

Chriswell Scott

From: Debra Kesterson
Sent: Friday, September 29, 2017 10:45 AM
To: Chriswell Scott
Cc: Terry Rozema
Subject: FW: Investigation of Dionysius Cazares; Letter from Louis Fidel
Attachments: Det. Kesterson 9-28-17.pdf

This is the letter reference the conversation I have with Mr. Fidel yesterday
Thank you
Debbie

From: Melissa Hahn [mailto:████████████████████]
Sent: Thursday, September 28, 2017 4:51 PM
To: Debra Kesterson
Cc: Louis Fidel
Subject: Re: Investigation of Dionysius Cazares; Letter from Louis Fidel

My apologies for the incorrect email address. I have updated our records.

Melissa Hahn, Legal Assistant
Piccarreta Davis Keenan Fidel PC | 145 South Sixth Avenue, Tucson, AZ 85701
t 520.622.6900, ext. 138 | f 520-622-0521 | www.pd-law.com

From: Melissa Hahn
Sent: Thursday, September 28, 2017 4:48 PM
To: 'D.Kesterson@maranaaz.gov'
Cc: Louis Fidel
Subject: Re: Investigation of Dionysius Cazares; Letter from Louis Fidel

Please see attached. Thank you.

Best regards,

Melissa Hahn, Legal Assistant
Piccarreta Davis Keenan Fidel PC | 145 South Sixth Avenue, Tucson, AZ 85701
t 520.622.6900, ext. 138 | f 520-622-0521 | www.pd-law.com

LAW OFFICES
PICCARRETA DAVIS KEENAN FIDEL PC

MICHAEL L. PICCARRETA
JEFFERSON KEENAN
LOUIS S. FIDEL

145 SOUTH SIXTH AVENUE
TUCSON, ARIZONA 85701-2007
(520) 622-6900
FAX (520) 622-0521
WWW.PD-LAW.COM

BARRY M. DAVIS
(1948-2016)

September 28, 2017

VIA EMAIL: D.Kesterson@maranaaz.gov

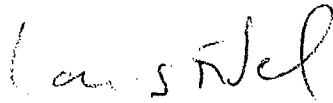
Detective Debra Kesterson
Marana Police Department
11555 W. Civic Center Drive
Marana, AZ 85653

Re: Investigation of Officer Dionysius Cazares

Dear Detective Kesterson:

Thank you for speaking with me earlier this afternoon about the investigation of Officer Dionysius Cazares. As we discussed, I represent Officer Cazares, and therefore any further contact with her should be directed through this office. My understanding is that this case will be presented to Malena Acosta at the Pima County Attorney's Office for review regarding possible criminal charges. I request that you include a copy of this letter in your file so that Ms. Acosta is aware of my representation of Officer Cazares. I also request that when you meet with Ms. Acosta you advise her that I would like to speak with her about the case before any final decision is made about whether to issue criminal charges.

Sincerely,



Louis S. Fidel

LSF:mh

Chriswell Scott

From: Debra Kesterson
Sent: Wednesday, October 4, 2017 10:09 AM
To: Chriswell Scott; Neil Jordan
Cc: Terry Rozema
Subject: FW: Investigation of Dionysius Cazares; Letter from Louis Fidel
Attachments: acosta 10-4-17.pdf

From: Melissa Hahn [mailto: [REDACTED]]
Sent: Wednesday, October 04, 2017 10:06 AM
To: Acosta, Malena
Cc: Debra Kesterson; Louis Fidel
Subject: Re: Investigation of Dionysius Cazares; Letter from Louis Fidel

Please see attached. Thank you.

Best regards,

Melissa Hahn, Legal Assistant
Piccarreta Davis Keenan Fidel PC | 2 East Congress Street, Suite 1000, Tucson, AZ 85701
t 520.622.6900, ext. 138 | f 520-622-0521 | www.pd-law.com

PICCARRETA DAVIS KEENAN FIDEL PC
LAWYERS

MICHAEL L. PICCARRETA
JEFFERSON KEENAN
LOUIS S. FIDEL

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(1948-2016)

2 EAST CONGRESS STREET, SUITE 1000
TUCSON, ARIZONA 85701
(520) 622-6900
FAX (520) 622-0521
WWW.PD-LAW.COM

October 4, 2017

VIA EMAIL: Malena.Acosta@pcao.pima.gov
AND HAND DELIVERY

Malena Acosta, Esq.
Pima County Attorney's Office
32 N. Stone Avenue, #1400
Tucson, AZ 85701

Re: Investigation of Dionysius Cazares

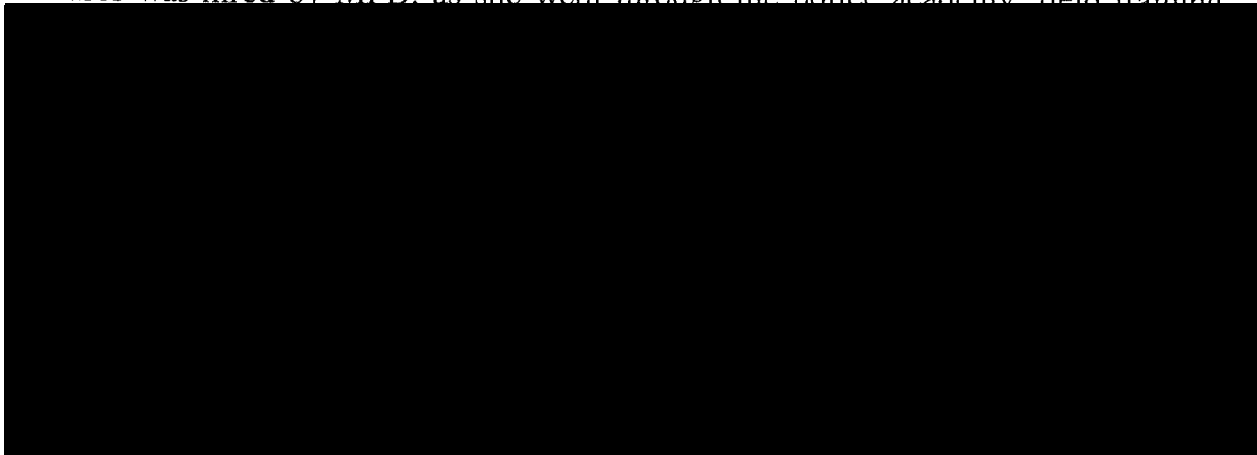
Dear Malena:

The purpose of this letter is to provide you with some background information about Marana Police Department ("MPD") Officer Dionysius Cazares and the circumstances surrounding her case. I have been advised that you will be meeting with MPD Detective Kesterson this week to review her investigation into Officer Cazares' use of the ACJIS database on or about September 17, 2017. My understanding is that the criminal offense at issue is computer tampering, pursuant to A.R.S. § 13-2316(A)(7), and for the reasons set forth in this letter, I believe prosecution should be declined.

Officer Cazares is a relatively new police officer, having been hired by MPD in June 2015. Before that she had held a number of jobs, including as a health assistant at an elementary school, four years of service in the Marine Corps, where she worked as an administrator in charge of maintaining and updating the records documenting servicemen's personal and confidential information, and as a homemaker until her children were old enough to be in school. Officer Cazares has two kids, who are six and eight years old, and she has been married nearly 10 years, although she and her husband are very recently separated.

The conduct in this case occurred during an emotionally fraught time, stemming largely from Officer Cazares' separation from her husband. After Officer

Cazares was hired by MPD, as she went through the police academy, field training



Shortly after being hired by MPD, Officer Cazares became friends with another MPD Officer, Daniel Nicholas. After the separation and [REDACTED] their friendship turned into a romantic relationship, but shortly before the incident at issue in this case, Officer Cazares broke things off when she learned that Officer Nicholas was engaged to be married to another woman. They continued as friends, but Officer Cazares was then told that Officer Nicholas was also romantically involved with another female MPD officer, which was deeply hurtful. She felt that her trust had been betrayed, and also that Officer Nicholas had taken advantage of their friendship and her circumstances following her separation and [REDACTED] to make romantic advances.

During Officer Cazares' duty shift over September 16 and 17, she and Officer Nicholas were both assigned to sector 2 and 3 of the MPD patrol area.¹ At one point, Officer Nicholas was called over the radio to respond to an issue at a high school in sector 1, but before he arrived on scene, Officer Cazares heard over the radio that the incident was resolved and Officer Nicholas was no longer needed. Nevertheless, when Officer Cazares looked at her squad car computer, she saw that the GPS tracker in his patrol vehicle showed that he was still in Sector 1, stopped in a neighborhood but not attached to a call. She and another officer who was on shift speculated that he must have been visiting one of his girlfriends' houses.

When Officer Cazares finished her shift and headed home, she drove past the neighborhood where she had seen Officer Nicholas' car lingering. As she did, she saw an MPD squad car parked in front of a house and made an emotional mistake, running the license plates of nearby vehicles through the ACJIS database. My understanding is

¹ The MPD patrol area is broken into four patrol sectors, designated sector 1, sector 2, sector 3, and sector 4. Officers on patrol are assigned to particular sectors for their shift.

that when Officer Cazares was interviewed by Detective Kesterson, she recalled seeing the results of an ACJIS query on her monitor showing that one of the vehicles was registered to the husband of another MPD officer, and immediately closing the file. She does not recall actually running that plate, although she does not dispute that she did, and was surprised to learn from the detective that records showed she had run multiple additional plates at the same time. This fragmented recollection is illustrative of the extremely agitated emotional state she was in.

Afterward, Officer Cazares called a [REDACTED] and told her about the ACJIS query she had conducted. Officer [REDACTED] told Officer Cazares that this was a violation of the ACJIS rules, which Officer Cazares had not realized. After reporting for duty on September 27 and attending an annual training, Officer Cazares was told to find Detective Kesterson, who wanted to interview her. She immediately found the detective, waived her *Miranda* rights, and explained all of the above to her. My understanding is that part of the interview included a review of Officer Cazares's ACJIS search history, and her searches on September 17 were the only ones unrelated to a law enforcement investigation.

A.R.S. § 13-2316(A)(7) provides that "A person who acts without lawful authority or who exceeds lawful authorization of use commits computer tampering by...[k]nowingly obtaining any information that is required by law to be kept confidential or any records that are not public records by accessing any computer, computer system or network that is operated by this state, a political subdivision of this state, [or other agency]." My understanding is that Officer Cazares has admitted accessing ACJIS records for purposes unrelated to a law enforcement investigation. While this may have been negligent or reckless, as she should have understood the relevant ACJIS rules, her conduct indicates she did not act knowingly. Her immediate communication with a senior officer about her misuse of the database shows a lack of understanding of the applicable ACJIS rules.²

Absent the requisite mental state, while Officer Cazares's conduct may well result in significant administrative discipline, it does not rise to the level of a criminal violation. If, however, you believe some criminal charges are appropriate, I believe it would be appropriate to exercise your discretion and refer the case for misdemeanor prosecution, which is permissible under A.R.S. § 13-604, as computer tampering under A.R.S. § 13-2316(A)(7) is a class 6 felony.

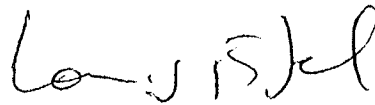
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I have been advised that MPD will be initiating an administrative investigation of Officer Cazares' ACJIS use, the consequences of which could well include termination from the department. In addition to those internal consequences, there is a strong possibility that further complications with her AZPOST peace officer certification will follow. As a result, there is a likelihood that Officer Cazares' career as a police officer may come to an end due to this incident. In light of all the circumstances I believe those administrative consequences are significant enough of a punishment and additional criminal sanctions are unnecessary.

Officer Cazares was an inexperienced officer who did not understand the extent of the ACJIS rules and made an emotional mistake that she immediately reported to another officer. When she was questioned by Detective Kesterson, she cooperated fully and admitted her misconduct. Prior to this incident, there had been no question about the quality of her police work, her integrity as an officer, or her trustworthiness with confidential information, including during her career in the Marines. She is not a bad cop who deserves to be saddled with felony criminal charges, which will be a major hurdle to her ability to find work in another career.

I obviously do not have access to all of the facts contained in Detective Kesterson's investigation, but based on all of the above information, I believe criminal charges should be declined. Thank you for considering this information, I hope we can discuss the matter before any final decision is made regarding criminal charges.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis S. Fidel". The signature is fluid and cursive, with the first name "Louis" and last name "Fidel" clearly legible.

Louis S. Fidel

LSF:mh

cc: Detective Debra Kesterson (via email)

2

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PIMA

FILED
TOM L. WELTON
JUDGE SUPERIOR COURT
10.10.17
17 OCT 10 PM 3:48

THE STATE OF ARIZONA,

Plaintiff,

vs.

001-DIONYSIUS CAZARES

Defendant(s).

DIRECT INDICTMENT

CAUSE NO. S. WANDELL, DEPUTY

269-GJ-718

CR20174608-001

The grand jurors of the County of Pima, in the name of the State of Arizona, and by its authority accuse DIONYSIUS CAZARES, and charge that in Pima County:

COUNT ONE: Computer Tampering Obtain Confidential Information, A CLASS 6 FELONY


On or about the 17th day of September, 2017, Dionysius Cazares exceeding authorization of use or without authorization, committed computer tampering by knowingly obtaining information required by law to be kept confidential or records that are not public record, by accessing a computer, computer system or network, belonging to ACJIS, in violation of A.R.S. § 13-2316A7.

COUNT TWO: Computer Tampering Obtain Confidential Information, A CLASS 6 FELONY

On or about the 17th day of September, 2017, Dionysius Cazares exceeding authorization of use or without authorization, committed computer tampering by knowingly obtaining information required by law to be kept confidential or records that are not public record, by accessing a computer, computer system or network, belonging to ACJIS, in violation of A.R.S. § 13-2316A7.

