letter of Commendation" from 2013, from Terry Azbill, recognizing her abilities and contributions. Chief Buhrow added, when she was not in a position of authority, Mr. Azbill was very happy with her contributions, training and abilities. Chief Buhrow said she had a "very good" reputation, and was known for her searching abilities. Chief Buhrow provided an example of finding evidence after a room was deemed searched.

Chief Buhrow was advised of Arizona Revised Statute §38-1104, and asked if she wanted a break to prepare a statement. Chief Buhrow requested a break.

Upon return from the break, Chief Buhrow provided the following statement:

"I would like to say, again, that I have been completely truthful, honest and willing to answer your questions to the very best of my ability and memory. Unfortunately, I can't remember everything. If I were given access to email, phones, things like that, I might be able to clarify some of the details. But, going off of memory, this is the best I can do. I did take precautions to protect staff during the search warrant, including, having an ops plan that was approved by my supervisor, the Inspector General, as well as the Chief Law Enforcement Officer, Charles Loftus. Phoenix P.D., according to that, was responsible for perimeter security. So, the security obligation responsibility had been delegated to PPD. I was notified of a breach after the fact, which I addressed personally. Went out, talked to the individuals, talked to them in front of the officers, and also talked to the officers after that. Despite that, one of the officers left and the officer that left behind, that stayed behind, fell asleep. I did designate Courtney Mays as a scene supervisor. She was able to command staff. She had many sworn staff still on site for her to utilize as needed, should there have been a security need. Highly qualified staff, I will mention that. And, in my experience at the Attorney General's Office, many times non-sworn Special Agent supervisors had been left in charge of search warrant scenes. So, this was not an unusual occurrence, in my experience. The CLEA and I were instructed to leave the scene for an urgent matter. And, it was my impression, based on the circumstances, that the perimeter was secured by PPD and I was never notified that that was not the case. Given when you were asking about my experiences, I wanted to submit, officially, this letter of commendation from Terry Azbill himself, from February 1, 2013, where I assisted with this exact type of case. I had been involved in a large number, I may have missed one or two, but I believe I have been involved in nearly every search warrant that was a joint between our offices, except for one or two. So, I have experience with their types of search warrants, their types of topics, and I have been commended and recognized by Terry himself. And not only that, but I have received compliments from staff regarding what I have done on the scene, how it was handled, despite the setbacks on the fact that we needed to wait for an amended search warrant for the extra room that was found, during the debrief, so. I will continue to provide you any information that you need in order to assist in ferreting out the details that you feel you need. If I am given access to things to be able to help you with that."

That concluded the interview.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

In accordance with Arizona Revised Statute §41-773 (c), the Director of the Arizona Department of Administration shall prescribe definitions for each of the causes for dismissal or discipline for covered employees:

“Neglect of Duty”

Means to omit, or fail to perform a job duty or performance of a job duty without the usual amount of care or attention to task. It also means inappropriate behavior while on duty including discourteous treatment of coworkers and supervisors, disruption of the work environment and the commission of a felony or misdemeanor. It also means negligent or reckless performance of a job duty or failure to perform a job duty.

- j. Giving job duties little attention or respect.

“Inefficiency”

Means failure to perform the assigned job duties in an organized, accurate and timely manner or to produce the intended results of the assigned job. It includes engaging in activities unrelated to the position, wasting time, energy, materials, and effort.

- d. Allowing unauthorized personnel to enter work area.
e. Failure to exercise proper supervision over subordinates.

It is alleged that on September 20, 2016, Chief Buhrow was the supervisor of a team executing search warrants at two locations, 3421 East McKinley, and 1921 North 16th Street, Phoenix, Arizona. It was also alleged that Chief Buhrow, as the scene supervisor, failed to direct and supervise her subordinates during the planning and execution of the search warrants. It was also alleged that Chief Buhrow allowed friends and relatives of the suspect to enter the location, jeopardizing the safety of ADES personnel.

- A. You are (*check appropriate box*)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

- B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.
- C. As set forth in the case of *Garrity vs. New Jersey*, 385 U.S. 493 and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.
- D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (Print)

Lauren Behrow
EMPLOYEE'S SIGNATURE

DATE

2-3-17

TIME

0900

INVESTIGATOR'S NAME (Print)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE

DATE

2-3-17

TIME

0905

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona

re: PSU# 2016-337



ARIZONA DEPARTMENT OF PUBLIC SAFETY
**EMPLOYEE / SUPPORT
 OBSERVER AGREEMENT**

PROFESSIONAL STANDARDS NO.
 2016-337

BAB
 Initials

1. I, BRYCE A. BARRAZA, have agreed to be the Support Observer for Department of Economic Security employee LAUREN BUHROW, #694 throughout the course of the:

- Critical Incident Investigation
 Professional Standards Investigation

BAB

2. I am not a witness to nor do I have any involvement in the incident under investigation.

BAB

3. I am not in the chain-of-command or under the supervision of the employee being interviewed.

BAB

4. I understand that **no confidentiality** exists regarding any communication between the employee being interviewed and the Support Observer.

BAB

5. I understand that I may be present at all investigative interviews and meetings between the employee under investigation and any portion or all of their chain-of-command, but I shall act as a non-participant observer. *(This only applies to the support observer of subjects under investigation)*

BAB

6. I may interrupt an interview to request to speak with the employee privately, but this request shall be granted at the discretion of the investigator.

BAB

7. Throughout the investigation and subsequent chain-of-command review, I shall not act as an advocate on behalf of the employee. I may participate in a passive role as a coach to provide information to the employee.

BAB

8. I may be a Support Observer to an employee as long as it does not adversely affect my job performance as determined by my supervisor.

BAB

9. I may cancel my agreement as the Support Observer at anytime throughout the administrative investigative process.

SIGNATURE(S)				
	<u>LAUREN BUHROW</u>	<u>694</u>	<u>2-3-17</u>	Decline
Employee Signature	Printed Name	Badge No.	Date	
	<u>BARRAZA, BRYCE</u>	<u>N/A</u>	<u>2/3/17</u>	
Support Observer Signature	Printed Name	Badge No.	Date	
	<u>JEFF SIMPSON</u>	<u>4680</u>	<u>2/3/17</u>	
Investigator Signature	Printed Name	Badge No.	Date	

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT.

On Wednesday, December 21, 2016, at approximately 1320 hours, Arizona Department of Economic Security (DES) Investigation Support Unit Supervisor Courtney Mays, #603, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Ms. Mays reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-337. Ms. Mays advised she understood, and signed the document.

Ms. Mays had been employed with the DES for approximately five years, and was assigned to the Investigation Support Unit. Ms. Mays' supervisor was Chief Lauren Buhrow, #694, and had been for approximately six months.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Ms. Mays:

Ms. Mays was provided with the purpose of the investigation, specifically search warrants executed on Tuesday, September 20, 2016, in the case of "Mayra Ramirez."

Ms. Mays was asked if she was assigned a role in the investigation. Ms. Mays said she took part in the search warrant for the McKinley location (3421 East McKinley, Phoenix, Arizona), which was the residence of Ms. Ramirez. Ms. Mays said she was assigned as the evidence custodian.

Ms. Mays was asked if another evidence custodian was assigned to the 16th Street location (1921 North 16th Street, Phoenix, Arizona). Ms. Mays said she was the evidence custodian for DES, and had a back-up custodian named Dan Berggren, #663, who was at the McKinley location with her. Ms. Mays said she assigned Barbara Paris, #661, to the 16th Street location as a recorder of evidence, not a custodian.

Ms. Mays was asked how long she was at the McKinley location during execution of the search warrant. Ms. Mays said she was at the location until approximately 2200 hours.

Ms. Mays was asked if, at any time while at the location, she was left alone, without an armed officer. Ms. Mays said there were two occasions where Chief Buhrow left, one of them between 1100 and 1200 hours. Ms. Mays said Chief Buhrow left to get lunch, but she was unsure if a sworn officer was on site. Ms. Mays said about the time Chief Buhrow left, personnel from the 16th Street location started arriving at her location, and may have included a sworn officer.

According to Ms. Mays, if she was left alone, without an armed officer, it would have been during the lunch hour.

Ms. Mays was asked if relatives of Ms. Ramirez entered the residence while the search warrant was being executed. Ms. Mays said, "Yes." According to Ms. Mays, Phoenix Police Department (PPD) officers were parked in front of the house, sitting in the patrol vehicle. Ms. Mays said the officers were not instructed to provide security for the front door, and to just be the marked patrol unit for initial entry of the search warrant. Ms. Mays said all of the armed officers were in the back yard of the residence, interviewing Ms. Ramirez. Ms. Mays reiterated that an armed officer was not monitoring the front door.

Ms. Mays was asked if a confrontation resulted from the relatives arriving at the scene. Ms. Mays said on one occasion, three adults entered the residence, led by a male subject. Ms. Mays said the male was "loud," and said something similar to "Mayra, tell me what the fuck is going on." Ms. Mays said the male made his way to the kitchen area of the residence before he was confronted. Ms. Mays said Luis Nieblas, #681, who is non-sworn, stepped in and escorted the male from the residence.

Ms. Mays was asked if Chief Buhrow was made aware the front door of the residence was not secured. Ms. Mays said, "Yes, she was." Ms. Mays added she did not know if Chief Buhrow was made aware before, or after, the subjects entered the residence. Ms. Mays thought Mr. Nieblas brought the issue to Chief Buhrow's attention. Ms. Mays said later in the evening, a female arrived at the residence, but was met by Mr. Nieblas, who escorted her from the property.

Ms. Mays was asked if the PPD officers were parked in front of the residence the entire day. Ms. Mays said the officers assigned to the house left during shift change, but later in the evening, officers had to be called back because of foot traffic in the area.

Ms. Mays was asked if any officers from the PPD ever confronted the people who either entered, or attempted to enter, the residence. Ms. Mays said, "No." Ms. Mays said it was her understanding the PPD was told to assist as a "marked car," and were under the assumption that the DES had someone posted at the door. Ms. Mays added, the DES employees did not have visible, identifying clothing, so the PPD officers would not have known who was with the DES, and who was not.

Ms. Mays was asked if she could verify if Chief Buhrow ever addressed having someone post at the door. Ms. Mays said she did not know.

Ms. Mays was asked if, at any time during the day, she thought her safety was jeopardized. Ms. Mays responded, "I did." Ms. Mays said in the moment, she was just irritated someone was allowed to enter the home. Ms. Mays reiterated that the male subject was "very animated and

loud,” and if he had a weapon, Lyndee Ho, #687, would have “been down, and she (Ms. Mays) probably would have been next.” Ms. Mays said during the evening hours, after clearing the house and waiting for an amendment to the search warrant, all of the DES employees were standing in front of the residence, with vehicles slowly driving by. Ms. Mays said that was the time they called the PPD back to the residence.

Ms. Mays was asked why the employees were standing in front of the house, rather than remaining inside, and waiting for the amendment. Ms. Mays said the assumption was the amendment was not going to take long. Ms. Mays added the employees were at the residence for so long, they were eager to leave, and did not want to go back into the residence.

Ms. Mays was asked if she had any conversation with Chief Buhrow about the safety concerns. Ms. Mays said, “I did not.”

Ms. Mays was asked to explain the process used to gather and identify the evidence. Ms. Mays said there was a team of “a lot of people.” Ms. Mays said the team went room to room, looking for items identified on the search warrant. Ms. Mays said the plan, which was not executed, was for the team to search, locate and leave evidence in place until a sworn officer could bag, sign, and relinquish the evidence to the recorder. Ms. Mays said at one point, “everyone” was picking up and bagging evidence, with one designated person being the finder. Ms. Mays said she picked up “a lot of stuff” and wrote information herself as to where, and when the evidence was located.

Ms. Mays was asked who the evidence recorder was. Ms. Mays said the plan was to have Dianna (NFI) as the recorder, but at least three different people recorded evidence onto the computer-generated evidence log. Ms. Mays said several people were gathering, bagging and bringing the evidence to “whoever” was logging the items into the computer.

Ms. Mays was asked if a mechanism was in place to ensure all of the property seized was entered into the log. Ms. Mays said prior to putting the evidence into the DES van, she compared the property to the log to verify all of the property was accounted for. Ms. Mays stated all of the property at the McKinley location was accounted for.

Ms. Mays was asked about evidence from the 16th Street location being brought to the McKinley location. Ms. Mays said Ms. Paris drove the van from the 16th Street location to the McKinley location, at which point evidence from both locations was put in Ms. Paris’ van to be transported to the DES office. Ms. Mays said the evidence from 16th Street was already in the van, and she did not have involvement with that evidence. Ms. Mays said all of the property was taken to the DES property and evidence room at 1624 West Adams, Phoenix, Arizona. Ms. Mays said because it was late in the evening, the property was stored in the secured evidence rooms, but not logged into the rooms until the following day. Ms. Mays added, “That is when we found the box.”

Ms. Mays was provided with, and asked to examine inventory records to verify item E-1, the plastic file box, was not listed on any of the lists. Ms. Mays confirmed item E-1 was not listed on any of the documents, to include the inventory log for the DES's property room. Ms. Mays said investigators waited three days to decide how to handle the item not being documented on the inventory list. Therefore, the item was overlooked and not recorded. In Ms. Mays' opinion, the item was an oversight and not intentionally hidden.

Ms. Mays was asked if Chief Buhrow was responsible for the oversight. Ms. Mays said, "No, other than just being the supervisor. But, no."

Ms. Mays was asked what Chief Buhrow's responsibilities would be, as the scene supervisor. Ms. Mays said Chief Buhrow was more concerned with Ms. Ramirez, and the interview. Ms. Mays said, in the past, she noticed supervisors being more involved with searching and "filling in" where they needed to be. Ms. Mays said Chief Buhrow was not involved in acquisition and logging of evidence.

Ms. Mays was asked if Chief Charles Loftus, #684, the scene supervisor for 16th Street, was made aware of the missing item. Ms. Mays said she did not talk to Chief Loftus, and did not know if Chief Loftus spoke with the case agent, Sergeant Damas Salas, #688.

Prior to concluding the interview with Ms. Mays, she was asked if she had any information she thought may be pertinent to the investigation. Ms. Mays said the DES does not have a good software program to keep better evidence records. Ms. Mays said she used an access database to create something, which was the best they had available.

Ms. Mays was asked if the DES had policies or procedures on how evidence is to be gathered, logged and secured during a search warrant. Ms. Mays said the DES does not have a policy or procedure. Ms. Mays added, if more people with experience were available for the search warrant, the evidence would have been handled appropriately.

Ms. Mays was again asked if she had more information pertaining to the investigation that was not covered. Ms. Mays said the DES did not have enough people to execute the search warrant, and management "rushed" the warrant. Ms. Mays added, if the DES would have executed the warrant one week later, more experienced, sworn personnel would have been available. According to Ms. Mays, one knowledgeable detective was on scheduled leave, and two detectives from the DES Internal Affairs were assigned to different projects. Ms. Mays said Sergeant Salas, the case investigator, transported Ms. Ramirez to the 4th Avenue jail, and was absent from the residence for the remainder of the day. Ms. Mays said Detective Tim Truett, #670, did not appear to have the confidence of management, and was not permitted to transport Ms. Ramirez.

Ms. Mays was asked whose decision it was to have Sergeant Salas transport Ms. Ramirez. Ms. Mays said, "Lauren's (Buhrow)."

Ms. Mays was asked if she was concerned about sufficient personnel when they conducted the briefing. Ms. Mays said the briefing was "very confusing," and not clear who was going to which location, and the positions they would fill. Ms. Mays added, because of the culture with the DES, employees knew to not question supervisors. Ms. Mays said she had "no clue" the search warrant was going to be executed so poorly.

That concluded the interview.

On February 7, 2017, at approximately 1000 hours, the PSU conducted a second interview with Ms. Mays. The purpose for the interview was to validate statements provided to the PSU by Chief Buhrow.

Prior to starting the interview, Ms. Mays reviewed the Subject Interview Protocol she signed during her first interview. Ms. Mays was asked if she had any questions about the document. Ms. Mays said, "No." Ms. Mays initialed and dated the form prior to conducting the interview.

Ms. Mays started the interview by providing the PSU with the DES scene roster for Ms. Ramirez' residence and business.

Ms. Mays was asked if Detective Truett was at the residence the entire day of the search warrant, September 20, 2016. Ms. Mays said Detective Truett arrived later in the morning, but remained through the afternoon. Ms. Mays was asked to confirm if there was a time the residence did not have an armed, sworn person on scene. Ms. Mays said there was always an armed, sworn person on scene.

Ms. Mays was asked about the two PPD officers at the residence, and her statement in the first interview about the PPD officers not being instructed to provide security at the front door. Ms. Mays said there was not instruction for them to provide security at either of the two briefings. Ms. Mays confirmed the PPD officers were only present as a marked patrol vehicle.

Ms. Mays was asked, in her opinion, if the PPD officers were assigned to the perimeter, if it would include security at the front door. Ms. Mays said if the PPD officers were instructed to be perimeter security, it would have included front door security. Ms. Mays reiterated she never heard the PPD officers get instructions to be perimeter security. Ms. Mays said the PPD officers were only there to serve as law enforcement presence.

Ms. Mays was asked if she recalled an approximate time when Sergeant Salas left the residence to process Ms. Ramirez. Ms. Mays said, "It was about lunch time." Ms. Mays said the PPD officers were asking about leaving to get something to eat.

Ms. Mays was asked if she ever observed, or heard, about the PPD officers sleeping in their patrol car. Ms. Mays said, "No. I was in and out that front door a lot, and I never saw them sleeping. They sat in the car and talked, but, and there were two of them." Ms. Mays was asked to confirm there were always two officers in the one patrol vehicle. Ms. Mays said, "Yes." Ms. Mays was asked if she ever saw two patrol vehicles at the residence. Ms. Mays said she did not see two patrol cars at the same time.

Ms. Mays was asked approximately what time Chief Buhrow left to get lunch. Ms. Mays said Chief Buhrow did not sign in, or out, on the scene roster. Therefore, she could not give an exact time. Ms. Mays thought Chief Buhrow left between 1230 and 1315 hours. Ms. Mays was asked approximately how long Chief Buhrow was gone. Ms. Mays said Chief Buhrow was gone for approximately one hour.

Ms. Mays was asked if there was ever a discussion about who was going to get lunch, or if Chief Buhrow took it upon herself to get lunch. Ms. Mays said there was discussion about lunch because people were getting hungry. Ms. Mays said they looked to see if there was pizza delivery available, but the businesses in the area did not deliver. Chief Buhrow decided she would get pizza from Costco.

Ms. Mays was asked approximately how long Chief Buhrow was at the residence, between returning from lunch and being called away for a mandatory meeting. Ms. Mays said Chief Buhrow remained at the residence until approximately 1500 hours, or a little bit after. Ms. Mays said she thought the meeting was scheduled for 1530 hours.

Ms. Mays was asked if she ever heard the topic of the meeting, or what was so urgent for Chief Buhrow to leave the scene. Ms. Mays said when Chief Buhrow was leaving, she said she had to brief Mr. Arselano on how "everything was going." Ms. Mays confirmed Chief Buhrow made that statement directly to her.

Ms. Mays was asked if Chief Buhrow returned to the residence after the meeting. Ms. Mays said Chief Buhrow returned to the scene at approximately 2100 hours, after the amended search warrant was served.

Ms. Mays was asked if Chief Buhrow came to her directly, either during lunch, or when she left for the meeting, and told her she was the scene supervisor. Ms. Mays said she did, but did not remember if it was before she left to get lunch, or prior to Chief Buhrow leaving for the meeting. Ms. Mays said she was sitting on the floor, sorting through paperwork. Chief Buhrow said she was leaving and told Ms. Mays, "I guess you are in charge. Well you've been in charge all day." Ms. Mays was asked if her explanation was exactly what was said. Ms. Mays said, "Yes."

Ms. Mays was asked if she was the person directing personnel on where, and how to search. Ms. Mays said, "No." Ms. Mays added, she was directing people on how to handle the evidence once it was collected. According to Ms. Mays, she was only directing the administrative duties performed during a search warrant. When asked who was supervising the officers, Ms. Mays said it should have been the scene supervisor and the Chief on scene. Ms. Mays said Chief Buhrow and Sergeant Salas were the only two sworn officers on scene, until Detective Truett and officers from the AG arrived on scene.

Ms. Mays was asked if, when Chief Buhrow told her she was in charge, it put her in the position of being the scene supervisor. Ms. Mays said it was hard to say, but she could have answered questions if challenged by anyone. Ms. Mays added, she would not have been able to make a decision on anything other than administrative duties. Ms. Mays said "they" would have listened, but thought Chief Buhrow would have been gone a short time since she was only briefing Mr. Arselano.

Ms. Mays was asked if she felt it was appropriate for Chief Buhrow to assign her as the scene supervisor. Ms. Mays said, "At the time, I was the only supervisor and the only person who had done a search warrant with DES." Ms. Mays added, there was one person from the AG at the residence, and she would not have made a decision on telling a sworn officer what they could, or could not do.

Ms. Mays was asked about the scene rosters she provided the PSU. Ms. Mays said she had personnel sign the roster when they initially executed the search warrant. After the initial entry, Ms. Mays gave the roster to DES employee Paul Cuellar, who was awaiting his POST background and not permitted to be armed, so he stood at the door. Ms. Mays said she did not see the roster again until the end of the day. When asked if Mr. Cuellar remained at the door throughout the day, Ms. Mays said he did not because he participated in searching the residence. Ms. Mays reiterated Mr. Cuellar was not assigned as door security. Ms. Mays said Chief Buhrow told her to give the roster to Mr. Cuellar.

Ms. Mays was asked if she had a discussion, or overheard a discussion with Chief Buhrow, about the front door being unsecured. Ms. Mays said she did not have direct conversation with Chief Buhrow. Ms. Mays added, Mr. Nieblas intercepted the three subjects and escorted them from the residence. Ms. Mays said Chief Buhrow new about the security breach, and thought Mr. Nieblas told her. Ms. Mays said prior to Chief Buhrow leaving to get lunch, she had a discussion with Chief Buhrow about the security breach, proving Chief Buhrow was aware of the breach.

Ms. Mays was asked if Chief Buhrow arrived to the morning briefing, on September 20, 2016, at the scheduled time. Ms. Mays said, "No. She was not on time for that briefing." Ms. Mays was asked if she knew approximately how late Chief Buhrow was to the briefing. Ms. Mays said Chief Buhrow was not more than one-half hour late. Ms. Mays added, all of the assisting agencies were present, and it seemed they waited a long time. Ms. Mays was told the meeting time was scheduled for 0700 hours, and asked to confirm Chief Buhrow was approximately one-half hour late. Ms. Mays said, "Yes." Ms. Mays could not recall Chief Buhrow giving a reason for being late.

Ms. Mays was asked if Chief Buhrow performed the duties the scene supervisor and Chief should have performed. Ms. Mays said, "At times, yes. And at times, no." Ms. Mays added, there were questions Chief Buhrow should have been able to answer. Ms. Mays gave an example of finding documents which led to human trafficking. She asked Chief Buhrow "multiple times" if the documents should be seized, or if the PPD should be called to further investigate. Ms. Mays said she "never" got an answer, and that was definitely the supervisor's call. Ms. Mays said she made the decision to seize the evidence. Ms. Mays also said management of time in general, and Chief Buhrow being away from the scene for a majority of the day, was an issue.

Ms. Mays was asked if she had knowledge of Chief Buhrow telling the PPD officers to secure the front door. Ms. Mays said, "No. To the best of my knowledge, she never did that." Ms. Mays added, after another person tried entering the residence, later in the afternoon, the PPD officers apologized and said they could not decipher who was with the DES, and who was not. Ms. Mays said she heard one of the PPD officers ask Chief Buhrow if she wanted them at the front door. Ms. Mays said the officers never posted at the door, and assumed Chief Buhrow told them no. Ms. Mays was asked to confirm she heard the PPD officers ask Chief Buhrow if she wanted them posted at the door. Ms. Mays said, "Yes." Ms. Mays said she was standing at the front of the residence when she heard the conversation.

Ms. Mays was asked what role the previous scene supervisors performed during search warrants. Ms. Mays said the DES had always searched multiple locations at one time, and she would have been at the location where the most evidence collection was thought to take place. Ms. Mays said the Special Operations Chief, Chief Buhrow's predecessor, was always at the scene. At the other scenes, there was always a senior POST officer, who was assigned as the scene supervisor. Ms. Mays said the Chief and scene supervisors would never leave, and would send another person

if needed. Ms. Mays provided an example of the previous Chief being called from the scene, but he refused to leave and asked the Inspector General to come to the scene. Ms. Mays provided another example of the previous Chief providing a briefing over the phone. Ms. Mays concluded by saying it is very clear, "you are the scene supervisor, you are not leaving." Ms. Mays said during the search warrant for Ms. Ramirez, Chief Buhrow called the business and asked if a sworn officer could come to process Ms. Ramirez, but was told no. Therefore, Chief Buhrow sent Sergeant Salas to process Ms. Ramirez.

Ms. Mays was asked, in her opinion, who should have been the scene supervisor. Ms. Mays said, "She should have been the scene supervisor. Lauren (Chief Buhrow) should have been the scene supervisor and not left, at the time. It was her scene. It was clear that it was her scene."

Ms. Mays was asked, in her opinion, if someone else could have left to get lunch. Ms. Mays said any of them could have gone. Ms. Mays said there were two civilians who never participated in a search warrant, and were there to observe. There were also three state vehicles that anyone could have used. Ms. Mays said Chief Buhrow paid for lunch, and understands there are credit card transactions to account for, but "there was a better way to do that."

Prior to concluding the interview, Ms. Mays asked if she could bring another item to the attention of the PSU. Ms. Mays said the operation should have been delayed one more week so more sworn, experienced officers were available. Ms. Mays added, if the warrant was delayed a week, "none of these conversations would have been happening." When asked if she knew why the warrant was not delayed, Ms. Mays said she did not know why. Ms. Mays said that particular search warrant had already been delayed one year, and may have been a factor in the DES' decision. Ms. Mays said there were a lot of officers at the briefing the evening prior to the search warrant, but when time came for the search warrant, "they weren't there." Ms. Mays said she did not know if Chief Buhrow or Sergeant Salas asked the DES Director to delay the search warrant.

Ms. Mays was asked to confirm Chief Buhrow was in the briefing on September 19, 2016. Ms. Mays said, "Yes." When asked if Chief Buhrow participated in the briefing, or gave specific assignments, Ms. Mays said, "No," but added it was not abnormal. In the past, case agents usually presented the briefings. According to Ms. Mays, Chief Buhrow was collecting phone numbers for those involved with the search warrant.

That concluded the interview.

ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

A. You are (*check appropriate box*)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.

C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.

D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (*Print*)

Courtney Mays

EMPLOYEE'S SIGNATURE

DATE

12/21/2016

TIME

1313 hrs.

INVESTIGATOR'S NAME (*Print*)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE

DATE

12/21/16

TIME

1315

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona

On Thursday, December 22, 2016, at approximately 0853 hours, Arizona Department of Economic Security (DES) Senior Investigator Barbara Paris, #661, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Ms. Paris reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-337. Ms. Paris advised she understood, and signed the document.

Ms. Paris had been employed with the DES for approximately one and one-half years, and was assigned to the Trafficking Detection Unit. Ms. Paris' supervisor was Courtney Mays, #603, and had been for approximately one year.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Ms. Paris:

Ms. Paris was asked to explain her assignment during the execution of search warrants for the "Mayra Ramirez" case. Ms. Paris said she was the main contact for evidence at the 16th Street location (1921 North 16th Street), and took "before and after" photographs of the business. According to Ms. Paris, after the evidence was gathered, it was taken to the DES van she was assigned.