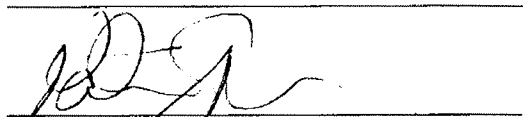
Marana Police Dept: MP 1709-1132

BARBARA LAWALL
PIMA COUNTY ATTORNEY

By: 

Dated: 10/10/17

A True Bill


Foreperson of the Grand Jury

PICCARRETA DAVIS KEENAN FIDEL PC
LAWYERS

MICHAEL L. PICCARRETA
JEFFERSON KEENAN
LOUIS S. FIDEL

BARRY M. DAVIS
(1948-2016)

2 EAST CONGRESS STREET, SUITE 1000
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October 4, 2017

**VIA EMAIL: Malena.Acosta@pcao.pima.gov
AND HAND DELIVERY**

Malena Acosta, Esq.
Pima County Attorney's Office
32 N. Stone Avenue, #1400
Tucson, AZ 85701

Re: Investigation of Dionysius Cazares

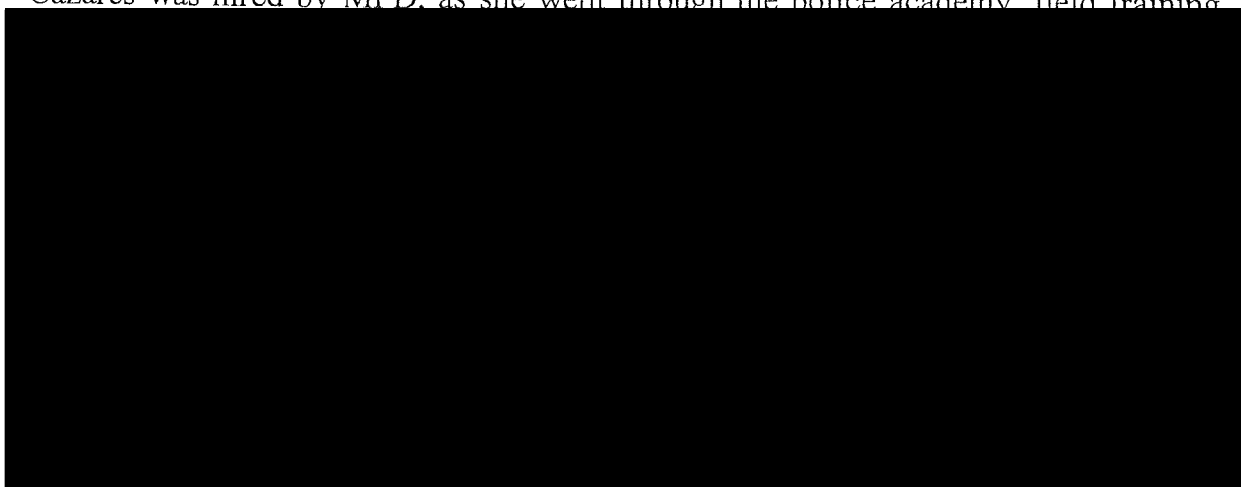
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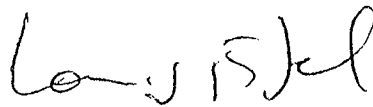
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Sincerely,

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Louis S. Fidel

LSF:mh

cc: Detective Debra Kesterson (via email)



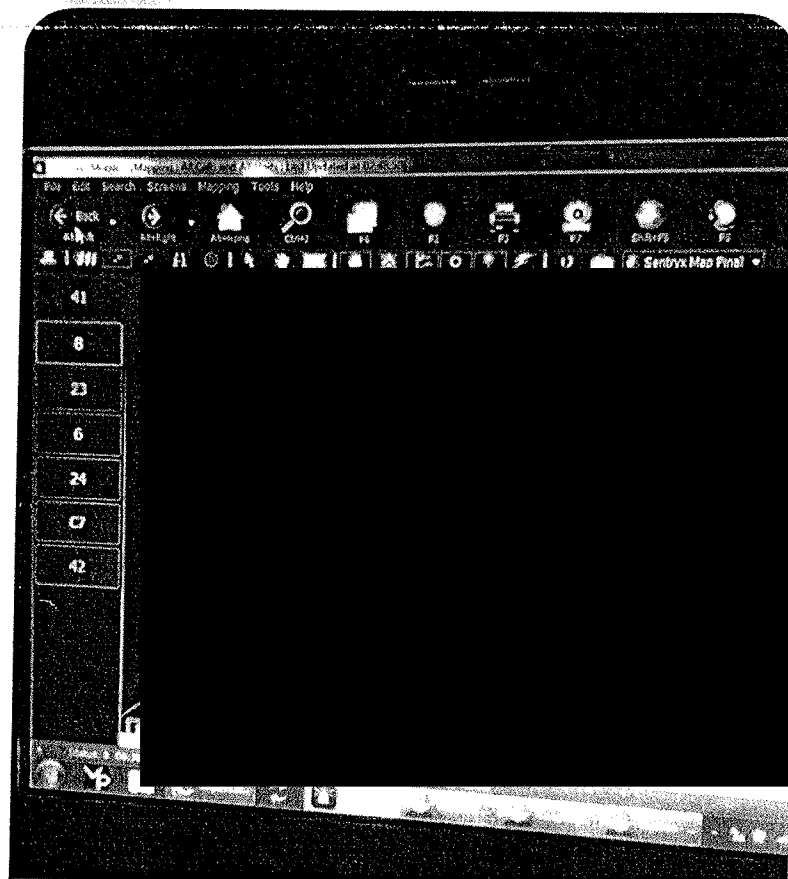
Dee Dee

iMessage
Sunday 7:13 AM

You did not hear this from me. But dans a liar. He was at Kyla's new place for an hour last night

Nicholas?

Yup



iMessage





Dee Dee

I decided to be nosy and ran the plates to this house

It's [REDACTED]

Yeah I'm not at all shocked by that. I know you wanted to think the best of him, but it's too obvious with them.

I lied and told him someone asked me to run the plates then explained after why I ran them.

So he was on duty and there for an hour?

Yes

Just under



iMessage





Dee Dee

Just under

Wait, you ran the plates to the house when his car was there?

He would have been there longer but a big call that turned into nothing came out

He was assigned to 2/3

No I ran her plates. I was curious to know who he was seeing for so long since his fiancé lives in San Lucas

So I ran two potential homes he was at and one came back to hers

Give me a 21.

Delivered



iMessage





41

8

23

6

24

7

42



< Contacts

Edit



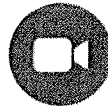
Dee Dee Cazares



mobile



call

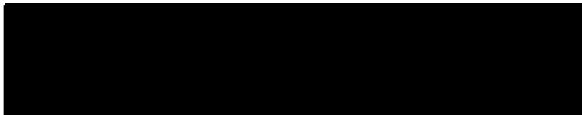


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Contacts



Keypad



Voicemail

NARRATIVE (Continued)

TO: Chief of Police

NAME OF PERSON ABOUT WHOM REPORT IS WRITTEN

VIA: Deputy Chief

NAME: Officer Dionysius Cazares badge #460, employee #1784

VIA: Captain

EXECUTIVE REVIEW

Captain	Chief of Police	Deputy Chief
---------	-----------------	--------------

*CONCURRED WITH
 McNAUL RECOMMENDATION
 FOR TERMINATION.
 E VIOLATION
 July 10-12-17*

OIA #2017-IA-015

On September 17, 2017, a Marana officer informed Internal Affairs of a possible ACIJIS violation committed by Officer Cazares. The incident started when Officer Cazares was upset with Officer Nicholas for being at a residence for over an hour during his shift. Officer Nicholas was not dispatched to that residence but his vehicle, which was equipped with GPS, showed he was there and not at his assigned area.

To separate the criminal from the administrative investigation, two separate investigations were initiated to address possible procedural violations (OIA 2017-IA-014) and the other to address potential criminal conduct (OIA 2017-IA-015 & CASE #1709-1132). Sergeant Chriswell Scott handled the administrative portion of the investigation and the criminal portion was assigned to Detectives Kesterson and Jordan.

During an interview with Detectives Kesterson and Jordan, Officer Cazares said she used the vehicle locator on her MDT and noticed that Officer Nicholas's vehicle was in the area of Gladden Farms. Officer Cazares shared this information with [REDACTED]

Officer Cazares said that after her shift ended, she drove to the area where Nicholas vehicle was located earlier that morning. Officer Cazares admitted to running license plates at the residence in Gladden Farms because she was "curious out of everything that I've heard and he's (Nicholas) denied." Officer Cazares was asked if she ran the plate for "personal-use" and Office Cazares stated "it was for personal use." Officer Cazares was asked if she had a law enforcement reason to run the plate, and Officer Cazares said "No."

In addition to Officer Cazares' admissions, Officer Cazares sent a text message to another officer which read in part:

"No I ran her plates. I was curious to know who he was seeing for so long since his fiancé lives in San Lucas. So I ran two potential homes he was at and one came back to hers."

This text message from Officer Cazares is in evidence under case #1709-1132. Also, the Spillman log, which lists Officer Cazares' activity, shows she did a records check on two license plates after ending her shift.

The case was presented to the Pima County Attorney's Office on Friday October 6, 2017 and felony charges for computer tampering were filed.

On Tuesday October 10, 2017, Officer Dionysius A. Cazares, badge #460 was indicted by a Pima County Grand Jury for two felony counts of A.R.S 13-2316 A(7) Computer Tampering which reads:

"7. Knowingly obtaining any information that is required by law to be kept confidential or any records that are not public records by accessing any computer, computer system or network that is operated by this state, a political subdivision of this state, a health care provider as defined in section 12-2291, a clinical laboratory as defined in section 36-451 or a person or entity that provides services on behalf of a health care provider or a clinical laboratory."

Pursuant to the discipline matrix, this is an E violation: A violation of policy that involves untruthfulness or other ethical offenses, any felonious conduct, or offenses that create or pose the potential for critical adverse impact on public safety or the professional image of the department.

In accordance with General Orders and the Discipline Matrix, the recommendation is termination.

General Order - 130.7 General Standards of Expected Conduct Employees shall not engage in any conduct, whether on or off duty, which is unbecoming or detrimental to their duties, position, or the Department. All employees shall conduct their private and professional lives in such a manner as to avoid adverse reflection upon the Department or themselves as employees of the Department. Employees shall treat each other and all persons with whom they have contact with respect and courtesy.

General Order - 130.10 Criminal Conduct Prohibited Employees shall not engage in any conduct, whether on or off duty, regardless of their whereabouts, which is in violation of the law. Criminal conduct, in and of itself, is sufficient grounds for disciplinary action against an employee, regardless of whether or not the employee is cited, indicted, tried, and/or convicted for any particular offense.



Reuben Nuñez
Deputy Chief
Marana Police Department

October 11, 2017
1100 hours

/17/17
10:58

Marana Police Department
Law Supplemental Narrative:

612
Page: 1

Incident Number 1709-1132 Name Kesterson, Debra
Sequence Number 6 Date 15:50:13 10/17/17
Narrative
(See below)

=====

Narrative:

*****----- (lwmain15500110172017)**
1709-1132 -supplement #275

On 10-16-17 Det. Jordan and I spoke with communication supervisor Shelia Blevins reference this case. S. Blevins provides the ACJIS training for all new officers as well as maintains the records for all Marana Police officers' certifications. S. Blevins provided us with a printout showing that D. Cazares took an ACJIS test on 11-12-15 and was due to be recertified on 11-12-17. D. Cazares was certified as level C user which meant she was able to access ACJIS/NCIC via Mobile digital computers (MDC). S. Blevins stated that on 11-12-15 she had conducted the introduction class for new officers reference the use and abilities of ACJIS. She stated that it was a class room setting in which she instructed the new officers, including D. Cazares, about what ACJIS was, what information is obtained by ACJIS, and the ACJIS policies. S. Blevins stated that she always instructs officers about the restrictions of only using ACJIS for law enforcement purpose and not for personal use per ACJIS policies. After conducting the class room training each individual was taken into communications and one at a time they took the ACJIS test. S. Blevins stated that she or another dispatcher would be available for the officer while they took the test to assist them with any questions. The ACJIS test was a 25 questions test generated by the Department of Public Safety that was accessed via computer and contained numerous questions regarding the use of ACJIS for law Enforcement purpose only. The test was scored electronically and a pass/fail score was given to the individual taking the test. On 11-12-15 D. Cazares passed her ACJIS exam. Prior to taking the ACJIS exam new officers were required to read and initial the Pima County Sheriff's Department Information Systems User Guidelines. This document outlined the unauthorized access and/ or misuse of the Pima County Sheriff's Department criminal justice and/or administrative computer networks or the information contained in those systems, user accounts, inquiries, dissemination, email or internet, and ACJIS. It should be noted that Marana Police access to the computer database Spillman in which ACJIS was also accessed was over seen by Pima County Sheriff's Department. Each of these areas were initialed by D. Cazares and signed on 11-9-15. An additional form labeled New Login request was also filled out which established her into the ACJIS system. Additionally under the section "Inquires" it was stated "Accessing information out of curiosity or for a personal or unauthorized investigation is prohibited. Again the initials DC were next to the section indicating she read and understood the information. See attached documents
This concluded our interview with S. Blevins

~I
~----- (lwmain15500110172017)~

Pima County Sheriff's Department Information Systems User Guidelines

Name: CAZARES, DIONYSIUS Badge: 1102-M Agency: MARICOPA PD PCSD

The Pima County Sheriff's Department criminal justice and administrative computer networks include the Spillman software, ACJIS network, Personnel and Finance computer systems, and any other criminal justice information systems.

Unauthorized access and/or misuse of the Pima County Sheriff's Department criminal justice and/or administrative computer networks or the information contained in these systems, WILL result in formal disciplinary action, up to and including dismissal, and may result in criminal prosecution and/or denial of service for offending agencies.

Initial DC

User Accounts

Authorized users are prohibited from using applications for which no access has been granted to the user by the system administrator. Users are only authorized to access Sheriff's Department computer systems through their account, using their personally assigned user name and password. Authorized users shall not knowingly allow other persons to use their accounts to access the system. An authorized user may access these systems for criminal justice purposes only.

Initial

DC

Inquiries

All inquiries through the Pima County Sheriff's Department criminal justice and administrative computer networks shall be for official purposes only. Accessing information out of curiosity or for a personal or unauthorized investigation is prohibited.

DC

Dissemination

Unauthorized access to or dissemination of information obtained from the Sheriff's Department criminal justice network may result in criminal charges. Dissemination of information shall be limited to criminal justice employees for official purposes only.

DC

E-Mail and Internet

Electronic mail and/or the Internet shall not be used for illegal or illicit purposes. The Department reserves, and will exercise, the right to review, audit, intercept, access, and disclose all matters on e-mail and Internet systems at any time, with or without user notice.

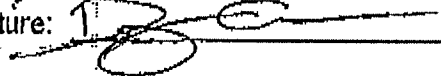
DC

ACJIS

Access to the Arizona Criminal Justice Information System (ACJIS) is available only to current certified terminal operators. Any information obtained must be for criminal justice purposes only.

DC

I have read and understand the above information and acknowledge that I will receive formal discipline for unauthorized access and/or misuse of the Pima County Sheriff's Department criminal justice and/or administrative computer networks, or the information contained in these systems.

Signature: 

Date: 11/09/15

Pima County Sheriff's Department

MPDWR

New Login Request Form / Amendment to Existing Access

After completing the form and getting required authorization signatures, please return to the PCSD Information Systems & Technology Unit, or fax it to (520) 351-4774. If you have any questions regarding this form, please contact the IST Unit at 351-4777.

MAR 10 2M
30030
102M

PLEASE PRINT LEGIBLY

Name: Cazares, Dionysius Badge or EIN #: T102M Phone: 720-382-2000

Agency: Marana P.D. ~~(An EIN # is required for Pima County Employees)~~

1. Do you need a **NEW** login to the Spillman law enforcement software? Yes: No:
If Yes go to # 3

20

2. Does your access to the Spillman Law Enforcement software need to be **CHANGED**? Yes: No:

3. What is your current and/or new work assignment? Patrol officer

4. In order to make sure you get the correct access, please provide a name and badge # of someone who currently has the same access that you are requiring.

Name: Scott, Chris Badge or EIN #: 407

5. Do you need **ACJIS** access? Yes: No:

If yes, please provide your TOC information below.
TOC Number: [REDACTED] Expiration Date: 5-2-16

6. Do you need **InSight** Access? Yes: No:

	Signature	Badge	Phone	Date
Employee:		<u>T102M</u>	<u>382-2000</u>	<u>11/9/15</u>
Supervisor:		<u>407</u>	<u>382-2011</u>	<u>11/9/15</u>
Commander:		<u>188</u>	<u>382-2045</u>	<u>11/3/15</u>

2017-IA-015

Arizona Department of Public Safety

AZ0100900 - MARANA POLICE DEPART...

--- Navigation --- Help

User Listing

List Users Multiple Agency Users

By Last Name: Go By Username: Go Letter of Last Name: -- By User Status --

Showing Active Users Only

LAST NAME	FIRST NAME	USER NAME	ORI	EXPIRATION	HISTORY	VIEW
CAUGHLIN	ALLICIA	[REDACTED]	AZ0100900	NOV 12, 2017		
CAZARES	DIONYSIUS	[REDACTED]	AZ0100900	NOV 12, 2017		

» User Details: DIONYSIUS CAZARES

Username	Agency Name	Finger Print Date	Retest Time	Status
KQ64	MARANA POLICE DEPARTMENT	N/A	1 Day	Active

Primary Certification

Certification Level	Expiration Date	Training Date
Level C - MDC Query	NOV 12, 2017	NOV 12, 2015

Other Certifications

None

CHAVEZ	CRYSTAL	[REDACTED]	AZ0100900	JUN 9, 2018		
CLIFFORD	BRADLEY	[REDACTED]	AZ0100900	JUN 12, 2019		
CLIFFORD	MINDY	[REDACTED]	AZ0100900	JUL 6, 2018		
CONRAD	JACK	[REDACTED]	AZ0100900	JAN 19, 2019		
CORN	JOSHUA	[REDACTED]	AZ0100900	MAR 24, 2018		
COUCH	JEFFREY	[REDACTED]	AZ0100900	NOV 12, 2017		
COX	THOMAS	[REDACTED]	AZ0100900	SEP 12, 2019		
DANIELSON	DAVID	[REDACTED]	AZ0100900	SEP 6, 2018		
DAVIS	PHILLIP	[REDACTED]	AZ0100900	MAY 25, 2019		



Marana Police Department

Detail Incident Report for 1709-1132

Nature: MISC OFCR
Location: Marana Police Beat 1

Address: 11555 W CIVIC CENTER DR
Marana AZ 85653

Offense Codes: 6101

Received By: Kellogg, Carla

How Received: On-Site

Agency: MPD

Responding Officers: Jordan,Neil

Responsible Officers: Jordan,Neil

Disposition: Active & assigned 10/10/17

When Reported: 08:02:30 09/27/17

Occurred Between: 08:02:17 09/27/17 and 08:02:17 09/27/17

NARRATIVE:

1709-1132 NARRATIVE #275

On 9-22-2017 Det. Jordan and I met with Sgt. Scott reference a incident that had been brought to his attention. Sgt. Scott had been provided with information that Officer Cazares had been upset with Officer Nicholas on 9-17-17 for being at a residence for over a hour and a half during his shift. He had not been dispatched to the residence for any reason but his vehicle, which is equipped with GPS, had remained at the residence which was not in his assigned district. Officer Cazares went to the area after she completed her shift and attempted to find out what house Officer Nicholas had been at by using her mobile data computer and running several vehicles through ACJIS. Officer Cazares was able to identify which house Officer Nicholas had been at by using the ACJIS return on the vehicles and recognized that one of the vehicles belonged to someone she was familiar with. Officer Cazares had shared with [REDACTED] that she had done this via text and followed up by a phone call. Officer Cazares mobile data computer history was provided to us which showed that on 9-17-17 at 0700 hours Officer Cazares stated that she had completed her work shift by using the code 42, which refers to Marana Police code 10-42, ending tour of duty. Two minutes later Officer Cazares used her mobile data device to identify two vehicles. One of the vehicle registrations returned to [REDACTED] and the other returned to Kyla Sylvia, another Marana Police officer. It should be stated that Officer Cazares and Officer Nicholas work Saturday through Tuesday 2100 hours to 0700 hours. A review of Officer Cazares mobile data log showed that on Wednesday 9-6-17 at 0731 hours she ended her day,42. The log showed that she had been at the Marana town shops prior to ending her day. On Saturday, 9-9-17 at 1627 hours Officer Cazares signed on to her mobile data computer. At

1647 hours she then signed off her mobile data computer. At 2014 hours she again signed back on indicating that she was heading to 4401 w Ina. Reviewing the history it appears that Officer Cazares had left her vehicle at the Marana Town shops and on Saturday before shift she picked it up. Also on Wednesday 8-30-17 Officer Cazares signed off of her computer at 0717 hours after indicating she had been at the Town shops. On Saturday 09-02-17 at 16:31:00 hours she signed onto her mobile data computer. At 16:31:53 hours Officer Cazares used her mobile data computer to access an ACJIS return on a vehicle. The vehicle returned to an address in the Avra valley area. At 1646 hours Officer Cazares ended her duty,42. Then at 2041 hours she again signed on to her mobile data computer indicating that she was available for calls, 10-8. This also appears that Officer Cazares had left her work vehicle at the Marana Town shops and picked it up prior to her work shift on Saturday. No other indiscrepancies were located on the mobile data computer log which was from 8-22-17 through 9-17-17.

At this time further follow up will be conducted with all parties involved.

Assigned To: Kesterson,Debra
Status: ACA

Detail: MAR
Status Date: 10/10/17

Date Assigned: 09/20/17
Due Date: 10/06/17

Case History:

Case Notes:

Radiolog:

Unit: D14M

Enroute:

Arrived: 08:02:31 09/27/17

Completed:08:02:59 09/27/17

SUSPECT:

Name: CAZARES, DIONYSIUS **Name Number:** MPD46
0

Race: **Sex:** **DOB:** **/**/** **Hgt:** ' " **Wgt:** 0 **Hair:** **Eyes:**

Address: 11555 W CIVIC CENTER DR, Marana, AZ 85653

Home Phone: () - **Work Phone:** (520)382-2000

WITNESS:

Name: [REDACTED]

Race:

Sex:

DOB: **/**/**

Address: 11555 W CIVIC CENTER DR, Marana, AZ 85653

Home Phone: () -

Work Phone: (520)382-2000

Name: NICHOLAS, DANIEL

Name Number: MPD466

Race:

Sex:

DOB: **/**/**

Address: 11555 W CIVIC CENTER DR, Marana, AZ 85653

Home Phone: () -

Work Phone: (520)382-2000

=====

SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplement Nbr. 1)**Name:** Kesterson,Debra**Date:** 08:02:30 09/27/17

SEQ 1 TAKEN IN ERROR

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplement Nbr. 1)

=====

SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplement Nbr. 2)**Name:** Jordan,Neil**Date:** 15:53:53 10/05/17

1709-1132 SUPPLEMENT #392

SUPPLEMENT:

On 09-26-17 at approximately 1000 hours, I was assigned to Marana Police Department's Criminal Investigation Unit (CIU) as a Detective. During this time, I was asked to meet with Marana Police Department's Sgt. Scott #407 (Internal Affairs Supervisor) in reference to alleged criminal violation committed by a Police Officer with the Marana Police Department. Sgt. Scott informed me that a Police Officer with the Marana Police Department (MPD) had come forward about what another Officer had told [REDACTED] via text message that [REDACTED] believed was an ACJIS violation. Sgt. Scott stated the officer told him with the MPD about running a license plate using her department issued computer and Pima County database (Spillman technology) off duty for the means of personal use and not for an investigation purposes. This is a criminal violation of a Peace Officer to conduct a records check on license plates for obtaining information (Computer tampering ARS 13-2316.) I sat down with Sgt. Scott and Detective Kesterson #275 in Sgt. Scott's office.

During this time, Sgt. Scott stated he was contacted by Officer [REDACTED] and informed that on 09-17-17, [REDACTED] received text messages from Officer Dionysius Cazares #460 starting at 0713 hours. The phone number used by Dionysius (Dede) was [REDACTED]. Sgt. Scott stated Officer [REDACTED] stated the text messages from Dede were about running vehicle license plates in reference to locating another patrol officer's location during their shift together. The Officer that Dede was trying to locate was Officer Daniel Nicholas #466. Sgt. Scott was informed [REDACTED] Dede told [REDACTED] in the text messages that she had conducted records checks on license plates when she went home that

morning and was considered off duty to find out what house Daniel was hanging out while on shift. Dede and Daniel work together on the same squad and had been assigned to districts 2 and 3 together that night. Their shift begins at 2100 hours and ends at 0700 hours the following day. Daniel had gone north that night to district 1 to assist another officer with an alarm call at Marana High School. Daniel was not needed for the call and was called off. Daniel then went to the Gladden Farms Community located in district 1 and was out of the area he was assigned for that night for a length of time. [REDACTED] Dede was interested in where Daniel was located at and believed he was at another female MPD Officer's residence while on duty. The female officer she believed Daniel was going to see was Officer Kyla Sylvia #469. [REDACTED] Sgt. Scott that Dede went to the area she observed on her MDC computer maps location of what road and area Daniel was located. Sgt. Scott had printed out the text messages for us to read. Upon observing the text messages I observed that at 0713 hours Dede text [REDACTED] stating, "You did not hear this from me. But Dan is a liar. He was at Kyla's new place for an hour last night." [REDACTED] replied, "Nicholas?" and Dede stated, "Yup" and sent a screen shot taken on her cellphone of her MDC computer maps location of a MPD unit appearing to be located near [REDACTED] intersection location. Dede tells [REDACTED] next text, "I decided to be nosey and ran the plates to his house. It's [REDACTED] [REDACTED]" [REDACTED] Dede with, "Yeah I'm not at all shocked by that. I know you wanted to think the best of him, but's it's too obvious with them." Dede replies to this response stating, "I lied and told him someone asked me to run plates then explained after why I ran them." [REDACTED] asking, "So he was on duty and there for an hour?" and Dede replied with, "Yeah. Just under." [REDACTED] asked Dede, "Wait, you ran the plates to the house when his car was there?" Dede responded with four text messages stating, "He would have been there longer but a big call that turned into nothing came out. He was assigned to 2/3. No I ran her plates. I was curious to know who he is seeing for so long since his fiance lives in San Lucas. So I ran two potential homes he was at and one came back to hers." [REDACTED] text messages with, "give me a 21." (It should be noted that MPD uses a ten code of 10-21 in reference to letting other officers know to give them a call.) Sgt. Scott was able to print out a Spillman log from Officer Cazares during that shift. This log shows what plates or people Dede conducted records check on during her shift. On 09-17-17 at approximately 0700 hours Officer Cazares ends her shift by logging herself off the screen for calls of service using the ten code "10-42" onto her MDC computer. On 09-17-17 at approximately 0702 hours, Officer Cazares conducts a records check the AZ license plate [REDACTED] using her MDC. On 09-17-17 at approximately 0703 hours, Officer Cazares conducts a records check on the AZ license plate [REDACTED] A records check on the last license plate came back to [REDACTED] This was the last license plate records check conducted by

Officer Cazares. Reading the text messages it appears that Dede Cazares used her MDC to conduct a records check on two vehicles checking to see if one was owned by Kyla Sylvia. The text messages had been placed into Marana's Property and Evidence under this case number.

Detective Kesterson was able to interview [REDACTED] about this incident and what was disclosed to [REDACTED] during this text messages. (Please see Detective Kesterson's interview for further details.) On 09-27-17 at approximately 1300 hours, Daniel Nicholas was interviewed by Detective Kesterson and I at the Marana Main Station located at 11555 W. Civic Center Dr. This interview was digitally recorded and placed into Marana's Property and Evidence under this case number. This is a summary of that interview. (Please see transcripts for further details.)

- Daniel stated he is on the same shift as Dede Cazares and works the midnight shift from 2100-0700 hours.
- Daniel stated on 09-16-17 he was assigned by his Supervisor to work in districts 2 and 3 for the remainder of his shift.
- Daniel stated he went to a call at the Marana High School to backup Officer Litten #409 sometime around 2400-0100 hours.
- Daniel admitted to not returning back to his assigned districts of 2 and 3 and instead traveled to Kyla Sylvia's residence located in Gladden Farms community.
- Daniel knew where Kyla lived because he was text messaged the address by Kyla on his phone. Daniel stated he had been in contact with Kyla through text message that night. When asked if he remembered where she lived, Daniel could not remember the house was located on but knew it was in Gladden Farms Community.
- Daniel stated he arrived at approximately 0100 hours at Kyla's residence. The two spoke outside by his patrol vehicle and after a little while they went inside her residence and spoke with one another.
- Daniel stated they went into her living room and spoke for approximately 45 minutes. Daniel stated he took his MDC inside with him so he could see what calls were coming out and also to keep himself active on the screen by logging in "10-8" (In service) every so often.
- Daniel stated he left at approximately 0145 hours, he left the residence and went back down to his assigned district.
- Daniel admitted to kissing Kyla before leaving the residence but that no other sexual activity occurred at the residence when he was there.
- Daniel stated at approximately 0700 hours, he was sent a text message from Dede in reference to someone seeing his patrol car at Kyla's residence.
- Daniel stated he was sent a long text message from Dede but he doesn't remember all of it and ignored the rest of her text messages.

- Daniel admitted to having a romantic relationship with Dede from early July to the end of August 2017.
- Daniel admitted this relationship during this time with Dede was sexual in nature and he ended it by avoiding her attempts to contact him either by phone calls or text messages.
- Daniel also admitted that prior to having a relationship with Dede, he was also having a sexual in nature relationship with Kyla Sylvia.
- It should be noted that Daniel admitted to being engaged to his fiance and was seeing all three woman at the same time without their knowledge of it.
- Daniel stated Dede had text message him on 09-17-17 and told him she could see where he was at via MDC mapping system. Daniel stated she appeared upset about where he was located.
- Prior to this incident, Dede was not happy with Daniel because of his lack of commitment to her.
- Daniel stated he deleted the text messages sent from Dede to him about this incident.
- When Daniel was asked if he has spoken with Dede since 09-17-17, Daniel stated he had spoken to her two nights ago. Daniel stated they had spoken with each other at the QT Gas station in reference to just being work associates and nothing more.
- Daniel stated they have not talked with each other about this incident.

On 09-27-17 at approximately 1445 hours, I was able to speak to Dionysius Cazares at the Marana Main Station located at 11555 W. Civic Center Dr. At approximately 1447 hours, I read Miranda rights to Dionysius (Dede) Cazares who stated she understood her rights and would answer my questions. This interview was digitally recorded and placed into Marana's Property and Evidence under this case number. This is a summary of that interview with Dede;

- Dede works on for the midnight shift from 2100-0700 hours with Wednesday, Thursday, and Friday off.
- Dede was asked if she was working on 09-17-17 and she stated she had been.
- Dede stated Daniel Nicholas was working the same shift and was assigned to the same districts as her which was districts 2 and 3.
- Dede stated she remembered Daniel heading north to assist another Officer at the Marana High School with an alarm call.
- Dede stated that Daniel was called off and observed on her MDC mapping system Daniel travel to a residential area in Gladden Farms Community. Dede does not remember the street where Daniel went too.
- Dede stated she had joked with another Officer that maybe Daniel had gone to another one of his girlfriend's houses up in that area.
- When Dede was asked why she would think he went to a girlfriend's residence,

Dede stated there had been rumors in the past about Daniel having a relationship with another MPD Officer that Dede identified as, Kyla Sylvia.