Ms. Paris was provided with a copy of the inventory list of items seized from the 16th Street location. Ms. Paris acknowledged her initials at the bottom of each inventory list.

Ms. Paris was asked to explain the process of gathering and processing evidence at the 16th Street location. Ms. Paris said she positioned herself at the front counter of the business. As evidence was gathered, it was brought to her to be recorded. Ms. Paris said after the evidence was logged, the evidence was stacked at her feet.

Ms. Paris was asked if she maintained chain of custody with the evidence after it was logged. Ms. Paris said she only lost temporary sight of the evidence when it was taken from where she was standing, to being put inside of the van.

Ms. Paris was asked about evidence item E-1, and E-1 not being documented on the inventory sheet. Ms. Paris explained that each room was given an alphabetical letter. If an item was not located in the room, there may not be evidence for the room. Therefore, Ms. Paris said it did not concern her at the time, as she figured an item was not located in room E.

Ms. Paris was asked if she remained at the business until it was secured. Ms. Paris said, "Yes."

Ms. Paris was asked if anyone ever returned to the business, after it was secured, to get additional evidence. Ms. Paris said, "No," and added after the business was secured, the keys were returned to someone at Ms. Ramirez' residence.

Ms. Paris was shown a picture of item E-1, and asked if she recalled seeing the box. Ms. Paris said, "Yes," and added it was the box that remained at her feet while she was recording evidence. Ms. Paris said the box was put into the van before she could enter the item into the evidence log.

Ms. Paris was asked about evidence being transferred from one vehicle to another, after arriving at the McKinley location (3421 East McKinley). Ms. Paris said while they were at the McKinley location, evidence gathered from the residence was transferred to Ms. Paris' van, and placed on top of evidence gathered at the 16th Street location.

Ms. Paris was asked if she remained with the evidence until it arrived at the DES. Ms. Paris said, "Yes."

Ms. Paris was asked if all of the evidence was secured in the DES property room. Ms. Paris said, "Yes." Ms. Paris said she is sure all of the evidence was removed from the van, and secured in the property room.

Ms. Paris was asked if item E-1 was secured in the property room at the same time as all of the evidence. Ms. Paris said, "It did." Ms. Paris confirmed the only issue with item E-1 was with it not being logged at the business.

Ms. Paris was asked if she had involvement with drafting the amendment to the evidence list for item E-1. Ms. Paris said she was not. Ms. Paris added she knew the "upper echelon" was supposed to make a decision on the item, and whether they should return it to the owner, or draft an addendum.

Ms. Paris was asked if the inventory list provided by investigators was the same list left at the business for their receipt. Ms. Paris said, "Yes." Ms. Paris confirmed the receipt would not have acknowledged seizure of item E-1.

Ms. Paris was asked her opinion on how the search warrant was executed. Ms. Paris replied, "It wasn't very professional." Ms. Paris added that an individual, not sworn, assisted with the search warrant, and was not listed on the operational plan. Ms. Paris said the scene supervisor, Charlie Loftus, #684, allowed that person to walk through the business. Ms. Paris said the business had surveillance which was wired into the wall, which Mr. Loftus grabbed "ripped" from the wall,

rather than carefully removing them. Ms. Paris said she was glad to see the Attorney General's Office arrive on scene because of the large amount of U.S. Currency seized from the business. Ms. Paris said the DES had three or four people hand-counting the currency, ensuring they had the same count. Ms. Paris said the DES did not have a policy or procedure on how to correctly handle U.S. Currency, and they rely on the Attorney General's Office.

Ms. Paris was asked if the process she used was standard protocol for the DES, or if the gathering of evidence should have been handled differently. Ms. Paris said it could have been handled differently, and she should have told everyone to slow down. Ms. Paris said "finders" of evidence were stacking evidence around her, rather than allowing her to input each item with the finder present.

Ms. Paris was asked if she knew the box, item E-1, was not logged at the time it was put into the property room. Ms. Paris said, "Yes." Ms. Paris said when she put the box into the property room, she told Senior Investigator Dan Berggren, #663, the item was not logged.

Ms. Paris was asked if this search warrant was executed the same as search warrants in the past. Ms. Paris said this was her first search warrant with the DES. Ms. Paris added the DES did not have enough, or the right people at the right places, to safely execute the warrant. Ms. Paris said one of the detectives, who is most knowledgeable on search warrants, was on vacation, and "they" would not push the search warrant back.

Ms. Paris was asked if she brought her observations to the attention of her supervisor. Ms. Paris said, "Yes." Ms. Paris added she brought her concerns to the attention of Ms. Mays, but did not get a response.

Ms. Paris was asked if any of the problems surrounding the search warrant were the responsibility of Chief Buhrow. Ms. Paris said the final say on what to do, or not to do, was Chief Buhrow's. According to Ms. Paris, Chief Buhrow was not present to supervise "anything." Ms. Paris said they had a briefing the day before execution of the search warrant, and Chief Buhrow was not at the briefing. Ms. Paris added that Chief Buhrow was not at the 0600 briefing held at their office, either. Ms. Paris said she did not know where Chief Buhrow was, and said Chief Buhrow is "always late for everything," but she never showed for the briefings.

Ms. Paris was asked if Chief Loftus was present for the briefings. Ms. Paris said, "No." Ms. Paris said, following the 0600 hours briefing, personnel went to their assigned locations. Ms. Paris said Chief Loftus showed up at the location, and did not "know what was going on."

Prior to concluding the interview, Ms. Paris was asked if she had additional information relevant to the investigation. Ms. Paris said when she arrived at the McKinley location, there were more civilians than officers, on scene. Ms. Paris said she arrived at McKinley at approximately 1300

hours.

Ms. Paris was asked if Chief Buhrow was at the scene when she arrived. Ms. Paris said, "Yes," but said Chief Buhrow was called to a meeting at approximately 1330 hours, and never returned. Ms. Paris completed the interview by saying the entire operation was very unorganized.

That concluded the interview.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

A. You are (*check appropriate box*)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.

C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.

D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (*Print*)

Barbara Paris

EMPLOYEE'S SIGNATURE

DATE

12/22/2016

TIME

0851

INVESTIGATOR'S NAME (*Print*)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE

DATE

12/22/16

TIME

0835

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona

On Monday, January 9, 2017, at approximately 1350 hours, Arizona Department of Economic Security (DES) Forensic Investigator Lyndee Ho, #687, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Ms. Ho reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-337. Ms. Ho advised she understood, and signed the document.

Ms. Ho had been employed with the DES for approximately two years, and was assigned to the DES Office of the Inspector General. Ms. Ho's supervisor was Bryce Barraza, and had been for approximately two years.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Ms. Ho:

Ms. Ho was informed the investigation involved the execution of search warrants conducted on September 20, 2016, in the case of Mayra Ramirez. Ms. Ho advised she was familiar with the incident.

Ms. Ho was asked what her assignment was with the search warrants. Ms. Ho said she was the forensic investigator, responsible for collecting the electronic equipment from Ms. Ramirez' residence, 3421 East McKinley, Phoenix, Arizona.

Ms. Ho was asked if she attended the search warrant briefings on September 19, and September 20, 2016. Ms. Ho said she attended the briefing the afternoon before (September 19), and the briefing the morning (September 20) of the search warrant, which was conducted at the staging area, 1016 North 32nd Street, Phoenix, Arizona. According to Ms. Ho, she was not aware of any other briefings for the case, and was only invited to the two briefings.

Ms. Ho was asked if Chief Lauren Buhrow, #694, attended both briefings. Ms. Ho said, "Yes, she was at both of them."

Ms. Ho was asked if, while at the residence on East McKinley, she was approached by someone who was not supposed to be at the residence. Ms. Ho said she was confronted by three people who walked in the residence. Ms. Ho said they were not part of the search warrant, and she did not know who they were. Ms. Ho said she was approached by a male subject, who she later found out was Ms. Ramirez' boyfriend. Ms. Ho said the male subject was "very mad." According to Ms. Ho, she was searching a room in the residence, and when she walked out of the

room, the male subject was approximately five feet away from her. Ms. Ho said the male subject was accompanied by Ms. Ramirez' sister, and the sister's boyfriend.

Ms. Ho was asked what part of the house the confrontation took place. Ms. Ho said the incident occurred in the kitchen area, which is in the middle part of the residence.

Ms. Ho was asked if she was frightened when she observed the male subject. Ms. Ho said, "No, I just totally freak out at that time." Ms. Ho added the subjects were at a very close distance, and she did not know if they "had anything on them."

Ms. Ho was asked if she was aware of other unauthorized people entering the residence, at any other time. Ms. Ho said she only observed that one incident, but heard there were two other occasions when someone entered the residence and compromised the scene.

Ms. Ho was asked if the lack of security was ever brought to the attention of Chief Buhrow. Ms. Ho said the issue was discussed at the conclusion of the search warrant, and brought to the attention of the Inspector General the following morning. Ms. Ho said there was no investigation to address the safety concerns. Ms. Ho added, toward the conclusion of the search warrant, two armed agents from the United States Department of Agriculture (USDA), who were originally assigned to the second location, 1921 North 16th Street, volunteered to remain at the residence and provide security.

Ms. Ho was asked if she had knowledge of anyone bringing the safety concern to the attention of Chief Buhrow while at the residence. Ms. Ho said, "I don't know. I don't know if anyone brought it up to her at that point."

Ms. Ho was asked if Chief Buhrow was still at the residence in the afternoon. Ms. Ho said Chief Buhrow left at approximately 1120 hours to get lunch, and was gone for approximately one to one and one-half hours. According to Ms. Ho, Chief Buhrow remained at the residence for approximately 30 to 45 minutes, and left for a mandatory meeting with the Inspector General. Ms. Ho said she was at the scene until approximately 1715 hours, and Chief Buhrow did not return, up to that time.

Ms. Ho was asked, in her opinion, if Chief Buhrow fulfilled her responsibility as the Chief and scene supervisor. Ms. Ho said, "No. I don't feel safe while I was there. I don't feel like she work properly with secure the scene for, regarding for our safety concern there."

Ms. Ho was asked if she recalled Chief Buhrow's response to the security issues. Ms. Ho said a debrief was held the following morning, and she heard the security concern was discussed. Ms. Ho said she was not invited to the debrief, and did not know the exact discussion.

Ms. Ho was asked when the briefings took place, prior to executing the search warrants. Ms. Ho said the first briefing, on September 19, 2016, took place at approximately 1400 hours. Ms. Ho added, on the morning of the search warrant, Chief Buhrow arrived approximately 45 minutes late.

Ms. Ho was asked who conducted the briefings. Ms. Ho said the Case Agent, Damas Salas, #688, conducted the briefings. Ms. Ho said Chief Buhrow did not partake in any of the briefing on September 19, 2016, but she introduced the search warrant teams during the September 20, 2016, debriefing.

Prior to concluding the interview, Ms. Ho said her only concern was with safety of the teams. Ms. Ho said Chief Buhrow was "barely at the scene," and no case agent or supervisor was at the residence for security.

Ms. Ho was asked if scene security was discussed during the briefings. Ms. Ho said she did not recall any discussion of scene security during the briefings.

That concluded the interview.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

A. You are (*check appropriate box*)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.

C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.

D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (*Print*)

Lyndee Ho

EMPLOYEE'S SIGNATURE

DATE

1-9-2017

TIME

1342

INVESTIGATOR'S NAME (*Print*)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE

DATE

1-9-17

TIME

1342

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona

On Tuesday, January 10, 2017, at approximately 0900 hours, Arizona Department of Economic Security (DES) Detective Sergeant Damas Salas, #688, was interviewed by Sergeants Jeff Sharp, #4686, and Todd O'Brien, #6150, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Sergeant Salas reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-337. Sergeant Salas advised he understood, and signed the document.

Sergeant Salas had been employed with the DES for approximately eleven months, and was assigned to the Trafficking Detection Unit. Sergeant Salas' supervisor was Lauren Buhrow, #694, and had been for approximately six months.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Sergeant Salas:

Sergeant Salas was asked to provide his law enforcement experience. Sergeant Salas said he was a patrolman in Gulfport, Mississippi, from 2005 to 2010. Sergeant Salas relocated to Arizona, where he worked for the Arizona State University Police Department (ASUPD) for six months. After his employment with the ASUPD, Sergeant Salas was employed by the Arizona Department of Insurance (ADI) from June of 2012, through February of 2016.

Sergeant Salas was asked if he had prior experience with search warrants. Sergeant Salas said he was involved with approximately five search warrants during his employment with the ADI.

Sergeant Salas was informed the interview involved the Mayra Ramirez case, and search warrants executed during the investigation. Sergeant Salas said he recalled the case.

Sergeant Salas was asked his involvement in the case. Sergeant Salas said he was assigned as the lead agent since August of 2016, after the previous case agent, Randy Markham, was no longer employed by the DES.

Sergeant Salas was asked if briefings were held, prior to the execution of the search warrant, on September 20, 2016. Sergeant Salas said, "Yes, at the OIG (Office of the Inspector General) conference room the day before." Sergeant Salas said the briefing took place in the early afternoon. Sergeant Salas added, a second briefing was conducted the morning of the search warrant, at approximately 0700 hours. The morning briefing was conducted at the staging site, 1016 North 32nd Street, Phoenix, Arizona.

Sergeant Salas was asked if Chief Buhrow was present for both briefings. Sergeant Salas said, "Yes, she was."

Sergeant Salas was asked if Chief Buhrow arrived to the morning briefing, at the specified time. Sergeant Salas responded, "She was late." Sergeant Salas said Chief Buhrow was approximately 20-30 minutes late, because of traffic.