- Dede stated that Daniel had denied this rumor.
- Dede was asked if she had been involved in a relationship with Daniel Nicholas. Dede admitted to being involved in a romantic relationship with Daniel from the beginning of July to the end of August. Dede admitted to finding out that Daniel and Kyla also had a romantic relationship.
- When asked if this bothered her about Kyla and Daniel having a relationship, Dede admitted that it bothered her not about the relationship but about him lying about it to her and everyone else.
- Dede stated that Daniel ended the relationship with her by stopping all communication with her and cut off their relationship completely.

- [REDACTED]
- Dede stated that she has a friend that knows Kyla and her husband [REDACTED]. This friend ended up telling her that [REDACTED] had caught Kyla with a male subject at the home and described the male's physical characteristics to her. Dede stated she knew she was describing Nicholas by how tall he was, his physical characteristics, and the way she described what the male was wearing.
 - Dede asked Daniel about this incident and stated it was around the time Daniel stopped talking to her in August. Daniel denied any involvement with Kyla.
 - Dede stated she was curious and drove to the area after she got off shift. Dede also lives in Gladden Farms Community but admitted the intersection and residence area she observed Daniel's vehicle located was not near where she lives and not on the way to her house.
 - Dede stated she observed an MPD patrol vehicle parked in the driveway of where Daniel was located earlier that night.
 - Dede admitted to running two license plates at the residence and located the second plate which came back to [REDACTED].
 - Dede stated this confirmed that Daniel had lied to her about Kyla and she was angry with him because she had stood up for him to other Officers about this rumor.
 - Dede admitted to running the plate for personal use but stated she wasn't thinking about it at the time until she spoke [REDACTED] was informed.
 - When asked if she had a law enforcement reason to run the plate she replied, "No."
 - Dede admitted to being off duty when she ran the license plates.
 - When asked if she has ever conducted a records check on a license plate for personal use in the past, Dede stated she has never.
 - Dede admitted to being trained when she was first hired about ACJIS violations and taking a test in reference to violations for conducting records checks for personal use.

- Dede was shown her Spillman logs for the last month about odd times a records check had been conducted. Dede stated this occurred when she was picking up and dropping off her patrol vehicle to the shops.
- When Dede was asked what was going through her mind when she ran those two license plates, she began to cry and become emotional stating how she was so disappointed in Daniel and felt betrayed and that she was lying for him to others and standing up for him about the rumors of the relationship he had with Kyla.
- Dede stated after finding out that the vehicle belonged to Kyla, she text message Daniel stating she had found out what was going on (with Kyla) and that she no longer wanted to talk to him.
- Dede remembered text [REDACTED] about the running the license plates and finding out that he was at Kyla's residence that night.
- Dede stated that when she confronts Daniel about anything, he will shut down and not answer her questions, text messages, or phone calls. Dede stated that Daniel never text messaged her back after she had confronted him about Kyla.
- Dede does understand it was an ACJIS violation for conducting a records check on the plate. This was only realized after she [REDACTED] about running the license plate.

Dede was released after being informed this case would be presented to the County Attorney for review for Computer Tampering ARS 13-2316 (F6). All interviews were placed into Marana's Property and Evidence under this case number. Dede admitted in the interview, to conducting a records check using her MPD issued MDC on two vehicle license plates for personal use and not for law enforcement reasons. This case will be presented to Pima County Attorney Malena Acosta on 10-06-17. This concludes my involvement.

N.F.I.

Entered by: N. Jordan #392

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplement Nbr. 2)

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SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplement Nbr. 3)

=====

Name: Kesterson,Debra

Date: 09:40:54 10/06/17

1709-1132 -supplement #275

On 9-27-17 at approximately 1051 hours I conducted a recorded interview with Officer [REDACTED] at the Marana substation located at 5100 w Ina. The following is a synopsis of the interview. Refer to the audio for the complete interview.

[REDACTED] stated that on 9-17-17 at approximately 0713 hours [REDACTED] started to receive text messages from a coworker Dee Dee Cazares. [REDACTED] stated that the messages referred to another co work, Daniel Nicholas, being somewhere during his work shift that he was not supposed to be. [REDACTED] explained to me that D. Cazares had spoken with [REDACTED] about a month ago reference an issue with a coworker by the name of Kyla Sylvia. D. Cazares had talked with K. Sylvia about an issue and K. Sylvia had become upset. D. Cazares had also heard rumors that K. Sylvia had possibly become involved with D. Nicholas but wanted to think the best of him since he had told her they were not involved. [REDACTED] was not certain what the relationship was between D. Cazares and D. Nicholas but that there might be some attachment by Dee Dee. On 9-17-17 when D. Cazares began to text [REDACTED] became concerned when D. Cazares stated that she had run license plates at residences to determine which house D. Nicholas had been at for the hour or so. D. Cazares also text [REDACTED] a picture of her mobile data computer which showed an object with the numbers 466M under it, indicating a marana police vehicle, in the area of [REDACTED]. The number 466 indicated the officers badge number which is assigned to D. Nicholas. During the text messages with D. Cazares she had stated that she had run the plates and that one had come back to [REDACTED] husband of Kyla Sylvia. [REDACTED] stated that after receiving the text messages [REDACTED] had told D. Cazares to call [REDACTED]. During the phone conversation [REDACTED] reminded D. Cazares that she could not run vehicle information for personal use. [REDACTED] stated that when [REDACTED] mentioned this to D. Cazares she became quite and did not respond back to [REDACTED]. D. Cazares told [REDACTED] that she had believed D. Nicholas when he told her that nothing was going on between he and K. Sylvia but wanted to see who he was with on 9-17-17 when he was supposed to be working. D. Cazares stated that she did not want to believe that D. Nicholas had lied to her but she was certain know that he had. Again [REDACTED] talked to D. Cazares about running the vehicle plates for personal use and D. Cazares could not provide a reason why she had done it. D. Cazares told [REDACTED] that she had confronted D. Nicholas about being at the residence and that someone had asked her to run the vehicle information. She later told [REDACTED] that after confronting D. Nicholas she told him that she had run the vehicle information.

I inquired with [REDACTED]
[REDACTED]



See interview for further

After conducting an interview with [REDACTED] I then responded to the Marana main station located at 11555 civic center dr. At 1250 hours Det. Jordan and I conducted a recorded interview with D. Nicholas. The following is a synopsis of the interview. Refer to the transcripts for the complete interview.

D. Nicholas stated that he was currently assigned to a mid-night shift that works 2100-0700 hours. He stated that D. Cazares was also on his squad. D. Nicholas stated that he had a relationship with D. Cazares but had ended the relationship in mid-august. D. Nicholas also stated that he had been involved in a relationship with K. Sylvia but had end that relationship in mid-august as well. On 9-17-17 D. Nicholas stated that he had responded to an alarm call at Marana High school. Prior to arriving he had been advised he did not need to respond. D. Nicholas stated that he had been texting K. Sylvia at the time and she texted him her address so he could stop by. He could not remember the address but stated that it was in the Gladden Farms area. D. Nicholas stated that he believed he arrived at her address around 0100 hours and stayed there for approximately 45 minutes. He stated that while he was at the address he spoke with K. Sylvia in the drive way and then went into the residence for a while. D. Nicholas stated that he left the residence and returned to his assigned district 2 and 3, it should be noted that the Gladden Farms area is considered district 1 for the Marana Police Dept. Shortly after returning to district he responded to a priority call. D. Nicholas stated that after he ended his shift he received a text message from D. Cazares stating that she had found out that he had been at K. Sylvia's house while on duty. D. Nicholas stated he no longer had the text messages from D. Cazares but after being confronted by her he did not read any of her other text messages. D. Nicholas stated that was how he usually dealt with confrontation from D. Cazares. He stated that when he ended the relationship in August that he had just stopped contacting her. D. Nicholas stated that D. Cazares had told him that somebody had observed his patrol car at K. Sylvia's house and that was how she found out. D. Nicholas stated that D. Cazares never told him that she had run the license plates of the vehicles in the area to find out which house he was at.

See interview for further

At 1447 hours Det. Jordan and I conducted a recorded interview with D. Cazares at the Marana main station. The following is a synopsis of the interview. Refer to the transcripts for the complete interview. Prior to conducting the interview

with D. Cazares Det. Jordan advised her of her Miranda rights. D. Cazares stated that she understood her rights and would speak with us.

D. Cazares stated that she was currently assigned to mid night shift working from 2100 until 0700. She stated that D. Nicholas was also on her squad. D. Cazares stated that she had been involved in a relationship with D. Nicholas which ended in August. She stated that D. Nicholas just stopped talking with her. D. Cazares stated that there had been rumors about D. Nicholas being involved with K. Sylvia but she had not believed it. D. Cazares stated that she had asked D. Nicholas about the rumors which he denied were true. She stated that she had stood up for him when people would make comments about the possible relationship. On 9-17-17 she was assigned to Marana district 2 and 3 to patrol during her shift. D. Nicholas was also assigned to district 2 and 3. Around 0030 hours D. Nicholas responded as a backup officer to Marana High School for an alarm. The Marana High School is located in district 1. Prior to arriving at the High School he was told he was no longer needed at the school. Instead of returning back to district 2 and 3 D. Cazares noticed that his vehicle, which could be observed on the mobile data computer, had stayed in district 1 and had become motionless at a residence in Gladden Farms. D. Cazares observed that the vehicle had remained at the residence for approximately an hour and a half.

D. Cazares stated that she had a feeling that he was at K. Sylvia's house so after she ended her shift at 0700 she went up to the area she had observed D. Nicholas's vehicle at during shift. D. Cazares stated that she lived in the Gladden Farms area but the area that D. Nicholas vehicle had been in was not on her way home. She stated that she observed a Marana police car parked on the roadway but did not know which house it was associated with. She stated that she used her mobile data computer to conduct an ACJIS inquiry on several vehicles. She stated that one of the vehicles returned to [REDACTED] husband to K. Sylvia. When asked what she was thinking when she used her Mobile data computer to obtain confidential information about the vehicles for personal use she stated that she had just been so upset at D. Nicholas. She stated that she felt so betrayed by him for standing up for him that she really had not thought about it until [REDACTED] brought it up to her. D. Cazares stated that she had confronted D. Nicholas about finding out that his vehicle had been there via text message. She stated that she sent a series of text messages that D. Nicholas did not respond to. D. Cazares stated that she did know that she could not access ACJIS information for personal use and had learned it while being on the Marana Police Department. She stated that she had taken an ACJIS test which certified her to use the system but could not remember for certain about questions relating to when you can or cannot access ACJIS. I verified with her that prior to 9-17-17 she had been aware that she could not access ACJIS information for personal use which she stated she did. She stated that during the incident the thought had not crossed her mind until she spoke

with [REDACTED] who reminded her. D. Cazares stated that she had never accessed the system before for personal use. I had noticed several times with in the month that she had signed on her mobile data computer around 1430 hours on two occasions. Those are not her normal working hours. D. Cazares stated that both times that she had signed on were on a Saturday prior to the start of her shift. She explained that on the Wednesday prior she had left her vehicle at the town shops for maintenance. On Saturday she had picked up her vehicle from the shops and driven it home. She stated that she routinely would sign on to her computer when she picked up her vehicle and if she observed a traffic violation on the way home she would conduct a ACJIS inquire on the vehicle. She stated that the inquiries were for law enforcement purposes. See interview for further

We concluded the interview and informed D. Cazares that using her mobile data computer to obtain confidential information for personal use was considered computer tampering and a class 6 felony. We informed her that the case would be presented to the Pima County Attorney for review.

End of SUPPLEMENTAL NARRATIVE: (LWSUPL: Supplement Nbr. 3)

10/05/17
13:26

Marana Police Department
Workflow Status:

571
Page: 1

Workflow Status

Current 1

Assigned Individual	MURRIETA, MICHEL	Responsible	PRIDGETT, JEFF
Assigned Group	0 None	Supervisor	
Assigned By	Pridgett, Jeff		

Status APPRVD Approved

Date 09:30:28 10/05/17

Message Lockdown report.

=====



Marana Police Department
 11555 W Civic Center Drive, Bldg B
 Marana, AZ 85653-7091

6101 158519-20

Property And Evidence Receipt

Case No: 1709-1132	Offense: Misc. Officer	(LEAVE BLANK)
Date: 09/27/17		Property Locator: IA Falden
Time: 0802		Received By: TM
Officer: Jordan	Badge No. 392	Badge No: 503
		Date: 10-2-17
		Time: 0900

LOCATION DATA	Location Found / Received	Date	Time
	11555 W. Civic Center Dr Marana AZ 85653	09/27/17	0802
	Placed In Property By	Initial	Badge
	Jordan	(JAS)	392
		Date	Time
		09/27/17	1630
		District	Locker #
		1	K-drive

Person Code R = Reporting Person A = Arrestee S = Suspect O = Owner V = Victim C = Complainant

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip		Home Phone	Work Phone		

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip		Home Phone	Work Phone		

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip		Home Phone	Work Phone		

Item #	Qty.	Misdemeanor Or Felony	Complete Description	Serial # / Owner
1		M F	<input checked="" type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable Digital recorded interview with Daniel Nicholas K-drive #392	Owner Notified By:
2		M F	<input checked="" type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable Digital recorded interview with Dionysius Cazares K-drive #392	Owner Notified By:
		M F	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		M F	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		M F	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		M F	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:

Release Authorization: Yes / No Officer Print / Sign: _____ Date / Time: _____

To be filled out when items are released
 I certify under penalty of Perjury, that I am the lawful owner or guardian of the property listed on this form. I have taken possession of the above-described property and I further understand that once the above property is removed from the Evidence Room of the Marana Police Department, my signature signifies that all property as defined above was returned to my possession.

Released To: _____ Released By: _____ Date / Time: _____

Item #	P/E	From	Date And Time	To

OTHER MARANA COURT SUPERIOR COURT JUVENILE COURT



Marana Police Department
 11555 W Civic Center Drive, Bldg B
 Marana, AZ 85653-7091

Property And Evidence Receipt

10-2-17

Case No: <u>1709-1132</u>	Offense: <u>misc</u>	(LEAVE BLANK)	
Date: <u>9-27-17</u>		Property Locator: <u>IA Folder</u>	
Time: <u>0802</u>		Received By: <u>TM</u>	Badge No: <u>503</u>
Officer: <u>Jordan</u>	Badge No. <u>392</u>	Date: <u>10-2-17</u>	Time: <u>11:30</u>

LOCATION DATA	Location Found / Received	Date	Time
	5100 w Ina	9-27-17	1051
	Placed In Property By	Initial	Badge
	Kesterson	<i>(Signature)</i>	275
		Date	Time
		10-2-17	1047
		District	Locker #
		1	k drive

Person Code R = Reporting Person A = Arrestee S = Suspect O = Owner V = Victim C = Complainant

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip		Home Phone	Work Phone		

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip		Home Phone	Work Phone		

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip		Home Phone	Work Phone		

Item #	Qty.	Misdemeanor Or Felony	Complete Description	Serial # / Owner
<u>3</u>	<u>1</u>	<u>M</u> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable interview with [REDACTED] 1709-1132 [REDACTED]	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:

Release Authorization: Yes / No Officer Print / Sign: _____ Date / Time: _____

To be filled out when items are released
 I certify under penalty of Perjury, that I am the lawful owner or guardian of the property listed on this form. I have taken possession of the above-described property and I further understand that once the above property is removed from the Evidence Room of the Marana Police Department, my signature signifies that all property as defined above was returned to my possession.