Sergeant Salas was asked if Chief Buhrow was involved in the briefings. Sergeant Salas said Chief Buhrow was present during the briefing on September 19, 2016, and during the briefing on September 20, 2016, she told everyone to be safe, and "that is about it." Sergeant Salas said he, as the case agent, conducted both briefings.

Sergeant Salas was asked if scene security for the McKinley location was addressed during the briefings. Sergeant Salas said the Phoenix Police Department (PPD) was with the DES during the search warrant, as well as armed agents with the Arizona Attorney General's Office (AG).

After clarifying that Sergeant Salas was referring to security while making entry into the residence, Sergeant Salas was asked if anyone was assigned to secure the front door. Sergeant Salas said he did not know, because he was assigned to transport, and book, Ms. Ramirez into the Maricopa County 4th Avenue Jail.

Sergeant Salas was asked if he was aware family members entered the residence while the search warrant was being executed. Sergeant Salas said he was told "somebody had gotten there," and thought it was the father of Ms. Ramirez. Sergeant Salas said another relative was at the scene as he was leaving to transport Ms. Ramirez to the jail.

Sergeant Salas was asked when he was made aware of unauthorized people entering the residence. Sergeant Salas said he thought it was as he was leaving to transport Ms. Ramirez. Sergeant Salas added, he thought the people only approached the front door, and was not sure if, or how far, they entered the residence.

Sergeant Salas was asked if he knew other unauthorized people entered the residence at a later time. Sergeant Salas said, "No."

Sergeant Salas was asked if he addressed the security issue at the residence. Sergeant Salas said he could not remember if he did, or not. Sergeant Salas added, he had Detective Tim Truett, #670, and Chief Buhrow at the rear of the house, but he was not sure if anyone was at the front door.

Sergeant Salas was asked if Chief Buhrow was made aware of the security issue. Sergeant Salas said, "I am sure she was aware."

Sergeant Salas was asked who made Chief Buhrow aware of the security issue. Sergeant Salas said there were several people in the house, "so somebody informed her."

Sergeant Salas was asked to confirm Chief Buhrow was made aware unauthorized people entered the residence. Sergeant Salas said, "I'm trying to think, but I am sure she was aware of it."

Sergeant Salas was again asked why he thought Chief Buhrow was aware of the issue. Sergeant Salas said Chief Buhrow was "mostly inside," but coming back and forth from inside, and to the rear patio. Sergeant Salas said he was "under the assumption" Chief Buhrow saw the people enter.

Sergeant Salas was asked who made the decision for him, as the case agent, to transport and book Ms. Ramirez. Sergeant Salas said, "That was Lauren's (Chief Buhrow)." According to Sergeant Salas, the DES had a previous incident regarding Detective Truett, and incorrectly booking a suspect. Sergeant Salas said he was familiar with the 4th Avenue jail, so he processed Ms. Ramirez. Sergeant Salas said the decision for him to process Ms. Ramirez also came from Jay Arselano.

Sergeant Salas was asked how he knew the decision came from Mr. Arselano. Sergeant Salas said during the debriefing, on September 21, 2016, Mr. Arselano relayed it was his decision for Sergeant Salas to process Ms. Ramirez.

Sergeant Salas was asked, with him as the case agent, if it was the right decision for him to process Ms. Ramirez. Sergeant Salas said, "No. No. I don't think it was."

Sergeant Salas was asked approximately what time he left the residence to process Ms. Ramirez. Sergeant Salas said he left the scene at approximately 1200 hours.

Sergeant Salas was asked approximately how long it took him to process Ms. Ramirez into the 4th Avenue jail. Sergeant Salas said he was at the jail for approximately five hours. Sergeant Salas contributed his extended time at the jail, to a prisoner transport van that arrived while he was there.

Sergeant Salas was asked if he was contacted to amend the search warrant, while he was at the jail. Sergeant Salas said, "Yes."

Sergeant Salas was asked if processing Ms. Ramirez into the jail delayed the time it took him to amend the search warrant. Sergeant Salas said he did not have the means to amend and submit the search warrant while at the jail, so he had to complete the booking first. Sergeant Salas said he was delayed approximately one hour before completing the amendment.

Sergeant Salas was asked about an item of evidence recovered from the business location, 1921 North 16th Street, which was not recorded on an evidence log. Sergeant Salas said he was told about the item the following day. Sergeant Salas said the item was put in the DES van, but never tagged, or documented on the evidence log.

Sergeant Salas was asked if the evidence inventory left at the business reflected the item being seized. Sergeant Salas said, "No." Sergeant Salas said he was not aware of any attempts to provide Ms. Ramirez with an updated inventory list. Sergeant Salas said the updated evidence item was submitted to the court, with the search warrant return.

Sergeant Salas was asked why the date on the amendment was September 23, 2016, three days after the search warrant was executed. Sergeant Salas said that was the day he was informed the item was not logged. Clarification was made on exactly when Sergeant Salas was made aware of the item, based on his earlier answer of having knowledge the day after the search warrant. Sergeant Salas said he was made aware on September 21, 2016, but did not know how he was going to rectify the situation. Sergeant Salas said he brought the issue to the attention of Chief Buhrow on September 21, 2016, but she did not give direction on how to correct it. Sergeant Salas said he included the amended evidence item with the search warrant return to the court.

Sergeant Salas was asked if he knew Chief Buhrow and Chief Loftus, scene supervisors for both locations, were called away from the scene for a meeting. Sergeant Salas said, "No."

Sergeant Salas was asked if Chief Buhrow, Chief Loftus, and him as the case agent, had remained at the scene, mistakes would have been avoided. Sergeant Salas said, "Oh yes. Yes. Ya, I totally agree." Sergeant Salas added, as the case agent, he should not have left.

Sergeant Salas was asked if Chief Buhrow left the residence, prior to him leaving to process Ms. Ramirez. Sergeant Salas said he was unsure because he was in the back of the residence, interviewing Ms. Ramirez.

Sergeant Salas was asked if Chief Buhrow fulfilled her obligation, as the Chief, to protect the DES employees, limit mistakes, and give direction during the briefings. Sergeant Salas said he thought she did, but as he is finding more details during the interview, "maybe she wasn't." Sergeant Salas said, "To a point she did. But, like I said, but now I'm hearing that she had taken off. I would say no. I mean..." Sergeant Salas reiterated he did not know Chief Buhrow left the scene for a meeting.

Sergeant Salas was informed that, according to other interviews, Chief Buhrow left at approximately 1130 hours. Sergeant Salas recalled her leaving, and said, "She went to pick up

pizza for everybody.” Sergeant Salas said he was going to order pizza and have it delivered, and remembered Chief Buhrow telling him that she picked up pizza for everyone.

Sergeant Salas was asked if he believed the scene had proper supervision and security, with him and Chief Buhrow not being at the scene. Sergeant Salas said, “Yes,” because there were two PPD officers on scene, as well as Detective Truett. Sergeant Salas added, with the size of the house and number of rooms, there should have been “a few more officers there for security.”

Sergeant Salas was asked if he believed there was a sufficient amount of personnel available for the search warrant. Sergeant Salas said, “I don’t think there was.” Sergeant Salas added, the DES used “a lot” of outside agency support, with sworn and armed personnel being him, Chief Buhrow, and Detective Truett. Sergeant Salas said they also had Paul Cuellar and John Olney, but were only assisting because they were awaiting completion of their backgrounds. Sergeant Salas reiterated there were only three armed personnel at the scene.

Sergeant Salas was asked if the DES discussed delaying the search warrant another week to make other DES employees, who were on vacation, available to assist. Sergeant Salas said he could not remember, and said the warrant was already delayed one time. As the case agent, Sergeant Salas said he did not foresee a reason to delay the search warrant. According to Sergeant Salas, the DES does not have additional personnel, which is why the DES utilized other agencies.

Sergeant Salas was asked if he knew what the PPD’s assignment was for the search warrant. Sergeant Salas said they were there for security, and parked in the driveway.

Sergeant Salas was asked if the PPD was assigned for security, or just as a visible, marked patrol car, upon making entry into the residence. Sergeant Salas said the PPD was there for security, and added, when he returned to the residence at approximately 2030 hours, the PPD was still on scene.

Sergeant Salas was asked if he was aware the PPD actually left the scene, and had to be called back by DES employees, when they became concerned for their safety. Sergeant Salas said, “No. Oh my God. Now I see why this is...Wow.”

Sergeant Salas was asked if the DES employees wore any clothing to identify them as law enforcement. Sergeant Salas said he wore a vest, and clothing that said “Police.” Sergeant Salas added, Chief Buhrow and Detective Truett wore vests, “but that was about it.” According to Sergeant Salas, there was a discussion, following the search warrant, to address the DES employees wearing identifiable clothing in the future.

Sergeant Salas was asked, in his opinion, if he believed Chief Buhrow had the experience and knowledge to fulfill the position of Chief. Sergeant Salas said, “I don’t think so. She would make

a good detective. But I don't know. This is just...from what I saw from the last supervisor we had over there, I mean. Lauren did a lot of interacting. She did a lot of interacting, more than I had with the last supervisor we had there. And, it's nothing bad against the last supervisor, but I just saw more interaction with the troops. She would make a good one, but maybe not quite yet."

Sergeant Salas was asked if he believed Chief Buhrow was as involved as she should have been. Sergeant Salas said, "She was. She was."

When asked if anything additional needed to be addressed, Sergeant Salas said, "Man, I have been through a lot of search warrants. This was, quite different." When asked to explain, Sergeant Salas said, "I mean organization. Organization and communication." Sergeant Salas added, "It just wasn't there."

Sergeant Salas was asked if the lack of organization and communication was an embarrassment to the DES. Sergeant Salas said, "Yes."

That concluded the interview.

On Wednesday, February 8, 2017, at approximately 1350 hours, the PSU conducted a second interview with Sergeant Salas. The purpose of the interview was to validate statements provided to the PSU by Chief Buhrow.

Prior to starting the interview, Sergeant Salas reviewed the Subject Interview Protocol he signed during his first interview. Sergeant Salas was asked if he had any questions about the document. Sergeant Salas said, "No." Sergeant Salas initialed and dated the form to reflect the second interview.

Sergeant Salas was asked approximately what time he left Ms. Ramirez' residence to process her into the 4th Avenue Jail. Sergeant Salas said it was approximately between 1130 and 1200 hours.

Sergeant Salas was asked about the arrangements made for lunch. Sergeant Salas said they were going to order pizza. Sergeant Salas added, he was going to get the pizza himself, but Chief Buhrow told him she would get it.

Sergeant Salas was asked if he left the residence to process Ms. Ramirez, prior to Chief Buhrow leaving to get lunch. Sergeant Salas said, "I believe I did because that's when I went to the jail to process her." After providing his answer, Sergeant Salas confirmed Chief Buhrow was still at the residence when he left to process Ms. Ramirez.

Sergeant Salas was asked how many PPD officers were at the scene. Sergeant Salas said there were two officers, both in the same patrol car.

Sergeant Salas was asked if he ever noticed either of the PPD officers sleeping in the car. Sergeant Salas said, "Oh no. They didn't, no."

Sergeant Salas was asked if he ever saw more than one PPD patrol vehicle at the scene. Sergeant Salas said he only saw the one patrol vehicle, which was parked in the driveway of the residence. Sergeant Salas confirmed he only saw one Chevrolet Tahoe PPD patrol vehicle, with two officers.

Sergeant Salas was asked if Chief Buhrow ever said anything to him about one of the PPD officers sleeping. Sergeant Salas said, "I can't remember if she did, or not. I can't remember." When asked if Chief Buhrow ever brought the sleeping officer to his attention. Sergeant Salas said, "Probably after. After we were all done with the warrant." Sergeant Salas was again asked if Chief Buhrow said something to him about the PPD officer sleeping. Sergeant Salas said, "Yes." When asked to provide the details, Sergeant Salas said Chief Buhrow told him she walked over and "saw the officer with his head back." Sergeant Salas added, the PPD officers were wearing sunglasses, so he could not determine if they were sleeping, or not.

Sergeant Salas was asked who called him while he was processing Ms. Ramirez, asking to amend the search warrant. Sergeant Salas said, "I believe it was Lauren (Chief Buhrow)." Sergeant Salas confirmed he did not have the resources to amend the search warrant from the jail. Sergeant Salas said he left the jail at approximately 1730 hours, and went directly to the DES office after processing Ms. Ramirez. Sergeant Salas said Chief Buhrow met him at the DES office, but was not sure if Chief Buhrow was already at the office, or arrived shortly after. Sergeant Salas said Chief Buhrow assisted him with drafting the amendment.

Sergeant Salas was asked if Chief Buhrow returned to the residence when he delivered the amended search warrant. Sergeant Salas said Chief Buhrow followed him back to the residence. Sergeant Salas added, Chief Buhrow remained at the residence until the completion of the search warrant.

Sergeant Salas was asked about evidence item E-1, and the delay in making a decision on how to address the item not being logged. Sergeant Salas said the search warrant did not have to be returned for three days, so the evidence amendment was dated September 23, 2016, three days after the search warrant.

Sergeant Salas was asked to explain his conversation with Chief Buhrow about how to correct the missing item, and it not being logged. Sergeant Salas said he did not know how to correct the issue, so he spoke with Chief Buhrow, who recommended the amendment. Sergeant Salas said the conversation with Chief Buhrow took place on September 21, 2016. Sergeant Salas added, he questioned extending the search warrant return time, but Chief Buhrow did not want to extend the time and recommended the amendment. Sergeant Salas confirmed he and Chief Buhrow had a "lengthy conversation" about how to correct the item.

Sergeant Salas was asked if he could provide an explanation of why Chief Buhrow would deny knowledge of the missing item. Sergeant Salas sat back in his chair and stated, "Oh my God. No." Sergeant Salas added, he went to Chief Buhrow's office and told her about the missing item.