Released To: _____ Released By: _____ Date / Time: _____

Item #	P/E	From	Date And Time	To

OTHER MARANA COURT SUPERIOR COURT JUVENILE COURT



Marana Police Department
 11555 W Civic Center Drive, Bldg B
 Marana, AZ 85653-7091

Property And Evidence Receipt

858522

Case No: <u>1709-1132</u>	Offense: <u>misc</u>	(LEAVE BLANK)	
Date: <u>9-27-17</u>		Property Locator: <u>IA Folder</u>	
Time: <u>0802</u>		Received By: <u>J. Moore</u>	Badge No: <u>503</u>
Officer: <u>Jordan</u>	Badge No: <u>392</u>	Date: <u>10-2-17</u>	Time: <u>1345</u>

LOCATION DATA	Location Found / Received	Date	Time
	<u>11555 civic center dr</u>	<u>9-27-17</u>	<u>1117</u>
	Placed In Property By	Initial	Badge
	<u>Kesterson</u>	<u>(JK)</u>	<u>275</u>
		Date	Time
		<u>10-2-17</u>	<u>1336</u>
		District	Locker #
		<u>1</u>	<u>k drive</u>

Person Code R = Reporting Person A = Arrestee S = Suspect O = Owner V = Victim C = Complainant

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip			Home Phone		Work Phone

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip			Home Phone		Work Phone

Code	Name: Last/First/Mi (Nickname/Aka)	Birthdate	Age	Race	Sex
Home Address: Number/Street/Apt./City/State/Zip			Home Phone		Work Phone

Item #	Qty.	Misdemeanor Or Felony	Complete Description	Serial # / Owner
<i>4</i>	<u>5</u>	<u>M</u> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable <u>text messages and contact info from D. Cazarer</u>	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:
		<u>M</u> <u>F</u>	<input type="checkbox"/> Evidence / <input type="checkbox"/> Safekeeping / <input type="checkbox"/> Found Prop / <input type="checkbox"/> Destroy / <input type="checkbox"/> Releasable	Owner Notified By:

Release Authorization: Yes / No Officer Print / Sign: _____ Date / Time: _____

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Released To: _____ Released By: _____ Date / Time: _____

Item #	P/E	From	Date And Time	To

OTHER MARANA COURT SUPERIOR COURT JUVENILE COURT

10/11/17
16:29

Marana Police Department
Law Supplemental Narrative:

612
Page: 1

Incident Number 1709-1132 Name Kesterson, Debra
Sequence Number 5 Date 16:26:13 10/11/17

Narrative

----- (lwmain16260410112017)
1709-1132 -supplement #275

On 10-6-17 I presented this case to the Pima County Attorney. The case was issued.

On 10-10-19 I presented this case to the Grand Jury

UCR should be changed to 2604

Case- closed

~~----- (lwmain16260410112017)~~

=====

CASE REPORT NUMBER: MPD 1709-1132
OFFICER: Det. Jordan #392, Det. Kesterson #275
DATE: September 27th, 2017
TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1 Det. Jordan: This is Detective Jordan, badge #392. With me is Detective
2 Kesterson, badge #275. Today's date is September 27th,
3 2017. The time is 14:47 hours. We're going to be located at
4 the Marana main station, 11555 W. Civic Center Drive,
5 Marana, Arizona 85653. This is going to be in reference to
6 case number 1709-1132. With me is officer. How do you
7 say your first name Dee Dee?
8
9 Ofc. Cazarez: Dionysius.
10
11 Det. Jordan: Can you spell that?
12
13 Ofc. Cazarez: D i o n y s i u s .
14
15 Det. Jordan: Cazarez.
16
17 Ofc. Cazarez: Yes.
18
19 Det. Kesterson: And you go by Dee Dee, correct?
20
21 Ofc. Cazarez: Yeah.
22
23 Det. Kesterson: Okay.
24
25 Det. Jordan: What's your badge number?
26
27 Ofc. Cazarez: 460.
28
29 Det. Jordan: 460. Okay. Dee Dee, we have something that we're
30 investigating at this time. Okay. But in order for me to ask
31 you questions I have to read you your rights. Okay.
32
33 Ofc. Cazarez: Okay.
34
35 Det. Jordan: You have the right to remain silent. Anything you say can
36 and will be used against you in a court of law. You have the
37 right to the presence of an attorney to assist you prior to
38 questioning and to be with you during questioning if you so
39 desire. If you cannot afford an attorney you have the right
40 to have an attorney appointed to you prior to questioning.
41 Do you understand these rights?
42
43 Ofc. Cazarez: Yes.

CASE REPORT NUMBER: MPD 1709-1132
OFFICER: Det. Jordan #392, Det. Kesterson #275
DATE: September 27th, 2017
TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1
2 Det. Jordan: Now having been advised of these rights and understanding
3 these rights, will you answer my questions?
4
5 Ofc. Cazarez: Yes.
6
7 Det. Jordan: Okay. Dee Dee, we wanted to talk to you about an incident
8 that happened September 17th, 2017. You are currently
9 working midnight shift.
10
11 Ofc. Cazarez: Yes.
12
13 Det. Jordan: Okay. How long have you been working on that shift for?
14
15 Ofc. Cazarez: Our shift change was at the beginning of July.
16
17 Det. Jordan: Beginning of July. Okay. Did you work on midnights
18 before that?
19
20 Ofc. Cazarez: Not the shift just before that, but I have worked in 2016.
21
22 Det. Jordan: Okay. When are your days off from July until now?
23
24 Ofc. Cazarez: It's Wednesday through Friday.
25
26 Det. Jordan: What shift did you work on prior to that one?
27
28 Ofc. Cazarez: I worked with Squad Two.
29
30 Det. Jordan: Squad Two. Okay. Is that a swing shift?
31
32 Ofc. Cazarez: That's a morning shift.
33
34 Det. Jordan: Morning shift. Okay. What days off did you have?
35
36 Ofc. Cazarez: We had Thursday through Saturday off.
37
38 Det. Jordan: Okay.
39
40 Det. Kesterson: You currently have Wednesday, Thursday, Friday off,
41 right?
42
43 Ofc. Cazarez: Yes.

CASE REPORT NUMBER: MPD 1709-1132
OFFICER: Det. Jordan #392, Det. Kesterson #275
DATE: September 27th, 2017
TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1
2 Det. Kesterson: Okay.
3
4 Det. Jordan: So on the 17th, do you remember coming into work? It
5 would have been that night though, right on the 16th.
6
7 Det. Kesterson: Coming in on the 16th.
8
9 Ofc. Cazarez: I don't recall ever calling in, in September so I'd probably
10 be there.
11
12 Det. Jordan: Okay. Had no days off for any vacation.
13
14 Ofc. Cazarez: Not this month. Yeah, since then.
15
16 Det. Jordan: Okay. Do you remember that shift or that day coming in?
17 Any calls or anything that might.
18
19 Det. Kesterson: I'm going to lay it out here a little bit so maybe it will make
20 you understand it. There was a situation that happens
21 between you and Daniel and Daniel not being in where his
22 assigned district is. Does that ring a bell to you?
23
24 Ofc. Cazarez: It wasn't pertaining to me, but I know of a day where he
25 wasn't in his assigned district. Yeah.
26
27 Det. Kesterson: Okay. And this particular day, this day was the 17th so if
28 you didn't know the date, but you had a recollection of this
29 event?
30
31 Ofc. Cazarez: I do.
32
33 Det. Kesterson: Okay. So we'll provide you the date. It was the 17th.
34
35 Ofc. Cazarez: Okay.
36
37 Det. Kesterson: Okay.
38
39 Det. Jordan: Yeah. That would probably work out easier. Do you
40 remember during that time what area or district that you
41 were assigned to?
42
43 Ofc. Cazarez: I believe I was in both two and three.

CASE REPORT NUMBER: MPD 1709-1132
OFFICER: Det. Jordan #392, Det. Kesterson #275
DATE: September 27th, 2017
TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1
2 Det. Jordan: Two and three.
3
4 Ofc. Cazarez: Ah hum.
5
6 Det. Jordan: Okay. Where were the other people in your squad supposed
7 to be?
8
9 Det. Kesterson: Where was Nicholas supposed to be?
10
11 Ofc. Cazarez: He was supposed to be in two and three as well.
12
13 Det. Jordan: Okay. So he was your district partner then.
14
15 Ofc. Cazarez: Yes.
16
17 Det. Jordan: Okay. Do you remember where he was early on that
18 morning, the 17th?
19
20 Ofc. Cazarez: He was in District One.
21
22 Det. Jordan: Okay. Do you know what area?
23
24 Ofc. Cazarez: It was Gladden Farms area.
25
26 Det. Jordan: Okay. How did you know that?
27
28 Ofc. Cazarez: Because he was on the screen.
29
30 Det. Jordan: Oh, okay. So you saw that he was up in District One.
31
32 Ofc. Cazarez: Ah hum.
33
34 Det. Jordan: Was there a call that took him up there?
35
36 Ofc. Cazarez: Originally there was a call that took him into District One,
37 but it was at the high school.
38
39 Det. Jordan: Oh, okay. And then after that did he come back down to
40 two and three?
41
42 Ofc. Cazarez: No, he didn't. They told him to disregard.
43

CASE REPORT NUMBER: MPD 1709-1132
OFFICER: Det. Jordan #392, Det. Kesterson #275
DATE: September 27th, 2017
TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1 Det. Jordan: Okay. So where did he go after that?
2
3 Ofc. Cazarez: That's when he went further north.
4
5 Det. Jordan: Okay. To Gladden Farms?
6
7 Ofc. Cazarez: I'm not sure if he went directly there or not, but he drove
8 there.
9
10 Det. Jordan: Okay. So he ended up in Gladden Farms area. Do you
11 know what street he ended up off of?
12
13 Ofc. Cazarez: I don't know the name of the street.
14
15 Det. Jordan: And you're looking at a map that's on your computer. Is
16 that correct?
17
18 Ofc. Cazarez: Ah hum.
19
20 Det. Jordan: Why was it that you remember that? Like where he's at?
21
22 Ofc. Cazarez: That I remember where he was. Cuz we were joking about
23 it, me and [REDACTED] cuz he had gone up there and at first we
24 thought he was trying to pull traffic, but we didn't hear any
25 traffic going since he's over there and then we both went in
26 and it looked like he was on top of a house so we just joked
27 that maybe that one of his girlfriend's lives there.
28
29 Det. Jordan: Okay. What would make you think that as far as one of his
30 girlfriends' living there?
31
32 Ofc. Cazarez: So there had been rumors about him seeing somebody else,
33 Kyla, in the past so.
34
35 Det. Jordan: Okay.
36
37 Ofc. Cazarez: I mean he denied it, but it was just a joke.
38
39 Det. Jordan: Oh, yeah.
40
41 Ofc. Cazarez: Yeah.
42
43 Det. Jordan: Okay.

CASE REPORT NUMBER: MPD 1709-1132
OFFICER: Det. Jordan #392, Det. Kesterson #275
DATE: September 27th, 2017
TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1
2 Det. Kesterson: Okay. You talk about it as just being a joke, but I think it's
3 a little bit more than that. Did you and Daniel have a
4 relationship at one point?
5
6 Ofc. Cazarez: We did. Yes.
7
8 Det. Kesterson: Okay. And then you found out that he and Kyla may have
9 had a relationship.
10
11 Ofc. Cazarez: Yes.
12
13 Det. Kesterson: Okay. Did that bother you?
14
15 Ofc. Cazarez: Not that they had a relationship, but it bothered me that um.
16
17 Det. Kesterson: And it's okay.
18
19 Ofc. Cazarez: Yeah. Well, it bothered me that he lied.
20
21 Det. Kesterson: Okay. I completely understand that. Understand we just
22 need to get the truth and get the understanding out here.
23
24 Ofc. Cazarez: Would you like me to start from the beginning then? It
25 might be easier just to tell you all of that.
26
27 Det. Kesterson: Okay. Sure.
28
29 Det. Jordan: Okay.
30
31 Ofc. Cazarez: So my husband and I, we separated. Nobody knows that.
32 It's been six months now. Me and Daniel had been friends
33 since long before then. After we separated we started what
34 I thought was a relationship, but then I found out he had a
35 fiancée so we cut that off, but we still remained friends.
36
37 Det. Jordan: Do you remember when that was?
38
39 Ofc. Cazarez: I want to say maybe it was July time, the end of July,
40 beginning of August cuz I know he kind of quit talking to
41 me in August for a while.
42
43 Det. Kesterson: He just like cut off communication, right?

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TIME: 14:47 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Dionysius (Dee Dee) Cazarez #460
TRANSCRIBED BY: C. Gilbert #333

1
2 Ofc. Cazarez: Yeah. He just stopped talking to me out of nowhere. I just
3 know that was some time around when he went to a
4 wedding. The wedding I thought maybe that's why he
5 stopped talking to me, but yeah and then he slowly started
6 talking to me again, but in between that time. I don't
7 remember when. I was talking. I don't know how I came up
8 knowing about him and Kyla, but a friend of mine dated
9 her husband back in high school.
10
11 Det. Kesterson: Dated Kyla's husband.
12
13 Ofc. Cazarez: Yes. [REDACTED]
14
15 Det. Kesterson: Okay.
16
17 Ofc. Cazarez: And she was my best friend so I knew [REDACTED] but only by
18 association so. I don't remember exactly how that came up,
19 but I was talking to her and she said something about how
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24
25 Det. Kesterson: I'm going to have to ask this of you. Do you know any of
26 those officers ever to be on duty?
27
28 Ofc. Cazarez: I don't know if they were on duty at the time.
29
30 Det. Kesterson: Okay.
31
32 Det. Jordan: Are they officers?
33
34 Ofc. Cazarez: I don't know if they're like officers or if they're like
35 detectives or what.
36
37 Det. Jordan: They're law enforcement though.
38
39 Ofc. Cazarez: They are law enforcement.
40
41 Det. Kesterson: Okay. Law enforcement with Marana or with another
42 agency?
43

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1 Ofc. Cazarez: From what I've been told, it was TPD.
2
3 Det. Kesterson: Okay. All right. And strictly rumors.
4
5 Ofc. Cazarez: Yeah.
6
7 Det. Kesterson: I mean you have no first party, firsthand knowledge of this.
8
9 Ofc. Cazarez: Yes.
10
11 Det. Kesterson: Okay.
12
13 Ofc. Cazarez: So they ended up describing. They said something about a
14 Marana officer so I asked. Oh, can you tell me his name,
15 you know like who is it. Do you know who it is? And he
16 described it to her as, pretty much described Daniel. He's
17 tall. He wears basketball shorts, dark hair and he drives the
18 Dodge Ram, the silver. So I asked him about it.
19
20 Det. Kesterson: When did you ask him about it? Do you know?
21
22 Ofc. Cazarez: I don't remember.
23
24 Det. Kesterson: Okay. Do you know if it was before shift change or after
25 shift change?
26
27 Ofc. Cazarez: I know it was after shift change, but the time frame I'm
28 going to say it was around the wedding time when he quit
29 talking to me.
30
31 Det. Kesterson: Okay.
32
33 Ofc. Cazarez: That's why I thought maybe he had quit talking to me cuz
34 cuz I asked him about it.
35
36 Det. Kesterson: Okay. All right. So you know that there's rumors that he
37 and Kyla, there may be something going on with her, right.
38
39 Ofc. Cazarez: Ah hum.
40
41 Det. Kesterson: You guys see his vehicle up on the map up in Gladden
42 Farms area, correct?
43

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1 Ofc. Cazarez: Ah hum.
2
3 Det. Kesterson: Okay. So what do you do from there?
4
5 Ofc. Cazarez: Well, at that time we were just joking about it. A call came
6 out and he ended up leaving from there. Just I guess curious
7 about everything that I've heard and everything that he's
8 denied. On the way home I drove around there and that's
9 when I saw the patrol vehicle there.
10
11 Det. Kesterson: Okay. A patrol vehicle where?
12
13 Ofc. Cazarez: Right up by the house.
14
15 Det. Kesterson: Okay. So.
16
17 Ofc. Cazarez: But it was across the street so, but yeah, it was right there
18 in the same area.
19
20 Det. Kesterson: By the area that his car showed up at, right?
21
22 Ofc. Cazarez: Yes.
23
24 Det. Kesterson: Okay. Had you at that point when you were up there, had
25 you been off shift and were supposed to be heading home?
26
27 Ofc. Cazarez: Yes.
28
29 Det. Kesterson: Okay. And you use 10-42 when you log off, right?
30
31 Ofc. Cazarez: Yes.
32
33 Det. Kesterson: Okay. So when you're up there how did you find out
34 exactly what house he was at?
35
36 Ofc. Cazarez: Without thinking I ran the plate.
37
38 Det. Kesterson: How many plates did you run?
39
40 Ofc. Cazarez: I don't remember.
41
42 Det. Kesterson: Okay. Did you run more than one plate?
43

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1 Ofc. Cazarez: That I don't remember. I just know as soon as I saw [REDACTED]
2 [REDACTED] name I (inaudible) it.
3
4 Det. Kesterson: Okay. So you know you ran a vehicle.
5
6 Ofc. Cazarez: Yes.
7
8 Det. Kesterson: For personal use.
9
10 Ofc. Cazarez: That I wasn't thinking about, but yeah, when I spoke to
11 another officer [REDACTED] thought his license shouldn't of been.
12
13 Det. Kesterson: Okay. Was it for personal use?
14
15 Ofc. Cazarez: It was for personal use.
16
17 Det. Kesterson: Did you have a law enforcement reason to run that?
18
19 Ofc. Cazarez: No.
20
21 Det. Kesterson: Okay. And you ran more than one.
22
23 Ofc. Cazarez: I don't recall.
24
25 Det. Kesterson: I'll show you. You did. You ran two. Potentially the house
26 next door at 7:02 you run a plate and at 7:03 and at 7:00
27 here you're showing that you went 10-42. Would that be
28 fair to say that you had logged yourself off duty?
29
30 Ofc. Cazarez: Yes.
31
32 Det. Kesterson: Okay. Do you live up here in the Gladden Farms area?
33
34 Ofc. Cazarez: I do.
35
36 Det. Kesterson: Okay. So were you on your way home?
37
38 Ofc. Cazarez: It's not like directly to my house, but yeah. I did. That's
39 why I was on my way home.
40
41 Det. Kesterson: Okay. So why did you go over there?
42

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1 Ofc. Cazarez: I don't know. I guess I was just curious about it. Like you
2 said, I'm kind of hurt that he. I knew something was up,
3 but.
4
5 Det. Kesterson: You wanted to verify it.
6
7 Ofc. Cazarez: I don't know why I did it cuz I already knew when I saw
8 the car, but.
9
10 Det. Jordan: You said the patrol car was out front. Did you know it was
11 Kyla's or did you just?
12
13 Ofc. Cazarez: I think at that time it was one of the pool cars.
14
15 Det. Jordan: Okay. What led you to believe it was a pool car? Do you
16 remember?
17
18 Ofc. Cazarez: It was the number. It was an older number. I can't
19 remember what it was though.
20
21 Det. Jordan: Okay.
22
23 Det. Kesterson: Okay. Let me ask you. Have you ever in the past run a plate
24 for personal use before?
25
26 Ofc. Cazarez: No. Not that I can recall.
27
28 Det. Kesterson: Okay. You're off Wednesday, Thursday, Friday, right?
29
30 Ofc. Cazarez: Yes.
31
32 Det. Kesterson: Okay. Do have a recollection of every being trained and
33 talked to about not using ACJIS for personal?
34
35 Ofc. Cazarez: I have.
36
37 Det. Kesterson: Okay. And when did you receive that training?
38
39 Ofc. Cazarez: We received it when I first got hired.
40
41 Det. Kesterson: Okay. Did you receive it in the academy? Was it ever
42 talked about it in the academy with you?
43

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1 Ofc. Cazarez: I don't recall if it was.
2
3 Det. Kesterson: Or maybe in an ethics class. You don't recall.
4
5 Ofc. Cazarez: I don't recall.
6
7 Det. Kesterson: Okay. But you remember receiving the training here when
8 you were hired on here, right?
9
10 Ofc. Cazarez: I remember hearing that it was a violation.
11
12 Det. Kesterson: Have you taken your ACJIS test before?
13
14 Ofc. Cazarez: I believe I have.
15
16 Det. Kesterson: Okay. Do you recall in those ACJIS tests it talks about
17 when you can and can't run, you can't use ACJIS for
18 personal information?
19
20 Ofc. Cazarez: I don't recall that specific question, but I do know.
21
22 Det. Kesterson: Okay. So you understand you can't do that.
23
24 Ofc. Cazarez: I do.
25
26 Det. Kesterson: Okay. I just want to go over a couple things here with you.
27 In the past month there has been a time, there's been a
28 couple times that you. It looks to me and explain it to me. It
29 looks that you would go 10-42 on a Wednesday and
30 potentially be at the shops. Would you drop your vehicle
31 off and then come and pick it up back like Saturday before
32 shift?
33
34 Ofc. Cazarez: There have been times where I've dropped it off and picked
35 it up.
36
37 Det. Kesterson: Okay. If you look here. It's about 4:00 o'clock in the
38 afternoon that you would go pick that up. Would that be a
39 normal time frame for you? When you picked it up from
40 the shops would you log yourself on the computer?
41
42 Ofc. Cazarez: A majority of the time I have.
43

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1 Det. Kesterson: Okay. Cuz you can see here that you were down at the
2 shops Wednesday before you go and then Saturday at 4:00
3 o'clock you log on. Would that be fair to say that you were
4 coming from picking your car up and taking it back home?
5
6 Ofc. Cazarez: Yes.
7
8 Det. Kesterson: Okay. I think there's one other, one I need to talk to you
9 about. It's the same time frame, but you ran a 29 during. Is
10 there a possibility that you could have run a 29 on your way
11 home?
12
13 Ofc. Cazarez: Often times I have, but I'm 76 (inaudible).
14
15 Det. Kesterson: Okay. And why do you do that?
16
17 Ofc. Cazarez: A traffic violation. I decide whether or not it's worth even
18 stepping out since (inaudible).
19
20 Det. Kesterson: Okay. I'm referring to a situation here back on the 30th.
21 You went 42. Again, it looks like you had been at the
22 shops. And potentially did you maybe drop your car off and
23 then on that Saturday come back about 4:30 to pick your
24 car up and take it home and during that time frame you run
25 a plate?
26
27 Ofc. Cazarez: It's the 30th of what day?
28
29 Det. Kesterson: Of August. This is a Wednesday.
30
31 Ofc. Cazarez: I don't.
32
33 Det. Kesterson: Okay. Would it be possible?
34
35 Ofc. Cazarez: I mean it's possible. Yeah.
36
37 Det. Kesterson: Okay.
38
39 Ofc. Cazarez: Cuz I know I had to get maintenance done cuz I had
40 screwed up my car going through a wash in monsoon.
41

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1 Det. Kesterson: Okay. This time when you come back on Saturday and you
2 run a plate was potentially on your way home and you see a
3 violation. Is that what you're saying?
4
5 Ofc. Cazarez: Yes.
6
7 Det. Kesterson: Okay. I wanted to get those clarifications, if that was what
8 was going on or if there's something else going on. Back to
9 the 17th, you run a couple plates after you've gone home.
10 You're aware it's an ACJIS violation.
11
12 Ofc. Cazarez: At that time I didn't think about that, but when I called
13 another officer it was brought up. That's when I realized.
14 Yeah.
15
16 Det. Kesterson: But prior to the event, had you been.
17
18 Ofc. Cazarez: I had been taught.
19
20 Det. Kesterson: You had been taught that was an ACJIS violation. What
21 was going through your mind that would cause you to not
22 remember something like that? And I know this is personal
23 and I'm sorry, but we really need to get into it with you.
24 What was kind of going through your mind at that time?
25
26 Ofc. Cazarez: It was just disappointment I guess. I knew that something
27 just. I pretty much listened to what he had said about the
28 whole thing of lying and I vouched for him by telling other
29 officers that I believed him and then just finding out that
30 (inaudible) lying. It makes me look like I'm lying for him.
31
32 Det. Kesterson: So you were pretty disappointed.
33
34 Ofc. Cazarez: Yeah. Disappointed.
35
36 Det. Kesterson: Okay. At that point, you were not in a relationship with
37 him, correct?
38
39 Ofc. Cazarez: No, we weren't. He had just started talking to me again.
40
41 Det. Kesterson: Okay. After you found the vehicle and knew that he was
42 there. So after you found the vehicle, did you try to contact
43 Daniel?

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1
2 Ofc. Cazarez: I did.
3
4 Det. Kesterson: Okay. And how did you do that?
5
6 Ofc. Cazarez: Through a text message.
7
8 Det. Kesterson: Okay. What did you say to him?
9
10 Ofc. Cazarez: That I had found out about what was going on and I didn't
11 want him talking to me anymore.
12
13 Det. Kesterson: Okay. Did you tell him that you had run the plate?
14
15 Ofc. Cazarez: I don't remember.
16
17 Det. Kesterson: Do you remember having a conversation with another
18 officer?
19
20 Ofc. Cazarez: Ah hum. I told that officer.
21
22 Det. Kesterson: Okay. If that officer was to say that you told him that
23 there's been another reason why you ran that plate, but later
24 on told him that you had purposely run that plate. Can you
25 explain any of that conversation to me?
26
27 Ofc. Cazarez: Okay.
28
29 Det. Kesterson: Actually let me get the exact verbiage cuz I think that's
30 easier than. The statement that I lied and told him someone
31 asked me to run the plate then explained after why I ran the
32 plate. So my question is did you tell Dan that you ran the
33 plate or that somebody had run the plate? First of all, is it a
34 phone conversation or a text conversation?
35
36 Ofc. Cazarez: When I had originally told the person that I had ran the
37 plate and they told me that's an ACJIS violation, that was
38 over the phone.
39
40 Det. Kesterson: Okay. But talking to Dan when you said.
41
42 Ofc. Cazarez: That was through text.
43

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1 Det. Kesterson: That was through a text. Okay. Did you text him that
2 somebody had asked you to run the plate of, I guess it's
3 [REDACTED] car? Do you remember that?
4
5 Ofc. Cazarez: I don't remember exactly. Yeah.
6
7 Det. Kesterson: Do you have any of that text on your phone?
8
9 Ofc. Cazarez: No. I don't have anything.
10
11 Det. Kesterson: Okay. So you don't really recall what you told Dan about
12 how you found out where he was, other than the screenshot,
13 right? I'm sure you can screenshot the location, right? So
14 but did you text Dan and say I ran [REDACTED] plate?
15
16 Ofc. Cazarez: I don't recall what I told him. It was a really long, long
17 message. I think I messaged him I think maybe five times
18 after that.
19
20 Det. Kesterson: Did he ever respond back to you?
21
22 Ofc. Cazarez: No.
23
24 Det. Kesterson: Okay. Did that upset you? It'd upset me.
25
26 Ofc. Cazarez: It was just disappointing that every time I asked him
27 something, yeah, he stops responding to me.
28
29 Det. Kesterson: At the point that you confront him he just kind of stops.
30
31 Ofc. Cazarez: Like I'm not going to tell you anything cuz you don't
32 deserve to know so.
33
34 Det. Kesterson: Okay. Did you talk to anybody else, other than. We're here.
35 We're discussing this. It was obviously [REDACTED] you had
36 emailed this stuff to, right or text [REDACTED] finding
37 Daniel's car.
38
39 Ofc. Cazarez: I had called [REDACTED]
40
41 Det. Kesterson: Called [REDACTED]. Okay. Were there any other officers you talked
42 to about that?
43

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1 Ofc. Cazarez: [REDACTED]
2
3 Det. Kesterson: Okay. And what did you tell [REDACTED]?
4
5 Ofc. Cazarez: That day I had told [REDACTED] that it was Kyla.
6
7 Det. Kesterson: Okay. Did you tell [REDACTED] how you found out it was Kyla?
8
9 Ofc. Cazarez: I don't remember.
10
11 Det. Kesterson: Okay. All right. So anybody else that you've talked to
12 about it?
13
14 Ofc. Cazarez: I talked to [REDACTED] [REDACTED] knows everything.
15
16 Det. Kesterson: Okay. What does [REDACTED] know?
17
18 Ofc. Cazarez: Just that me and him had been seeing each other before and
19 the (inaudible).
20
21 Det. Kesterson: About Kyla.
22
23 Ofc. Cazarez: Yes.
24
25 Det. Kesterson: Okay. Anybody else that you've told that you had run
26 several cars or had run a vehicle to find out that it was
27 [REDACTED] car?
28
29 Ofc. Cazarez: I don't remember telling anybody that's what I had done.
30
31 Det. Kesterson: Other [REDACTED]
32
33 Ofc. Cazarez: Other [REDACTED] but I talked to. So the only other person
34 that I know that knows our history is [REDACTED].
35
36 Det. Kesterson: Okay.
37
38 Ofc. Cazarez: Yeah, but I don't recall what I had said at that time to
39 anybody.
40
41 Det. Kesterson: Okay. So making sure that I understand. You're aware that
42 it's an ACJIS violation to run a vehicle for personal use and
43 that you were aware of it prior to and when you did it you


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1 just weren't thinking. Is that a fair statement? Why did you
2 run it if you already knew that it was?
3
4 Ofc. Cazarez: Yeah. I didn't even think to even just run the plate I guess.
5 Just I ran it. Don't know where my mind was at, at the
6 time.
7
8 Det. Kesterson: All right.
9
10 Ofc. Cazarez: Yeah. It just didn't dawn on me until [REDACTED] says you
11 know that's an ACJIS violation and I told [REDACTED] I didn't even
12 realize that, that I ran it, that I was doing that.
13
14 Det. Kesterson: But you do know.
15
16 Ofc. Cazarez: But I do know.
17
18 Det. Kesterson: And you didn't run it after the fact.
19
20 Ofc. Cazarez: Ah hum.
21
22 Det. Kesterson: Okay. Really that's why we're here. Obviously it is an
23 ACJIS violation which is a criminal violation. And I
24 appreciate you being honest with us about it. We do have to
25 do our due diligence on this.
26
27 Ofc. Cazarez: I don't know what that means.
28
29 Det. Kesterson: We have to move forward and present and do what we have
30 to do with the case. Okay. Just so that you know. I don't
31 want to hide and we're not here to hide anything from you.
32 It is computer tapering and it's a felony.
33
34 Ofc. Cazarez: I didn't even realize it when I did it.
35
36 Det. Kesterson: I know. I mean it's something that is easy to do, but you
37 know you've been talked to about it.
38
39 Ofc. Cazarez: Yes. I ran them, but. Yeah.
40
41 Det. Kesterson: But you run random plates for a reason, for a law
42 enforcement reason, right? Were you running this for a law
43 enforcement reason?