Sergeant Salas was asked if he could provide any information about what measures were taken, if any, to secure the front door. Sergeant Salas said he believed Detective Truett stood at the door, but could not provide information on any direction given to Detective Truett. Sergeant Salas said he told someone to monitor the front door, but could not recall who he had the discussion with.

Sergeant Salas was asked who prepared the Operational Plan. Sergeant Salas said he did. Sergeant Salas said he did not assign anyone to the front door in the Operational Plan. When asked what his expectations were from the PPD, Sergeant Salas said the PPD was there for officer presence. Sergeant Salas also said the PPD officers were present for the morning briefing.

Sergeant Salas was asked if his expectations were for the PPD to monitor the front door. Sergeant Salas said, "No," and reiterated the PPD officers were at the residence for uniformed presence.

That concluded the interview.

**ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL**

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

A. You are (*check appropriate box*)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.

C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.

D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (*Print*)

Damas Salas

EMPLOYEE'S SIGNATURE

INVESTIGATOR'S NAME (*Print*)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona

DATE

1-10-2017

TIME

0856

DATE

1-10-17

TIME

0856

On Thursday, January 12, 2017, at approximately 1450 hours, Arizona Department of Economic Security (DES) Senior Investigator Luis Nieblas, #681, was interviewed by Sergeants Jeff Sharp, #4686, and Troy Titzer, #4069, of the Professional Standards Unit (PSU). The interview was conducted in the PSU suite, located at 2102 West Encanto Boulevard, Phoenix, Arizona.

Prior to commencing the interview, Mr. Nieblas reviewed the DES Administrative Investigation Subject Interview Protocol form for complaint #2016-337. Mr. Nieblas advised he understood, and signed the document.

Mr. Nieblas had been employed with the DES for approximately one year, and was assigned to the Office of the Inspector General, Trafficking Detection Unit. Mr. Nieblas' supervisor was Lauren Buhrow, #694, and had been for approximately six months.

The relevant specifics of the interview are annotated in the Investigative Narrative of this report. The complete audio recording generated from the interview is on file and available for review.

The following is a summary of the interview with Mr. Nieblas:

Mr. Nieblas was advised the interview concerned the investigation of "Mayra Ramirez," and search warrants executed at 3421 East McKinley, Phoenix, Arizona, and 1921 North 16th Street, Phoenix, Arizona. Mr. Nieblas said he recalled the case, and his assignment as the videographer.

Mr. Nieblas was asked about the two briefings conducted, prior to executing the search warrants. Mr. Nieblas confirmed one briefing was held in the afternoon on Monday, September 19, 2016, and the other in the morning of Tuesday, September 20, 2016. According to Mr. Nieblas, Chief Buhrow was present for both briefings.

Mr. Nieblas was asked if he recalled the time Chief Buhrow arrived for the briefing on September 20, 2016. Mr. Nieblas said, "No." When asked if he knew if Chief Buhrow was on time, Mr. Nieblas hesitated and stated, "Ya. Considering. We were all arriving. Once we all arrived, that's when we started the briefing. So, she was there before we started the briefing." Later in the interview, Mr. Nieblas was asked if he recalled Chief Buhrow arriving 30 to 45 minutes late. Mr. Nieblas said, "Now when you say briefing, when we all started talking to each other, or just waiting around, waiting to talk to each other?" It was explained to Mr. Nieblas the briefing was scheduled to start at 0700 hours. Mr. Nieblas was again asked if Chief Buhrow was approximately 30 to 45 minutes late. Mr. Nieblas said, "I do remember when she arrived in her vehicle, and we were all there already. But, timeframe, 30 to 45 minutes, I'm not sure, but, I mean. It was past seven though."

Mr. Nieblas was asked if unauthorized personnel entered the residence during the search warrant. Mr. Nieblas said, "Yes," and thought the sister of Ms. Ramirez, the sister's boyfriend, and another male subject, thought to be the son of Ms. Ramirez.

Mr. Nieblas was asked about the demeanor of the male subject. Mr. Nieblas said the subject seemed concerned, and wanted answers to why the DES was at the house. When asked if the male subject was loud or boisterous, Mr. Nieblas said his voice was "elevated."

Mr. Nieblas was asked if he escorted the subjects from the residence. Mr. Nieblas said he approached them inside of the house, in the kitchen area, and escorted them from the house. Mr. Nieblas said his primary concern at that time was "safety."

Mr. Nieblas was asked if anyone from the DES, or other law enforcement agency, was posted at the front door for security. Mr. Nieblas said the Phoenix Police Department (PPD) was outside, but the officers were sitting in the patrol vehicle.

Mr. Nieblas was asked if he brought the security issue to the attention of anyone. Mr. Nieblas said he notified Chief Buhrow and the PPD officers. Mr. Nieblas said as he walked the subjects from the house, the PPD officers were walking towards him. Mr. Nieblas then said, "Lauren, I don't believe she was there. That's when she was, either...she had to update our Inspector General." Mr. Nieblas said he could not remember if he notified Chief Buhrow, or not, but he did notify the PPD officers.

Mr. Nieblas was asked if he told Chief Buhrow. Mr. Nieblas said, "I am trying to think if I did, or not. Honestly, I can't remember if I did, or not. I know Phoenix P.D., yes, because they were the first one's I saw when I walked out. But, I had let her know. I know she was aware of it, but I can't remember if I told her at that time."

Mr. Nieblas was asked how he knew Chief Buhrow was aware of the security issue. Mr. Nieblas said, "I told her later on." When asked how much later, Mr. Nieblas hesitated and said, "Once she came back from updating our chain of command." When asked how he knew Chief Buhrow left to update the chain of command, Mr. Nieblas said, "I believe she had mentioned that she had to go around 3 o'clock, that she had to go update our Inspector General, and I'm not sure who else was in that meeting though."

Mr. Nieblas was asked if he recalled Chief Buhrow leaving at lunch time. Mr. Nieblas said, "Yes. I believe. I remember she-they went to go bring us uh, pizza that day."

Mr. Nieblas was asked if he told Chief Buhrow about the security issue before, or after, she left to get the pizzas. Mr. Nieblas hesitated and said, "I don't recall."

Mr. Nieblas was asked if he knew how long Chief Buhrow was gone for. Mr. Nieblas said, "No sir."

Mr. Nieblas was asked if Chief Buhrow posted anyone at the front door, after the security breach. Mr. Nieblas said, "I'm not aware if, if she took any measures, but there was somebody posted at the front door, after that incident happened." When asked who was posted at the door, Mr. Nieblas said Detective Tim Truett, #670, and the PPD.

Mr. Nieblas was asked if the PPD officers were still seated in the patrol car. Mr. Nieblas said, "No. Once they were made aware, they were walking around that area."

Mr. Nieblas was asked about confronting another unauthorized person at the front door, prior to them walking into the house. Mr. Nieblas said a female, with a child, wanted to come into the house, "but we did not let her."

Mr. Nieblas was asked if anyone else stopped her at the front door, or if he met her at the front door. Mr. Nieblas said he was called to the front of the house to act as an interpreter. When asked if he knew who called him to the front of the house, Mr. Nieblas said, "No I don't. I don't specifically know who called me out there."

Mr. Nieblas was asked if he was sure Detective Truett was posted at the front door, after he made Chief Buhrow aware of the security breach. Mr. Nieblas said, "Well, I did see him at the front door. So, I'm assuming he was posted there."

Mr. Nieblas was asked if he was at the residence for the duration of the search warrant. Mr. Nieblas said he was at the residence the entire time.

Mr. Nieblas was asked if Chief Buhrow returned to the residence, after meeting with the chain of command. Mr. Nieblas said, "Yes." When asked what time she returned, Mr. Nieblas said, "I'm not aware of what time she came back."

Mr. Nieblas was asked approximately how long Chief Buhrow was away from the scene. Mr. Nieblas said, "I don't recall." Mr. Nieblas was again asked approximately how long she was gone. Mr. Nieblas said, "Kind of hard to say because I did not realize she had left. So, I'm not sure what time she had left, or came back."

Mr. Nieblas was asked if he knew any additional information that may be helpful to the investigation. Mr. Nieblas mentioned how long the DES personnel were at the residence, mainly due to the delay in obtaining the amendment to the search warrant.

Mr. Nieblas was asked if he believed the search warrants were executed in a professional and organized manner. Mr. Nieblas said, "It could have been better." When asked to explain, Mr. Nieblas said the DES could have made more personnel available to assist, and assigning someone to the front door.

That concluded the interview.

ADMINISTRATIVE INVESTIGATION
SUBJECT INTERVIEW PROTOCOL

My name is **Sgt. Jeff Sharp, #4686**; I am an investigator with the Arizona Department of Public Safety (DPS), Professional Standards Unit (PSU).

A. You are (*check appropriate box*)

the subject of

a witness in

an administrative investigation into ADES work-related matters that will be discussed shortly.

B. You are ordered to cooperate fully with this investigation. You are ordered to respond truthfully, fully, and completely to all questions posed to you during the investigation. Failure to cooperate and respond truthfully, fully, and completely to all questions may subject you to disciplinary action up to and including dismissal.

C. As set forth in the case of *Garrity vs. New Jersey, 385 U.S. 493* and the line of cases which follow, any responses you give during this investigation cannot be used against you in a criminal prosecution. Your responses during this investigation can be used against you in an administrative or disciplinary action.

D. You are instructed not to discuss your interview or any aspect of this investigation with any ADES employee (other than the investigator) or with any other individuals in the investigation. Failure to follow this directive could jeopardize the investigation and may subject you to disciplinary action up to and including dismissal.

By signing below, you acknowledge that you have read and understand the above statements regarding the orders given to you regarding this investigation.

EMPLOYEE'S NAME (*Print*)

Luis Nieblas

EMPLOYEE'S SIGNATURE

DATE

01/12/2017

TIME

2:51pm

INVESTIGATOR'S NAME (*Print*)

Sgt. Jeff Sharp

INVESTIGATOR'S SIGNATURE

DATE

1-12-17

TIME

1251

LOCATION OF INTERVIEW

-2102 West Encanto Boulevard Suite 270 Phoenix, Arizona

ARIZONA DEPARTMENT OF PUBLIC SAFETY
INTEROFFICE MEMORANDUM



FRANK L. MILSTEAD
DIRECTOR

DATE: February 22, 2017
TO: Colonel Frank L. Milstead, #12710, Director
FROM: Sergeant Jeffrey Sharp, #4686, Professional Standards Unit
SUBJECT: INVESTIGATIVE NARRATIVE – PROFESSIONAL STANDARDS COMPLAINT #2016-337

On Wednesday, December 7, 2016, the Department of Public Safety (DPS) became aware of possible misconduct on the part of Arizona Department of Economic Security (DES) Chief Lauren Buhrow, #694. A Professional Standards case number was drawn alleging *Neglect of Duty* and *Inefficiency*.

Summary

On Friday, December 16, 2016, the investigation was assigned to Sergeant Jeffrey Sharp, #4686, of the Professional Standards Unit (PSU) for completion.

On Tuesday, September 20, 2016, the DES, with assistance from the Arizona Attorney General's Office (AG) and United States Department of Agriculture (USDA), executed search warrants in the case of "Mayra Ramirez." The search warrants were executed at two locations: 3421 East McKinley, Phoenix, Arizona, the residence of Ms. Ramirez, and 1921 North 16th Street, Phoenix, Arizona, which was Ms. Ramirez' business.

Prior to executing the search warrants, two briefings were held by the DES. One briefing was held the afternoon of September 19, 2016, and the other on September 20, 2016, prior to executing the warrant. It was alleged that Chief Buhrow had little involvement in the briefings, and arrived noticeably late to the briefing on September 20, 2016.

While serving the search warrant at the residence, unauthorized subjects, later determined to be the boyfriend and sister of Ms. Ramirez, and Ms. Ramirez' sister's boyfriend, entered the residence without challenge. It was alleged the security issue was brought to the attention of Chief Buhrow, who failed to take action to secure the residence, jeopardizing the safety of the DES employees. Chief Buhrow left the residence on two occasions and assigned the case agent, Detective Sergeant Damas Salas, #688, to process Ms. Ramirez into the Maricopa County 4th Avenue Jail. Those actions left the scene without a qualified and experienced supervisor, further jeopardizing the safety and performance of those involved with the search warrant.

Upon completion of the search warrant, and securing the residence and business, it was discovered an item of evidence collected from the business was not documented. Therefore, the evidence receipt left at the business did not contain the item. Corrective measures were not taken to provide Ms. Ramirez with an amended list of evidentiary items seized from the business.

Background

Chief Buhrow had been employed with the DES for approximately eight months, and was assigned to the Office of the Inspector General, Special Operations Unit. Chief Buhrow's supervisor was Inspector General Juan Arcellana, who was recently terminated from the DES.

Case note: At the time of the alleged misconduct, Chief Buhrow was employed with the DES for approximately three months.

Investigation

The Arizona Department of Economic Security conducted a four year, joint investigation with the Arizona Attorney General's Office and the United States Department of Agriculture. The subject of the investigation was Mayra Ramirez, the owner of Dulceria Mayra's Y Mas, located at 1921 North 16th Street, Phoenix, Arizona, and her violation of the Supplemental Nutrition Assistance Program (SNAP) program, more commonly known as food stamp fraud. Former DES Detective Sergeant Randy Markham, #646, was the lead detective for a majority of the investigation. However, Sergeant Salas became the lead detective, effective Thursday, August 11, 2016.¹

On Monday, September 19, 2016, Sergeant Salas conducted a briefing in the Office of the Inspector General conference room at the DES, in preparation to execute a search warrant on Tuesday, September 20, 2016. According to Sergeant Salas, his supervisor, Chief Buhrow, was present for the briefing, but he, as the lead investigator, conducted the briefing. An Operational Plan, which was signed by Chief Buhrow, illustrated assignments and instructions, and was issued to those involved.²

There was concern that Chief Buhrow may not have attended the briefing. However, the investigation revealed Chief Buhrow was present for the briefing.