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1
2 Ofc. Cazarez: No.
3
4 Det. Kesterson: Okay. So that's kind of where we stand with it right now.
5 We're going to ask that you don't discuss this with
6 anybody. Later on I'm sure that there's going to be,
7 Sergeant Scott will need to speak with you and so that will
8 be something that's going to happen in a bit. We will have
9 to when I say do our due diligence, we're going to have to
10 put this case together and present to the County Attorney
11 and find out what happens with it. We can't tell you what's
12 going to happen with it. We don't know.
13
14 Ofc. Cazarez: What's going to happen to me? Am I going to get fired?
15
16 Det. Kesterson: We can't answer that. Okay. We are here strictly on this
17 portion of it and then the administrative portion is where
18 Sergeant Scott will come in and have to deal and all I can
19 say is be as honest with him as you've been with us.
20 Honesty is your friend. We have lapses in judgment and
21 stuff like that, but lapses in judgment when it comes to not
22 being honest will really get you in a lot of trouble. Okay.
23 So keep being honest. Keep being straightforward with
24 everybody and we'll work through this. Okay. Anything
25 else?
26
27 Det. Jordan: No. That's going to be it.
28
29 Det. Kesterson: Okay.
30
31 Det. Jordan: The time is going to be 15:16 hours.
32
33

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DATE: September 27th, 2017
TIME: 12:50 hours
LOCATION: MPD, 11555 W. Civic Center Dr.
PRESENT: Ofc. Daniel Nicholas #466
TRANSCRIBED BY: C. Gilbert #333

1 Det. Jordan: This is Detective Jordan, badge #392. With me is Detective
2 Kesterson, badge #275. Today's date is September 27th,
3 2017. The time is 12:50 hours. We're going to be located at
4 11555 W. Civic Center Drive, Marana, Arizona 85653.
5 Reference to case number 1709-1132. With me is Officer
6 Daniel. Can you give your last name?
7
8 Ofc. Nicholas: Nicholas, N i c h o l a s.
9
10 Det. Jordan: And your date of birth?
11
12 Ofc. Nicholas: 
13
14 Det. Kesterson: You're an officer here with Marana PD?
15
16 Ofc. Nicholas: Yes.
17
18 Det. Kesterson: How long have you been employed with us?
19
20 Ofc. Nicholas: Since December, 15.
21
22 Det. Kesterson: Okay. Currently what shift are you working?
23
24 Ofc. Nicholas: Squad six which is midnights.
25
26 Det. Kesterson: Okay. Midnights. What time do you come on?
27
28 Ofc. Nicholas: 21:00 to 07:00.
29
30 Det. Kesterson: What are your days off?
31
32 Ofc. Nicholas: Wednesday, Thursday and Friday.
33
34 Det. Kesterson: Okay.
35
36 Det. Jordan: How long have you been on midnights?
37
38 Ofc. Nicholas: Since July.
39
40 Det. Jordan: July of last year.
41
42 Ofc. Nicholas: Of this year.
43

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1 Det. Jordan: Oh. Of this year. Oh, okay. What shift were you on prior to
2 that?
3
4 Ofc. Nicholas: Swings. Squad four.
5
6 Det. Jordan: Squad four. What days off are those?
7
8 Ofc. Nicholas: Thursday, Friday, Saturday.
9
10 Det. Jordan: Daniel, I kind of wanted to talk about on September 17th-
11 ish, 2017, the incidents that kind of occurred then. Right
12 now we're here to interview you about it. Okay. We just
13 want the honesty. We're not here to grill you. We're not
14 here to make you feel like a criminal, nothing like that, but
15 we do need to know what's going on, what's taken place.
16 Okay. So can you take me through your shift that night?
17
18 Ofc. Nicholas: Ah, came in, went to briefing. I was assigned districts two
19 and three.
20
21 Det. Jordan: Who is your sergeant?
22
23 Ofc. Nicholas: Sergeant Figueroa.
24
25 Det. Jordan: Okay.
26
27 Det. Kesterson: Go ahead.
28
29 Ofc. Nicholas: I don't remember. We didn't have very many calls for
30 service that night, but I did respond out to the high school,
31 Marana High School with the alarm for Officer Litten, but
32 prior to my arrival, he said he didn't need me anymore. I
33 believe that was around like midnight to 1:00 o'clock time.
34 After that I went up to district one and I met up with
35 Officer Sylvia who was off duty at the time at the residence
36 that she's staying at. I don't remember the address.
37
38 Det. Jordan: Do you know the street name or anything?
39
40 Ofc. Nicholas: I don't know the name. I know it's off [REDACTED]
41 [REDACTED]
42
43 Det. Jordan: Okay.

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1
2 Det. Kesterson: Was there communication between you and Sylvia that
3 brought you to there or did you just go there?
4
5 Ofc. Nicholas: We were messaging each other.
6
7 Det. Kesterson: Okay. So you go the house that Sylvia is staying at. Do you
8 know what time you got there?
9
10 Ofc. Nicholas: I don't know the exact time, but I think it was around
11 01:00.
12
13 Det. Kesterson: Okay. Go ahead.
14
15 Ofc. Nicholas: We talked for a couple minutes at my patrol car and then
16 went inside the residence and talked inside in like the living
17 room, kitchen area. They're not separated so they're kind
18 of one big room and talked in that area for probably 45
19 minutes. I brought my MDC in so I could watch for calls if
20 they came out since I wasn't in my assigned district. I
21 started to leave and we kissed and then I left.
22
23 Det. Jordan: Do you remember what time you left?
24
25 Ofc. Nicholas: I think it was around 01:45. I know I took a call for service
26 maybe 15 minutes after cuz it was at Freddy's down on
27 Orange Grove and Thornydale and I was in the area when
28 the call came out so.
29
30 Det. Kesterson: You were in the area of Freddy's when the call came out.
31
32 Ofc. Nicholas: Yeah. I think it only took me like two or three minutes to
33 respond. I think I was at Ina and Thornydale when it came
34 out so.
35
36 Det. Jordan: Okay. So about 1:45 you left.
37
38 Ofc. Nicholas: That would be my guess. I don't know for sure, but
39 probably about 15 or 20 minutes before that call for service
40 ended up coming out.
41
42 Det. Kesterson: Okay. Then what happened? Did somebody get a hold of
43 you later in the day about something?

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1
2 Ofc. Nicholas: Officer Cazares sent me a text.
3
4 Det. Kesterson: When did she do that?
5
6 Ofc. Nicholas: Probably close to 07:00.
7
8 Det. Kesterson: Okay. What was the text about?
9
10 Ofc. Nicholas: It was something about somebody saw my patrol car at her,
11 Officer Sylvia's residence that she's staying at.
12
13 Det. Kesterson: So she told you that somebody. You don't have that text
14 anymore?
15
16 Ofc. Nicholas: No.
17
18 Det. Kesterson: Okay. Somebody saw your patrol car at Sylvia's.
19
20 Ofc. Nicholas: At Officer Sylvia's residence that she's staying at. Yeah.
21
22 Det. Kesterson: Okay. What was your?
23
24 Ofc. Nicholas: I didn't respond.
25
26 Det. Kesterson: Okay. Why would Dee Dee be even texting you that?
27
28 Ofc. Nicholas: She had warned me in the past to not talk to Officer Sylvia.
29
30 Det. Kesterson: Why would she warn you about that?
31
32 Ofc. Nicholas: She had said that she's heard bad things and she didn't
33 want me to get in trouble for doing things I shouldn't be.
34
35 Det. Kesterson: Have you had a relationship with Dee Dee in the past?
36
37 Ofc. Nicholas: Yes.
38
39 Det. Kesterson: Okay. When did that end?
40
41 Ofc. Nicholas: Probably like mid-August would be my guess.
42

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1 Det. Kesterson: Okay. So after she texted you that somebody saw your car
2 at Officer Sylvia's house, was there any further
3 conversation between you and her?
4
5 Ofc. Nicholas: Not really. I know she sent me some texts, but I didn't
6 respond and I honestly didn't really read them. As they
7 would come in I would just delete them.
8
9 Det. Kesterson: So why would she say that originally she had told you
10 somebody saw your car there, but later on told you that she,
11 herself (inaudible)?
12
13 Ofc. Nicholas: She never told me that was her.
14
15 Det. Kesterson: She never told you that or you never read a text.
16
17 Ofc. Nicholas: I never read a text that said that. Like I said, when the text
18 would come in from her I would just delete them. I didn't
19 read them.
20
21 Det. Kesterson: Okay. Why didn't you read them?
22
23 Ofc. Nicholas: I didn't want. There wasn't much I could do at that point
24 about it anyway. I made a mistake and I didn't want to talk
25 to anybody about it.
26
27 Det. Kesterson: Okay. Just clarifying, no judgment, no nothing. I'm just
28 needing to clarify. What do you think the mistake was?
29
30 Ofc. Nicholas: Well, other than not being loyal to the person that I'm
31 dating, being out of my district, going to a female off duty
32 officer's house, giving her a kiss when I left the house.
33
34 Det. Kesterson: Okay. Those are the things that you were thinking of at the
35 time?
36
37 Ofc. Nicholas: Yes.
38
39 Det. Kesterson: Okay. So after Sylvia sent you the first text. Have you ever
40 had any conversation with her since then about this
41 incident?
42
43 Ofc. Nicholas: What text that Sylvia is sending?

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1
2 Det. Kesterson: Not Sylvia. I'm sorry. Dee Dee.
3
4 Ofc. Nicholas: She had sent me some messages. I haven't talked to her
5 about this particular incident. No. The last time we talked
6 we just said we need to be work associates basically and
7 keep things professional cuz we are on the same squad, but
8 we weren't going to talk about anything else.
9
10 Det. Kesterson: When was that conversation?
11
12 Ofc. Nicholas: We talked last night or two nights ago on shift.
13
14 Det. Kesterson: Okay. A conversation two nights ago about the fact that
15 you guys are going to basically have a working relationship
16 and that's it.
17
18 Ofc. Nicholas: Yeah. I didn't respond to anything she would say to me
19 prior, from this happening up until pretty much yesterday,
20 other than during work if she needed something that was
21 entirely work related.
22
23 Det. Kesterson: Okay.
24
25 Det. Jordan: Was it you that had told her let's just have a work
26 relationship or was it like a mutual kind of thing? You
27 know what I mean.
28
29 Ofc. Nicholas: So she asked, you know, like what's going on. Like we
30 were friends for a long time and now like you don't even
31 talk to me. What's going on? And I said right now we need
32 to just be work associates. I would let her know about
33 friends at a different time pretty much. I don't remember
34 the exact words, conversation, but it was kind of a quick
35 little thing at QT.
36
37 Det. Jordan: Okay. I know you said you had ended it back in August,
38 right?
39
40 Ofc. Nicholas: Yeah.
41
42 Det. Jordan: How did it end?
43

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1 Ofc. Nicholas: I just stopped hanging out there when we were not
2 working.
3
4 Det. Jordan: Okay.
5
6 Ofc. Nicholas: I didn't really give her an explanation or anything. I just
7 kind just stopped really talking to her very much and never
8 responded when she would ask if I wanted to hang out and
9 stuff like that.
10
11 Det. Jordan: Okay.
12
13 Det. Kesterson: I kind of get the impression you've browsed the text, but
14 not fully read all the texts that she sent you.
15
16 Ofc. Nicholas: I would see kind of the first little bit, but I wouldn't open
17 them.
18
19 Det. Kesterson: Okay. At any time did Dee Dee ever tell you that she ran
20 some plates to find out where you were that night?
21
22 Ofc. Nicholas: No. I don't remember reading anything that said that. No.
23
24 Det. Kesterson: Okay. Were you ever aware that she ran plates to find out
25 where you were?
26
27 Ofc. Nicholas: No.
28
29 Det. Kesterson: Nothing like that was ever disclosed to you?
30
31 Ofc. Nicholas: She may have texted me, but I never read that inside of, in
32 any of the texts.
33
34 Det. Kesterson: Would there be any reason why she would be telling us that
35 she has talked to you about that?
36
37 Ofc. Nicholas: She might have sent the text, but like I said, I didn't read
38 them.
39
40 Det. Kesterson: So is the only way you guys communicate through text or
41 do you call each other on the phone?
42
43 Ofc. Nicholas: I think the only time she's really called me is at work.

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1
2 Det. Kesterson: Like during work hours.
3
4 Ofc. Nicholas: During work hours.
5
6 Det. Kesterson: During those phone calls do you ever have conversation
7 about your relationship and what may have transpired on
8 the 17th?
9
10 Ofc. Nicholas: No. We've never talked about the 17th, other than that first
11 text, whenever the full text about her seeing me there.
12
13 Det. Kesterson: Okay.
14
15 Ofc. Nicholas: But I haven't opened and actually read any of her full texts
16 to me.
17
18 Det. Kesterson: And so that full text that she read you, what exactly did it
19 say?
20
21 Ofc. Nicholas: I mean it was shorter I think, but it was just kind of like
22 something like that house that you were at. She said
23 something about she knew it was me that was there because
24 of the MDC. The thing is then she's that new house that
25 Sylvia's staying at, I know you were there. Somebody saw
26 you or something along those lines.
27
28 Det. Kesterson: Okay. Just to clarify because just in case there's any
29 confusion. When you're talking about seeing you on the
30 MDC, our cars are GPS, correct?
31
32 Ofc. Nicholas: Correct.
33
34 Det. Kesterson: And so when you go somewhere we have the ability on our
35 mobile devices to see where the cars are.
36
37 Ofc. Nicholas: The general area of the vehicle. Yeah.
38
39 Det. Kesterson: Okay. Yeah. It doesn't get specific. It'll give like a street
40 and some close cross streets, but not the exact house. Is that
41 correct?
42
43 Ofc. Nicholas: Yes.