On Tuesday, September 20, 2016, the search warrant team assigned to Ms. Ramirez' residence staged at the Lions Club, located at 1016 North 32nd Street, Phoenix, Arizona. According to Sergeant Salas, and the "Staging Location" portion of the Operational Plan, the meeting time was scheduled for 0700 hours. Sergeant Salas, Forensic Investigator Lyndee Ho, #687, Investigation Support Unit Supervisor Courtney Mays, #603, and Senior Investigator Luis Nieblas, #681, all said Chief Buhrow was late to the briefing. Ms. Ho recalled Chief Buhrow being approximately

¹ Addendum 1 – Compact disc containing case report

² Addendum 2 – Operational Plan for execution of search warrant

45 minutes late, while Sergeant Salas believed Chief Buhrow was 20-30 minutes late. Sergeant Salas said when Chief Buhrow did arrive, she told him her delay was because of traffic.

During the investigation, Chief Buhrow was asked about the briefing on September 20, 2016. Chief Buhrow was told the operational plan showed the briefing was scheduled for 0700 hours, and asked if she recalled what time she arrived. Chief Buhrow said, "Maybe just a little bit before." Chief Buhrow was informed that other interviews identified her as arriving approximately 20 to 45 minutes late for the briefing. Chief Buhrow said, "I don't remember." Chief Buhrow was asked if that timeline was more accurate, or she thought she was at the briefing prior to 0700 hours. Chief Buhrow said, "I just don't remember." Chief Buhrow said she knew she did not miss the briefing, because a briefing was held while she was there. Chief Buhrow was asked if she recalled telling another DES employee she was late, because of traffic. Chief Buhrow said, "I don't remember." Later in the interview, Chief Buhrow said she "may have been late" to the morning briefing, but said it would have been relevant to the start time of the briefing. Chief Buhrow was reminded the start time was 0700 hours, and asked if she recalled being 30 to 45 minutes late, because of traffic. Chief Buhrow said, "I don't remember. Inconsequentially, I did not miss the briefing."

Chief Buhrow was asked if she understood the impression other agencies would be left with, if she were 30 to 45 minutes late to the briefing. Chief Buhrow paused and said, "No, I mean if there's nothing being done because the briefing is being held later, it would be inconsequential in my mind." Chief Buhrow was reminded the briefing was scheduled to start at 0700 hours. Chief Buhrow said, "I don't remember if I was. I just don't remember."

Following entry into the residence, Sergeant Salas and Chief Buhrow remained in front of the residence while arrangements were made for Ms. Ramirez' daughter. Ms. Ramirez was later moved to the back patio, where Sergeant Salas conducted his interview with Ms. Ramirez. While Sergeant Salas and Chief Buhrow were in the back yard, three subjects, later determined to be Ms. Ramirez' boyfriend, Ms. Ramirez' sister, and her sister's boyfriend, entered the residence without challenge. The three subjects were able to walk into the kitchen area, which is in the center of the residence, before they were confronted by Mr. Nieblas. Mr. Nieblas escorted the three from the residence and into the front yard, where he met with the two Phoenix Police Department (PPD) officers.

According to those interviewed, when Ms. Ramirez' boyfriend entered the residence, he appeared agitated and his voice was raised. Ms. Mays said the boyfriend walked into the house and yelled, "Mayra, tell me what the fuck is going on." Ms. Mays also stated she was concerned for her safety, and if the boyfriend had a weapon, Ms. Ho, "would have been down, and she probably would have been next."

Ms. Ho, who was assigned to search and gather evidence from the residence, said she was confronted by Ms. Ramirez' boyfriend. According to Ms. Ho, the boyfriend was "very mad" and was approximately five feet away from her before Mr. Nieblas confronted him and escorted him from the residence. Ms. Ho said she "freaked out" because she did not know if the boyfriend was armed.

Sergeant Salas was not aware of the security breach when it occurred. Sergeant Salas said he was busy conducting an interview with Ms. Ramirez when the breach occurred, and was told about it at a later time.

When asked if the security breach was brought to the attention of Chief Buhrow, those interviewed were under the assumption Chief Buhrow's was notified. During the interview with Mr. Nieblas, he first said he notified Chief Buhrow and the PPD officers, at the time of the breach. As the interview continued, Mr. Nieblas retracted and said he could not remember if he told Chief Buhrow at the time of the breach, or later in the afternoon. When Mr. Nieblas was provided a timeline of events, in comparison to when he notified Chief Buhrow of the breach, he said, "I don't recall."

Chief Buhrow was asked if she recalled three unauthorized people entering the residence. Chief Buhrow said she remembered them coming to the edge of the property. According to Chief Buhrow, the PPD, who had control of the exterior, was dealing with the three people. Chief Buhrow said it was brought to her attention the three people were at the residence, so she approached them to "see what was going on." Chief Buhrow said she allowed the three people to remain on the edge of the perimeter.

Chief Buhrow was asked if she was made aware the three people entered the residence, and walked into the kitchen area of the house before being challenged. Chief Buhrow said she did not know they walked into the kitchen area until a later time. Chief Buhrow said their entry was "the fault of the PPD officer who was supposed to be securing the perimeter."

Chief Buhrow was asked if the PPD was present for perimeter security, or as the marked patrol vehicle for law enforcement presence. Chief Buhrow said the PPD was there to maintain and secure the perimeter, and protect the outside of the residence; however, Sergeant Salas said the PPD was only assigned to the search warrant as visible law enforcement, and not assigned any additional functions. Ms. Mays also said it was her understanding the PPD was told to assist as the "marked car," and was under the assumption the DES was going to maintain security at the front door. Ms. Mays added, the PPD would not have known who was assigned to the search warrant, and who was not, based on the DES employees not having identifiable clothing to designate them as law enforcement.

Case note: According to the Operational Plan (addendum 2), the PPD's assignment was listed as "marked unit." Standard protocol with the execution of search warrants was to have a marked patrol vehicle present and visible, in front of the warrant location.

Chief Buhrow was asked if anyone was staged at the door to prevent unauthorized people from entering. Chief Buhrow said, "There was somebody there." Chief Buhrow said a member of the AG staff was at the door. When asked if the AG was at the door prior to, or after the three unauthorized people entered the house, Chief Buhrow said, "I have no idea what time that

happened.”

Chief Buhrow was asked if the security breach was brought to her attention. Chief Buhrow said, “Later.” She was asked how much later. Chief Buhrow said the incident had already happened, and the three people were outside of the house. Chief Buhrow was asked if she recalled who brought it to her attention. Chief Buhrow said, “I don’t.” When asked if it was a DES employee, or an employee from another agency, Chief Buhrow said, “I don’t remember.” Chief Buhrow was asked if someone approached her directly, and informed her of the security issue, or if she overheard it in conversation. Chief Buhrow said, “I just don’t remember how it came up.”

Chief Buhrow was asked if she took any measures to have someone posted at the front door of the residence. Chief Buhrow said she spoke with the PPD officers, and informed them nobody was to enter the residence. Chief Buhrow was asked if she directly told the PPD officers to monitor the front door. Chief Buhrow said, “With Phoenix P.D., no. I believe the AG person did that, so I did not feel it was necessary.” Chief Buhrow was asked what made her believe the AG monitored the front door. Chief Buhrow said she did not tell the AG to “do it.” Chief Buhrow said she did not know why the AG posted at the door, but she figured, “Okay, great. We’ve got a backup plan if Phoenix P.D. fails again.”

Chief Buhrow was again asked if she had a one-on-one discussion with the PPD or AG about securing the front door. Chief Buhrow said, “Well, that was part of the person who remains outside. That’s their role. Is to protect the exterior from the people who are coming.” Chief Buhrow was again asked if she had a one-on-one discussion with any of them. Chief Buhrow said, “When the family members came, I said to them, with the officers standing there, [nobody is to come in.]” Chief Buhrow did not answer the question, so she was asked a third time if she had a one-on-one discussion with the PPD officers, or the AG, about securing the front door. Chief Buhrow said, “They heard me saying that to the people who came in, so I assumed that they understood that that was what to be.” Chief Buhrow was asked to clarify the PPD officers were present when she made the statement to the three unauthorized people, therefore, she assumed the PPD officers heard her. Chief Buhrow said, “Yes, there were two officers there at that point.” Chief Buhrow was asked to verify she did not have a specific conversation with the PPD officers, telling them to secure the front door. Chief Buhrow said, “I’m not saying that I didn’t, I just don’t remember if I did.”

During her interview, investigators continued asking Chief Buhrow what measures she took to secure the front door. On one occasion, Chief Buhrow said Ms. Mays was at the front door, logging those coming in and out of the residence, and should have been responsible to ensure only authorized people entered. It was brought to Chief Buhrow’s attention that Ms. Mays was a non-sworn, unarmed civilian. On another occasion, Chief Buhrow observed DES Detective Tim Truett, #670, standing at the front door, and assumed he was positioned for security. The investigation was unable to identify Chief Buhrow having a direct conversation with anyone, or taking direct action, to confirm the front door of the residence was properly secured.

Case note: Investigators obtained a copy of the scene roster Chief Buhrow said was being kept by Ms. Mays. The roster only documented the times personnel arrived on scene. According to Ms. Mays, the roster was lying by the front door, and personnel would sign the roster as they entered.³

At this point, Chief Buhrow asked if she could take a break from the interview. Chief Buhrow was asked if she recalled having the conversation with the PPD officer. Chief Buhrow said, "Yes. Yeah. I just don't know if I want to say something that would potentially get another person into trouble." Chief Buhrow was informed she was the subject of the interview, and "dishonesty" included omissions. Chief Buhrow said she was not trying to omit anything. Chief Buhrow said she approached the PPD officer, who was sitting in the driveway, and found him sleeping.

Chief Buhrow continuously blamed the PPD officers for the security breach, and accused one of the PPD officers of sleeping; however, as Chief Buhrow was questioned about her accusation, it was determined the incident, if it was accurate, did not occur until after the security breach occurred. Chief Buhrow said the breach of security "was the fault of the PPD officer who was supposed to be securing the perimeter."

Chief Buhrow was asked if she observed the PPD officers in front of the residence when the search warrant was executed. Chief Buhrow said, "Yeah." When asked how many officers were present, Chief Buhrow said, "There were two, I believe." Chief Buhrow was also uncertain if there was one patrol car assigned to the search warrant, or two. According to others interviewed, there was only one PPD patrol vehicle, with two officers.

At the conclusion of this line of questioning, Chief Buhrow told investigators the Operational Plan was approved by Chief Law Enforcement Officer Charles Loftus, #684 (terminated), and Mr. Arcellana, to include the perimeter.

While the search warrant was being executed, Chief Buhrow left the residence on two different occasions. The first time Chief Buhrow left, she went to get lunch for those assisting with the search warrant. The second time she left was to meet with Mr. Arcellana. Sergeant Salas, the case agent, was assigned to process Ms. Ramirez into the Maricopa County Sheriff's Office 4th Avenue Jail. While Chief Buhrow was away from the residence, neither the case agent, nor the scene supervisor were on-scene.

Sergeant Salas was asked who made the decision for him, as the case agent, to transport and book Ms. Ramirez. Sergeant Salas said, "That was Lauren's (Chief Buhrow)." According to Sergeant Salas, the DES previously had issues when Detective Truett incorrectly booked a suspect. Sergeant Salas said he was familiar with the Maricopa County Sheriff's Office 4th

³ Addendum 3- Scene roster for assigned personnel.

Avenue Jail, so he processed and booked Ms. Ramirez. Sergeant Salas said the decision for him to process Ms. Ramirez was also agreed to by Mr. Arcellana.

Sergeant Salas was asked if he felt it was the best decision for him to process Ms. Ramirez when he was the case agent. Sergeant Salas said, "No. No. I don't think it was." Sergeant Salas added as the case agent, he felt he should not have left the residence.

Chief Buhrow was asked to confirm that Sergeant Salas transported Ms. Ramirez to the Maricopa County Sheriff's Office 4th Avenue Jail. Chief Buhrow said she was trying to decide who would process Ms. Ramirez, and she "made the call" for Sergeant Salas to process her.

Chief Buhrow was asked why someone, other than Sergeant Salas, was not assigned to process Ms. Ramirez. Chief Buhrow said, "He was the best choice." Chief Buhrow added, Sergeant Salas was the case agent, and the one with the most experience processing prisoners into the jail.

During the investigation, investigators made several attempts to establish a timeline to determine what times, and how long Sergeant Salas and Chief Buhrow were away from the residence, at the same time. According to Sergeant Salas, he left to process Ms. Ramirez at approximately 1200 hours. Investigators questioned Chief Buhrow about the sequence of events and times she left the residence. PSU investigators felt Chief Buhrow was being deceptive and answered many of the questions with "I don't recall", or "I don't remember."

Chief Buhrow was asked what arrangements were made for lunch. Chief Buhrow said, "Costco pizza." When Chief Buhrow was asked who left to pick up the pizza, Chief Buhrow said, "I think I did." Chief Buhrow was told she should remember if she went to Costco, or not. Chief Buhrow said, "Actually, no I don't. I think I did." After a short pause, Chief Buhrow said, "I think I did." Chief Buhrow was asked if she went to pick up the pizza. She said, "Um hm." Chief Buhrow was asked approximately what time she left the residence. Chief Buhrow replied, "Lunch time." Chief Buhrow was asked to provide an approximate time. She said, "I can't. Lunch time. Middle of the day." Chief Buhrow was asked if it was 1000, 1200, or 1500, in attempt to get an approximate time. Chief Buhrow said she started thinking about it early, but did not think she was able to leave early.

Chief Buhrow was asked if Sergeant Salas left to transport Ms. Ramirez, when she left to get lunch. Chief Buhrow said Sergeant Salas was still at the house when she left. Chief Buhrow was asked if Sergeant Salas was still at the residence when she returned from getting lunch. Chief Buhrow said, "I believe so. I'm trying to remember when he left." Chief Buhrow said there would probably be communication between her and "someone" about the pizza, and with Mr. Arcellana about who was transporting Ms. Ramirez. Chief Buhrow followed up by saying it could have been, and probably was before lunch. Chief Buhrow was asked to clarify when Sergeant Salas left the residence to transport Ms. Ramirez. Chief Buhrow said she did not remember the exact time, and she did not know who left first, her or Sergeant Salas.

Chief Buhrow went off topic and said Tiffany Nelson, from the United States Department of Agriculture (USDA) had arrived at the residence, from the business search warrant, before any

other people from the business arrived. Chief Buhrow was asked again, if Sergeant Salas was still at the residence when she left to pick up the pizza. Chief Buhrow said, "I can't remember. I'm sorry. I can't remember which happened first." Chief Buhrow was reminded that Sergeant Salas transporting Ms. Ramirez was her decision, and she made the arrangements. Chief Buhrow said, "It was, and it wasn't. I was told by my supervisor to have it be a DES sworn." Chief Buhrow was asked to confirm that when the transport arrangements were determined, Sergeant Salas left to process Ms. Ramirez. Chief Buhrow said, "Yes." Chief Buhrow was asked to confirm Sergeant Salas would have transported Ms. Ramirez before she left to get pizza. Chief Buhrow said, "I don't know. I don't know the timing. We are going to go round and round on this. I don't know the exact timing."

Chief Buhrow was asked how long she was gone from the residence when she went to pick up the pizza. Chief Buhrow said, "Very short amount of time." Chief Buhrow was asked to explain a short amount of time. Chief Buhrow said, "It was right down the street. I didn't clock it, so I am not going to guess." Chief Buhrow was asked to give an approximate time. She replied, "That would be guessing." Chief Buhrow was asked if it were accurate to say between an hour, and an hour and a half. Chief Buhrow said, "Absolutely not." When asked why others would provide information saying it was that long, Chief Buhrow said, "Obviously, the fact that there is the second bogus allegation, somebody is trying to get rid of me."

Chief Buhrow was asked if she believed it was the correct decision for her, as the scene supervisor and chief, and Sergeant Salas as the case agent, to be gone from the scene. Chief Buhrow said she did not know if the two happened simultaneously. Chief Buhrow added, she was told additional personnel were on their way from the business search warrant, to include sworn personnel.

Chief Buhrow was again asked if she believed the decision for her and Sergeant Salas to be away from the scene, was the correct decision. Chief Buhrow responded, "Do you think that if.... well..." Chief Buhrow was interrupted and asked to answer the question. Chief Buhrow said, "If I can't remember perfectly, I doubt other people can remember perfectly. They are probably estimating because you asked me to estimate in the same fashion that you are doing to me, and they just threw out a number." Chief Buhrow was informed that investigators did not ask for estimates in other interviews, and the information was provided from their memories. Chief Buhrow stated, "Whoever came up with this, obviously has an agenda. Because, it's ridiculous."

After Chief Buhrow returned to the residence with lunch, remained at the residence before leaving to have a meeting with Mr. Arcellana.

Chief Buhrow was asked how long she was at the residence after she returned with lunch. Chief Buhrow said she was there "quite a while." Chief Buhrow added, she had lunch, witnessed and participated in the interview. Chief Buhrow then stopped, hesitated, and said without a report to see the order of events, it was "kind of a jumble." Chief Buhrow was asked to estimate how long she was at the residence after lunch. Chief Buhrow said she was there until her supervisor said he needed to meet with her urgently. Chief Buhrow was asked an approximate time she was called by her supervisor. Chief Buhrow said, "I don't know. You can probably find that in

either text, or email.” Chief Buhrow was again asked how long she was at the residence, after lunch, and before being called to the meeting. Chief Buhrow paused and said, “I don’t know. Probably several hours.” Chief Buhrow was asked if it would be accurate to say she was at the residence until 1500 hours. Chief Buhrow said, “Maybe.”

According to Ms. Ho, Chief Buhrow returned from lunch and was at the residence for approximately 30-45 minutes before leaving for the meeting with Mr. Arcellana.

Investigators wanted to determine the urgency of the meeting with Mr. Arcellana, and if Chief Buhrow’s only option was to leave the scene. When Chief Buhrow was asked why the meeting was so urgent, she said, “I don’t know. My boss told me I needed to get to the office, and I needed to get there now.” Chief Buhrow was again asked what made the meeting so urgent. Chief Buhrow said, “I don’t remember.” Chief Buhrow said she had been “racking her brain,” but could not remember. Chief Buhrow was asked what the meeting was about. Chief Buhrow said, “It was about information that was needed. I think it was about information that was needed by the Director, but I don’t recall.”

According to Sergeant Salas, Chief Buhrow told him she had to meet with Mr. Arcellana to provide an update on the search warrant. Sergeant Salas questioned the necessity for Chief Buhrow to drive to the DES office and provide the update. Sergeant Salas said in his experience, case updates have been and could have been done over the telephone. Sergeant Salas added, he knew of other scene supervisors in the past who have refused to leave a scene, and provided updates over the phone.

After Chief Buhrow left the scene to meet with Mr. Arcellana, she did not return to the residence until Sergeant Salas returned with the amended warrant. According to timelines established by investigators, Chief Buhrow was away from the residence from approximately 1500-1900 hours.

During her interview, Chief Buhrow said while she was gone, she appointed Ms. Mays as the scene supervisor. Chief Buhrow was asked to explain why she left Ms. Mays as the scene supervisor, when other sworn armed officers were at the residence. Chief Buhrow said, “She’s a supervisor. She also happens to be the evidence custodian. She’s knowledgeable about search warrants. She has been involved in many of them. There was nothing to be done, other than to wait, and that freed up the officers to be aware.”

Chief Buhrow said Ms. Mays was an evidence custodian, so she had specialized training with regard to evidence collection, packaging and recording. Chief Buhrow was again asked why she would leave Ms. Mays as the scene supervisor. Chief Buhrow said, “Because she is a supervisor.” Chief Buhrow added, nobody else at the scene was a supervisor, so she left Ms. Mays as the supervisor so that others would listen to her and it would “free up” the officers around her. Chief Buhrow added, there was nothing to be done at the time, and personnel were “just waiting around” for the amended search warrant.

Chief Buhrow was told the on-scene investigators took issue with the case agent leaving the scene to process Ms. Ramirez, and with her, as the scene supervisor, leaving the scene and

assigning a civilian with experience in evidence collection, as the on-scene supervisor. Chief Buhrow said there were other officers at the residence, very seasoned officers, who Ms. Mays could have "pulled from" at any time.

Chief Buhrow was asked if she assigned Ms. Mays as the supervisor when she left for the meeting with Mr. Arcellana. Chief Buhrow said she left Ms. Mays as the supervisor when she left to get lunch, and when she left for the meeting. Chief Buhrow was asked if she verbally told Ms. Mays she was being appointed the supervisor. Chief Buhrow said, "Yes."

Ms. Mays was asked if Chief Buhrow told her she was the scene supervisor, before Chief Buhrow left the residence. According to Ms. Mays, when Chief Buhrow left the residence, she told Ms. Mays, "Well, I guess you're in charge. You have been most of the morning anyway."

Chief Buhrow was asked if personnel from the business arrived at the residence, prior to her leaving for the meeting. Chief Buhrow said, "I believe so. Again, the timing. It's not my forte. I don't have a clock that marks things in my mind. That is why I take notes, and why I write reports, and that is why." Chief Buhrow was asked if they were there before she left for the meeting. Chief Buhrow paused and said, "I think so." Chief Buhrow was reminded that earlier she said personnel from the business "started showing up." Chief Buhrow said, "Yeah, I just don't remember at what point, whom." Chief Buhrow was asked to confirm Special Agent Nelson, and Patricia Contreras, who is the Assistant Special Agent in Charge (ASAC) and USDA supervisor, were at the residence before she left for the meeting. Chief Buhrow said they were both present. Chief Buhrow was asked why neither of them were left in charge. Chief Buhrow said, "Because I can't control her. She's not under my. I mean, she would for all intense and purposes be able to call shots. People would listen to her, just the same way they would listen to Tiffany. It was a group venture. It's a team effort." Chief Buhrow added, she was "more or less" leaving Ms. Mays in charge of the DES staff and situations related to evidence. Chief Buhrow was asked to confirm there was not really "scene supervision," but only evidence supervision. Chief Buhrow said, "No, that's not true." Chief Buhrow was asked who the scene supervisor would have been. Chief Buhrow said, "Phoenix. Well, Phoenix P.D. would have been the perimeter." She was again asked who would have been the scene supervisor. Chief Buhrow said, "They could have gone to Courtney (Ms. Mays) and Courtney could have affected, through her sworn, to handle anything that came up."

Chief Buhrow was asked if she believed assigning Ms. Mays as the scene supervisor, with other sworn armed personnel available, was the correct decision. Chief Buhrow said, "It was the call that I made at the time. Based on the circumstances, and the sense of urgency for me to leave the scene, it was who was immediately available."

After the search warrants were completed at both locations, the evidence was transported to the DES property room. During the transfer of evidence, it was discovered that an item of evidence, E-1, a plastic file container with documents, was not listed on the inventory list.⁴

⁴ Addendum 4- Inventory list for 1921 North 16th Street, Phoenix, Arizona

According to Sergeant Salas, the missing item was not brought to his attention until the following day, September 21, 2016. Sergeant Salas approached Chief Buhrow, while in her office, and asked for direction on how to correct the problem. Sergeant Salas said he did not get direction from Chief Buhrow. Sergeant Salas completed an amendment to the search warrant return to reflect the seizure of item E-1. Sergeant Salas confirmed item E-1 was not listed on the inventory list left at the business.

Case note: When the case was brought to the PSU, there was concern the business was secured at the conclusion of the search warrant and someone re-entered the business and collected item E-1. The investigation revealed item E-1 was collected within the parameters of the search warrant. Evidence custodian and DES employee Barb Paris, #661, verified E-1 was collected at the same time as all evidence, but left off the inventory while at the business.

Chief Buhrow was asked about evidence item E-1, collected from the business. Chief Buhrow said she was not at the business search warrant. Chief Buhrow was asked if she was aware the item was not included on the inventory list. Chief Buhrow said, "No. That was Charles Loftus' scene." Chief Buhrow was asked if she was later informed about the item. Chief Buhrow said, "I don't remember that conversation." Chief Buhrow was asked to confirm she did not know anything about the item. Chief Buhrow said, "Not that I recall. That seems like something that would stand out in my memory." Chief Buhrow was provided with a photograph of item E-1, and provided with details.⁵ Chief Buhrow asked if Ms. Ramirez was provided with an updated log. Chief Buhrow was told that Ms. Ramirez did not receive an inventory list, updating the missing item. Chief Buhrow then said, "I am having a recollection of some conversation about something where we were told that as long as we provided a follow-up, corrected inventory, that it would be okay." Chief Buhrow was asked if that conversation was between her and Sergeant Salas. Chief Buhrow said she did not remember, or if it was even for the case involving Ms. Ramirez. Chief Buhrow was asked to confirm that was the only search warrant she conducted while with the DES. Chief Buhrow said, "No," and added, she was involved with almost every search warrant with the DES while she was employed with the AG. It was clarified the Ms. Ramirez search warrant was only one she was involved with while working for the DES. Chief Buhrow said, "I believe so. Ya."

Chief Buhrow was asked if she recalled a conversation with Sergeant Salas, and how they were going to address the issue of item E-1 not listed on the inventory log. Chief Buhrow said she did not remember if the conversation was with Sergeant Salas. Chief Buhrow said she just recalled a conversation about updating a log, and providing Ms. Ramirez with a copy. Chief Buhrow added, someone had a conversation with the AG office about how to handle the situation. Chief Buhrow was asked how she remembered that information, but not if she had a conversation with Sergeant Salas, or not. Chief Buhrow said, "Well, it's coming to me." Chief Buhrow again resorted to needing her emails, or phone, to provide information she was being asked about. Chief Buhrow was informed the question was in regard to a conversation between her and Sergeant Salas. Chief Buhrow continued to provide reasons why her email or phone would assist

⁵ Addendum 5- Photograph of evidence item E-1

her with the information.

Chief Buhrow was asked if she recalled coming to the conclusion that an amendment would be completed and submitted with the search warrant return. Chief Buhrow said, "That sounds familiar."

Chief Buhrow was asked to confirm that she was not familiar with the evidence item, E-1, that was left off the inventory log. Chief Buhrow said, "No. I'm not familiar with it." After a short pause, Chief Buhrow said, "Evidence item documentation, logging, that would be a role of the evidence custodian." Chief Buhrow was advised she would have been involved, as the Chief, if an item of evidence was not properly logged. Chief Buhrow responded that the mistake would be within the responsibility of the evidence custodian supervisor. Chief Buhrow was asked if she believed her evidence custodian supervisor would handle such a situation, without bringing it to her attention. Chief Buhrow said, "Sadly, I can tell you they tried to handle a lot of things by themselves, between themselves. They had very good relationships with the AG staff, and they left me out of a lot of conversations and I was trying to get that under control." Chief Buhrow was asked to clarify again if Sergeant Salas had a conversation with her about how to handle the missing item. Chief Buhrow said she did not remember. Chief Buhrow said the information sounded familiar, but the search warrant return and the log were different. Chief Buhrow added, the fact something may have been missing could have escaped her understanding of the conversation, or her memory. Chief Buhrow then said she recalled the conversation about an amendment to the return, but she would not have "put together" that the item was from the inventory log left at the house.

Chief Buhrow was asked if she recalled being informed about an item not being logged, and Ms. Ramirez not being provided with a correct inventory log. Chief Buhrow said, "I recall being. I do. Uh, it's coming to me. There was talk about giving it to her attorney, and that was sufficient." When asked if that step was taken, Chief Buhrow said, "Uh. Damas (Sergeant Salas) told me he would do it."

Throughout the investigation, Chief Buhrow was asked if her decisions were in the best interest of the DES, and those involved with the search warrant. Chief Buhrow was confident she made the correct decisions, with the resources available to her; however, Ms. Mays, Ms. Ho and Sergeant Salas expressed concern over Chief Buhrow's decisions, and the perception of the DES to the assisting agencies.

Prior to concluding his interview, Sergeant Salas said, "Man, I have been through a lot of search warrants. This was, quite different." When asked to explain, Sergeant Salas said, "I mean organization. Organization and communication." Sergeant Salas added, "It just wasn't there."

Sergeant Salas was asked if the lack of organization and communication was an embarrassment to the DES. Sergeant Salas said, "Yes." Sergeant Salas added, Chief Buhrow would make a good detective, was not prepared to fulfill the responsibilities of the Chief of the Special Operations Unit.

Ms. Ho was asked, in her opinion, if Chief Buhrow fulfilled her responsibility as the Chief and scene supervisor. Ms. Ho said, "No. I don't feel safe while I was there. I don't feel like she work properly with secure the scene for, regarding for our safety concern there [sic]."

Both Ms. Mays and Ms. Paris expressed concern about how poorly the operation was executed. Ms. Paris said the entire operation was "very unorganized." Ms. Mays said she had "no clue" the search warrant was going to be executed so poorly.

At the conclusion of her interview, Chief Buhrow said she believed the PSU investigators had received information leading them to believe Chief Buhrow did not have the experience to do her job. Chief Buhrow provided a "Letter of Commendation" from 2013, from Terry Azbill, recognizing her abilities and contributions.⁶ Chief Buhrow added, when she was not in a position of authority, Mr. Azbill was very happy with her contributions, training and abilities. Chief Buhrow said she had a "very good" reputation, and was known for her searching abilities. Chief Buhrow provided an examples of her abilities to search and find evidence.

CONCLUSION

On Tuesday, September 20, 2016, the day the search warrant was executed, a briefing was scheduled to 0700 hours at the pre-stage location, 1016 North 32nd Street, Phoenix, Arizona. When Chief Buhrow was asked about her arrival time, she told investigators she arrived just prior to 0700 hours. The investigation revealed she was upwards of 45 minutes late to the briefing. According to Chief Buhrow's statements, she did not understand the importance of being on time, and the perception given to those awaiting her arrival.

During the execution of the search warrant, three unauthorized subjects were able to enter the residence, without challenge. That action endangered the safety of the DES personnel, and those assisting. Although PSU investigator felt Chief Buhrow was evasive about how she was made aware of the security breach and who told her, she had knowledge based on her admission of meeting and talking with the three subjects in front of the residence. Chief Buhrow was unable to provide information on any direct action taken by her, to ensure the front door of the residence was properly secured.

While the search warrant was being executed, a portion of the residence was not included in the search warrant. Therefore, Chief Buhrow called Sergeant Salas so the warrant could be amended. According to Sergeant Salas, it took him approximately five hours to process Ms. Ramirez into the jail. During that time, Sergeant Salas did not have the means to amend the search warrant. After Ms. Ramirez was processed into jail, Sergeant Salas went to the DES office, met with Chief Buhrow, and amended the warrant. The investigation revealed DES personnel, as well as those from assisting agencies, were delayed at the residence for several hours, awaiting the amendment.

⁶ Addendum 6- Letter of Commendation from Terry Azbill

While the personnel assigned to the residence were waiting for the amendment to the search warrant, they were standing in front of the residence. The PPD officers originally assisting with the warrant left because of a shift change. According to Ms. Mays, they had to call another PPD unit to assist them. Ms. Mays said the PPD was called because citizens were slowly walking and driving by the residence, and they were fearful of what may transpire. When Chief Buhrow was asked about the event, she said she was not made aware of it, and said Ms. Mays should have called her.

The investigation revealed Chief Buhrow, as the Chief of the Special Operations Unit and scene supervisor, did not take appropriate measures to ensure the successful operation of the search warrant. Chief Buhrow made the decision for the case agent, Sergeant Salas, to process Ms. Ramirez into the jail, making him unavailable to direct and control those involved in the search warrant or to amend the search warrant in a timely manner.

Chief Buhrow assigned Ms. Mays as the scene supervisor, although details of how Ms. Mays was appointed the supervisor are still in question. There were other supervisors and armed sworn personnel on-scene, to include the ASAC for the USDA. Ms. Mays was a civilian and supervisor for evidence collection and processing, which raised concerns over Chief Buhrow's decision to leave Ms. Mays as the scene supervisor.

At the conclusion of the search warrant, it was discovered that evidence item E-1 was not documented on the original search warrant inventory list. Sergeant Salas was very clear about seeking advice from Chief Buhrow; however, during her interview, Chief Buhrow first said she was not familiar with the item. As her interview continued, she admitted to having "some" knowledge of the item, but was still very evasive about answering the question.

ADDENDA LIST

Professional Standards #2016-337

1. Compact disc containing case report
2. Arizona Department of Economic Security Operational Plan
3. Scene roster for assigned personnel
4. Inventory list for 1921 North 16th Street, Phoenix, Arizona
5. Photograph of evidence item E-1
6. Letter of Commendation from Terry Azbill

EVIDENCE

Agency: OTCA

Item No.: E-1 Case No.: _____

Date of Collection: 9/20 Time of Collection: 0910

Collected by: A. Mays

Description of Evidence: Plastic file box

W/ multiple bolders

W/ 3.000.000, SPAN INFD. EMP.

Location of Collection: Left of entrance SHOPS

above sink

Type of Offense: _____

Victim: _____

Suspect: _____

CHAIN OF CUSTODY

Received From File By D. Bengtson

Date 9/20/10 Time _____

Received From _____ By _____

Date _____ Time _____

Received From _____ By _____

Date _____ Time _____

EVIDENCE

Case No. 9120 Police # 0910
 Location A Home
 Description Plastic file box
with multiple binders
has docs for SP4 INFD. EMP.
bills etc.
Left of entrance angle
above sink

CHAIN OF CUSTODY

Investigation by [Signature]
 Date 1/25/81
 By [Signature]
 Date 1/25/81
 By [Signature]
 Date 1/25/81
 By [Signature]
 Date 1/25/81

LABORATORY FORENSICS

1-800-851-5828



From: Bistrow, Rick
Sent: Wednesday, February 13, 2013 3:16 PM
To: Flynn, Michael; Cummings, Andrea; Loftus, Charles; Gibson, Ron; Jackson, Ronald; Buhrow, Lauren; Adelstein, Steve; Buck, Marty
Subject: FW: Letter from Office of Investigations
Attachments: Letter from Office of Special Investigations - 2-1-13.pdf

We received the attached letter of commendation. Congratulations on the professionalism shown in this matter. Such work enhances the reputation of this office. Rick



OFFICE OF SPECIAL INVESTIGATIONS

Janice K. Brewer
Governor
State of Arizona

1789 W. Jefferson 1st Flr, NW- Phoenix, AZ 85007
Telephone (602) 542-9370 Fax (602) 542-9442

Clarence H. Carter
Director
Department of Economic Security

February 1, 2013

Tom Horne
Attorney General
Office of the Arizona Attorney General
1275 West Washington Street
Phoenix, AZ 85007-2926

Subject: Operation Tax Payer Justice II

Dear Mr. Horne:

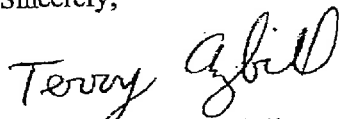
On behalf of the Department of Economic Security Office of Special Investigations, I would like to take this opportunity to express my sincere appreciation to the members of the Office of the Arizona Attorney General, specifically Assistant Attorneys General, Michael Flynn and Andrea Cummings; Supervisory Special Agent Charles Loftus and Special Agents Ronald Gibson, Ronald Jackson, Lauren Buhrow and Steve Adelstein, Administrative Assistant Marty Buck and Intern Rebecca Rabin. The contributions of your highly trained personnel were instrumental in the success of recent Electronic Benefit Transfer (EBT/food stamp) operations in Phoenix, AZ. As you are aware, this has been a recurring joint operation with your department, the Department of Economic Security Office of Special Investigations (OSI), the Office of Inspector General - United States Department of Agriculture, and the Phoenix Police Department.

Beginning in September 2012 through January 2013, Tax Payer Justice II took place. During this time frame a Phoenix Police Officer, working in a covert capacity, sold numerous covert food stamp cards to the owners of a market in the Phoenix area in exchange for methamphetamines, marijuana and cash. As a result of the covert transactions, in January 2013, two search warrants were executed and two individuals arrested for food stamp trafficking, possession for sale of dangerous drugs and marijuana, and other miscellaneous charges. The two individuals were later indicted by a State grand jury.

This operation would not have been as successful without the active participation and support of all four agencies involved. The professionalism demonstrated by the Attorneys and Special Agents assigned to your office has truly represented your agency in an exemplary manner.

Once again, we thank you and your agency for your support. We look forward to many successful joint operations in the future. If we can be of any assistance to you in the future, please feel free to contact me.

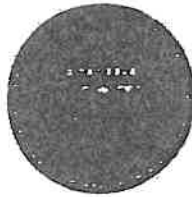
Sincerely,

A handwritten signature in cursive script that reads "Terry Azbill".

Terence "Terry" Azbill
Chief

cc:

Michael Flynn, Assistant Attorney General
Andrea Cummings, Assistant Attorney General
Charles Loftus, Special Agent Supervisor



State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
January 10, 2013

CONTACT: Ann Dockendorff
(602) 542-7029
ADockendorff@az.gov

Tasya Peterson
(602) 542-4296
TasyaPeterson@azdes.gov

Governor Jan Brewer: Multi-Agency Unit Busts Food Stamp Fraud *Governor's Anti-Fraud Unit Works to Halt Misuse of Federal Food Stamp Program*

PHOENIX – Governor Jan Brewer today – in conjunction with state, local and federal officials – announced that a significant arrest has been made against an Arizona retailer suspected of defrauding the federal food stamp program.

The arrest is part of an ongoing investigation stemming from Governor Brewer's 2010 establishment of an anti-fraud *Trafficking Detection Unit (TDU) within the Arizona Department of Economic Security*. The unit targets individuals who qualify for the Supplemental Nutrition Assistance Program (SNAP), better known as food stamps, but use the benefits unlawfully.

"The Trafficking Detection Unit and today's arrest resulting from its work are aimed at the same goal: to protect the Arizona taxpayer and punish those who violate the public's trust with their fraudulent use of government programs," said Governor Brewer. "The success of this operation is a true testament to the good that can be accomplished when agencies work together. We will continue to pursue individuals who take advantage of the public's generosity and goodwill."

In an operation led by the DES Office of Special Investigations (OSI), Phoenix Police Department, U.S. Department of Agriculture – Office of Inspector General and Arizona Attorney General's Office, search warrants were served today and an arrest was made of Phoenix convenience store owner Joo Ho Yi. Yi, owner of the *New Star Market*, in Phoenix, is alleged to have committed 10 intentional violations of the SNAP (food stamps) program by illegally purchasing the benefits from EBT cards.

"Consistent with DES' *Fraud Management, Prevention and Detection Plan*, today's arrest is part of a series of aggressive actions aimed at detecting and preventing fraud in the public benefits system," said DES Director Clarence Carter. "We are proud to be a part of the cooperation and collaboration between the four federal, state and local officials."

Pursuant to the federal Food and Nutrition Service, SNAP recipients are permitted to exchange benefits only for eligible food items. By law, SNAP benefits cannot be exchanged or redeemed for cash. In a typical criminal transaction, the seller (benefit recipient) receives a portion of the value of the card in cash and the

buyer retains the benefits card. The buyer either then shops for food using the card or, in the case of a store-owner, removes the benefits from the card through sham transactions.

"The USDA-OIG has the responsibility for protecting the integrity of the Supplemental Nutrition Assistance Program," said Special Agent-in-Charge Lori Chan, USDA, OIG, Western Region. "Vendors who engage in SNAP fraud prey upon those who are truly in need and profit from the misfortune of others. OIG works to ensure SNAP funds are used for their intended purpose of feeding families, not for the enrichment of criminal enterprises. We would like to thank the Attorney General's Office, the Department of Economic Security, and the Phoenix Police Department for their assistance in this joint investigation and look forward to their continued support in combating SNAP fraud."

In this case, it is believed that \$544 in cash, five bags of marijuana and half an ounce of methamphetamine were provided to individuals in exchange for more than \$4,000 in SNAP benefits. Data from USDA indicates fraud against the SNAP program exceeded \$6,000 from this store location alone.

"The success of this investigation is a result of our established partnerships with Federal, State, and local law enforcement agencies," said Phoenix Police Chief Daniel V. Garcia. "We value these partnerships and take fraud of any kind very seriously. We believe this investigation will have a positive effect on the community we serve."

Yi was arrested and booked in Maricopa County Jail for Unlawful Use of Food Stamps, Sale of a Dangerous Drug and Sale of Marijuana.

This arrest is the latest in a series of arrests and prosecutions conducted by these four agencies dating back to July 2011. To date, 31 individuals have been charged with felonies as a result of these investigations, with 23 pleading guilty so far. The 23 convicted defendants have been ordered to pay restitution in the amount of \$241,193 to the SNAP program and \$6,850 in fines to the Attorney General's Anti-Racketeering Revolving Fund. The remaining eight defendants are in various stages of the litigation process. The Arizona Attorney General's Office is prosecuting the cases and will do so as investigations continue.

"I want to commend the agents of the Department of Economic Security and the U.S. Department of Agriculture, as well as the Phoenix Police and the agents of the Attorney General's Office who worked on this enforcement action," said Attorney General Tom Horne. "Alleged fraud of this kind is a serious matter, especially since taxpayer dollars are involved. My office will work very hard to ensure there is a vigorous prosecution in this case."

###