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1
2 Det. Kesterson: Okay. So if someone were to be looking for you they
3 wouldn't know exactly where you were, but you could find
4 the general vicinity.
5
6 Ofc. Nicholas: Yes.
7
8 Det. Kesterson: Okay. So at no time, have in any other time that you've
9 dealt with Dee Dee or worked with Dee Dee, have you ever
10 known her to run plates just to find out whose living at
11 what address when she's been on or off duty that is not
12 work related?
13
14 Ofc. Nicholas: No. Not that I know of.
15
16 Det. Kesterson: Have you ever had a problem with her tracking you down
17 before that you didn't know?
18
19 Ofc. Nicholas: Not that I know of.
20
21 Det. Kesterson: Okay. She's never disclosed, you know, I knew where you
22 were last night or anything like that?
23
24 Ofc. Nicholas: No.
25
26 Det. Kesterson: Okay. I don't know that I have any further questions.
27
28 Det. Jordan: Daniel, is Dee Dee upset you guys broke up?
29
30 Ofc. Nicholas: I think she's upset because of me and Officer Sylvia. I
31 don't know if she's still upset or what not about it, but she
32 had asked if Officer Sylvia and I had been talking or
33 anything and I told her no.
34
35 Det. Jordan: Did she ask you that two nights ago?
36
37 Ofc. Nicholas: No. She said whatever was going on in our personal life is
38 mine and we weren't going to talk about it and stuff like
39 that anymore. It's just going to be professional.
40
41 Det. Jordan: But she was kind of inquiring about.
42

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1 Ofc. Nicholas: It was back prior to this incident and everything and that
2 was kind of one of the reasons that we stopped talking in
3 August. It was just I kind of put myself in a bad position
4 just with everything.
5
6 Det. Jordan: What's that bad position?
7
8 Ofc. Nicholas: Being in a relationship and then kind of getting two other
9 relationships.
10
11 Det. Jordan: So you had three relationships going on during this time,
12 back in August.
13
14 Ofc. Nicholas: Well, I don't know if it.
15
16 Det. Jordan: I'm just wondering. Is she upset like is she jealous of
17 Sylvia?
18
19 Ofc. Nicholas: I don't know. I tried to not talk to her about Officer Sylvia
20 ever. It's kind of an awkward conversation.
21
22 Det. Jordan: Yeah.
23
24 Ofc. Nicholas: Kind of telling one thing, but you try to hide it from them
25 or whatever.
26
27 Det. Jordan: Yeah. Well.
28
29 Det. Kesterson: Can we just pause for a second?
30
31 Det. Jordan: Yeah.
32
33 Det. Kesterson: Okay. We're just going to pause. It's 13:07 hours.
34
35 Det. Jordan: The time is 13:08 hours. So you have two detectives talking
36 to you, right?
37
38 Ofc. Nicholas: Yes.
39
40 Det. Jordan: We're going to be talking to you about criminal stuff, not,
41 you know, personal life kind of stuff. You know what I
42 mean.
43

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1 Ofc. Nicholas: Yeah.
2
3 Det. Jordan: That's not why we're here today.
4
5 Ofc. Nicholas: Okay.
6
7 Det. Jordan: The reason why I was questioning you about Dee Dee so
8 much with Officer Sylvia was I was wondering if there was
9 some kind of jealousy issue or anything like that in the past.
10
11 Ofc. Nicholas: I don't think that they like each other. I don't know where
12 it started from. I don't know.
13
14 Det. Kesterson: I guess what he's kind of asking. Have you ever had
15 problems with Dee Dee like being obviously jealous and
16 making jealous type statements to you about Officer Sylvia
17 or anything else or appearing at places where you wouldn't
18 expect her or showing up on scenes that you wouldn't
19 expect her, things like that? Is that a fair statement?
20
21 Det. Jordan: Yeah.
22
23 Ofc. Nicholas: She's gotten upset with me in the past because of me being
24 non-committal to her as far as like our relationship.
25
26 Det. Kesterson: How as her reaction when you say that? What is the
27 reaction that's telling you she's upset?
28
29 Ofc. Nicholas: I mean they would have been text messages, but just kind
30 of. I'm trying to remember what they would have said.
31 Kind of like she deserves better and.
32
33 Det. Kesterson: Her referring to herself?
34
35 Ofc. Nicholas: Yeah. I don't remember like specifically. It would have just
36 been in reference to me kind of blowing her off at times.
37
38 Det. Kesterson: And being upset about that.
39
40 Ofc. Nicholas: And being. Yeah.
41
42 Det. Kesterson: Okay.
43

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1 Ofc. Nicholas: But I've never known her to like track me down or
2 anything like that.
3
4 Det. Kesterson: You haven't had anything like that.
5
6 Ofc. Nicholas: Not that I'm aware of.
7
8 Det. Kesterson: Any phone calls where she's just ranting and raving with
9 you about things.
10
11 Ofc. Nicholas: No.
12
13 Det. Kesterson: Just mainly text messages that she's upset over the lack of
14 commitment on your part. The potential issue she's seeing
15 with you and Kyla.
16
17 Ofc. Nicholas: Yeah.
18
19 Det. Kesterson: Would that be a fair statement?
20
21 Ofc. Nicholas: Yeah. And just the fact that I was in a relationship and she
22 knows kind of.
23
24 Det. Kesterson: She knows about your fiancée.
25
26 Ofc. Nicholas: Yeah.
27
28 Det. Kesterson: Okay. Is that something you disclosed or did she find out
29 on her own?
30
31 Ofc. Nicholas: We all used to hang out.
32
33 Det. Kesterson: Okay.
34
35 Ofc. Nicholas: We all went out once to Laughs.
36
37 Det. Kesterson: Okay. So she was aware of that.
38
39 Ofc. Nicholas: Yeah.
40
41 Det. Kesterson: Had there been a statement from you that you may have
42 been wanting to get out of that relationship, the relationship
43 with your fiancée? And this isn't directed at you. We're

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1 trying to get some understanding of where, mental capacity
2 of everybody involved here.
3
4 Ofc. Nicholas: I told her that me and my fiancée weren't on good terms at
5 the time.
6
7 Det. Kesterson: And so she probably felt that there was something that may
8 have moved forward with your and her relationship.
9
10 Ofc. Nicholas: Probably. Yeah.
11
12 Det. Kesterson: Okay. And then when she found out that there wasn't, what
13 was her reaction to that?
14
15 Ofc. Nicholas: Ah, it was mean.
16
17 Det. Kesterson: Did she just stop talking to you or did she constantly harass
18 you with texts?
19
20 Ofc. Nicholas: No. She didn't really ever like constantly harass me or
21 anything. We just kind of never really talked about it again,
22 I guess. We never really talked about it in general like I
23 said in like August. I mean just kind of the guilt of
24 everything started building up.
25
26 Det. Kesterson: When did the relationship start with her?
27
28 Ofc. Nicholas: I think like early July-ish.
29
30 Det. Kesterson: Were you on swings together?
31
32 Ofc. Nicholas: No. Midnights was the first time we worked together.
33
34 Det. Kesterson: Okay. This whole relationship maybe is a month long.
35
36 Ofc. Nicholas: Maybe a month, month and a half, something like that.
37
38 Det. Kesterson: A month and a half. Okay. All right. So basically she may
39 have her feelings hurt, but it's just kind of. You just kind of
40 stopped talking to each other about things.
41
42 Ofc. Nicholas: Yeah. Honestly any time she would try and have like she'd
43 be mad, I just kind of would stop talking.

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1
2 Det. Kesterson: Okay. And talking is referring to texts, right?
3
4 Ofc. Nicholas: Just text messages. Yeah.
5
6 Det. Kesterson: Never phone calls.
7
8 Ofc. Nicholas: No.
9
10 Det. Kesterson: Okay. All right. Anything?
11
12 Det. Jordan: I don't have any other questions so.
13
14 Det. Kesterson: Okay. Do you have any questions for us that we can answer
15 right now or anything you want to add to what we've been
16 asking you about?
17
18 Ofc. Nicholas: I don't think so.
19
20 Det. Kesterson: Okay. I just want to give you that opportunity. If there's
21 something had we missed something in regards to.
22 Obviously we're really focused in on what occurred on the
23 17th and the fact that she may or may not have disclosed
24 some information about running some plates to you.
25
26 Ofc. Nicholas: Yeah. I don't know if she did. Like I said, it's very well
27 possible that she sent those text messages to me, but I
28 didn't. I stopped reading after she had said that she saw my
29 patrol car there.
30
31 Det. Kesterson: Okay.
32
33 Ofc. Nicholas: And then I just kind of would delete the texts. I think she
34 sent like four maybe after that, that I really didn't read and
35 there would have been like consecutive kinds of things so
36 whatever the last one was, was probably all I would have
37 been able to see like on my iPhone it just shows.
38
39 Det. Kesterson: Right. It shows. Right.
40
41 Ofc. Nicholas: And I really just kind of deleted them cuz I didn't want.
42
43 Det. Kesterson: You didn't want to deal with it.

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2
3
4
5
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7
8
9
10
11
12
13
14
15
16
17

Ofc. Nicholas: Yeah.

Det. Kesterson: Yeah. Okay. We're going to ask that you don't discuss this with anybody.

Ofc. Nicholas: I understand.

Det. Kesterson: It's obviously an active investigation. You know how those work. So at this point, we'll go ahead and conclude this statement, if you don't have anything else to add.

Ofc. Nicholas: No.

Det. Jordan: 13:15 hours.

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OFFICER: Det. Kesterson #275

DATE: September 27th, 2017

TIME: 10:51 hours

LOCATION: MPD substation, 5100 W. Ina Rd.

PRESENT: [REDACTED]

TRANSCRIBED BY: C. Gilbert #333

1 Det. Kesterson: This is Detective Kesterson. Today's date is September
2 27th, 2017. The current time is 10:51 hours. This interview
3 is being conducted reference case number 1709-1132. The
4 interview is being conducted at 5100 W. Ina. With me is
5 [REDACTED] correct?
6
7 [REDACTED] Correct.
8
9 Det. Kesterson: [REDACTED], you work for the Marana Police Department.
10
11 [REDACTED] Yes, I do.
12
13 Det. Kesterson: Okay. How long have you worked for us?
14
15 [REDACTED] [REDACTED]
16
17 Det. Kesterson: And currently what squad are you on?
18
19 [REDACTED] [REDACTED]
20
21
22 Det. Kesterson: Okay. Back around the 17th of this month, there was some
23 information. You had a conversation with one of your
24 fellow officers.
25
26 [REDACTED] Correct.
27
28 Det. Kesterson: Okay. And who was that officer?
29
30 [REDACTED] Dee Dee Cazares.
31
32 Det. Kesterson: Okay. Tell me about this conversation.
33
34 [REDACTED] Looking at the text messages right now. At 7:13 a.m. on
35 Sunday, the 17th, she sent me a text message. The first one
36 said you did not hear this from me, but Dan's a liar. He was
37 at Kyla's new place for an hour last night.
38
39 Det. Kesterson: Okay. When you received that have you had conversation
40 with Dee Dee in the past about something with Dan? And
41 who is Dan first of all?
42

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PRESENT: [REDACTED]
TRANSCRIBED BY: C. Gilbert #333

1 [REDACTED] Dan. His name is Daniel Nichols. He's another police
2 officer.

3
4 Det. Kesterson: Who is Kyla?

5 [REDACTED]
6 Kyla Sylvia is another female police officer we have.

7
8 Det. Kesterson: Okay. It sounds by that, that there's been some
9 conversation with you and Dee Dee reference Daniel.

10 [REDACTED]
11 It was I'd say a month prior to this, maybe not quite that
12 long. She called me on the phone. I was getting early
13 morning conversations. She works midnights [REDACTED]
14 [REDACTED] she
15 called me and she was on her way home, wanting to
16 explain that she had kind of an issue with Kyla the night
17 prior. Essentially Kyla had been unprofessional and rude to
18 an LPO on the radio and it was pretty much heard by all of
19 patrol that was working that evening. Dee Dee said she
20 went to the LPO and expressed to him that she was going to
21 talk to Kyla kind of about her demeanor and the way she
22 spoke to him on the radio. She said that she did speak to her
23 in person and Kyla kind of just dismissed her and what Dee
24 Dee found out after the fact is that Kyla went to the LPO to
25 complain about Dee Dee for basically talking to her about it
26 and that point, my understanding is that the LPO possibly
27 addressed how Kyla's behavior was so essentially she

28 [REDACTED]
29 [REDACTED]
30 [REDACTED]
31 [REDACTED]
32 [REDACTED]
33 [REDACTED]
34 [REDACTED]
35 [REDACTED]
36 [REDACTED]
37 [REDACTED]
38 [REDACTED]
39 [REDACTED]
40 [REDACTED]
41 [REDACTED]
42 [REDACTED]

43 The impression I got from Dee Dee is that she had a very

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PRESENT: [REDACTED]

TRANSCRIBED BY: C. Gilbert #333

1 high opinion of Daniel and that she had heard rumblings
2 about him possibly being involved with Kyla, but that she
3 didn't think that they were true, that she had asked him
4 about it and he said no, it's not true cuz that's my
5 understanding, he is engaged to be married. He has a
6 fiancée. So when talking about Kyla that day that she
7 confronted about her discussion with the LPO Daniel came
8 into the conversation in some way. I don't remember how,
9 but I explained to her that, you know. I would suspect they
10 probably are involved in some fashion and she said no, I
11 don't think so. I don't want to think that cuz Daniel is a
12 good guy and he's told me no. At that point, I told Dee
13 Dee, you know, Kyla is trouble and just stay away from
14 her.

15
16 Det. Kesterson:

Okay. Why does Dee Dee take such an interest in Daniel?

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]
29 [REDACTED]
30 [REDACTED]
31 [REDACTED]
32 [REDACTED]
33 [REDACTED]
34 [REDACTED]
35 [REDACTED]
36 [REDACTED]
37 [REDACTED]
38 [REDACTED]
39 [REDACTED]
40 [REDACTED]
41 [REDACTED]
42 [REDACTED]
43 [REDACTED]
I don't know. I had not asked her directly if there is any
kind of romantic relationship. I know Dee Dee is currently
separated from her husband. She has moved out. If I had to
guess, I would assume that something, some sort of
romantic attachment or something has occurred between
them, but I have not directly asked her that.

Det. Kesterson:

And she has not revealed any sort of statements to you.

No. I can tell from the way that she talks about him she. I
get the impression that she's got I don't want to say kind of
that school girl crush, but there is something there. There is
some sort of admiration there, but she has not told me
directly that she's involved with him in any way.

Det. Kesterson:

Okay. The text says that Dan is a liar, right?

Yes.

Det. Kesterson:

What would she be referring to that he's lying about?

About being involved with Kyla.

Det. Kesterson:

Okay. So that the reference is that Dan is involved with
Kyla and had lied to her about it.

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[REDACTED] Yes. So like I said, when we had talked prior to the text message conversation that ended up being a phone call after the fact, you know, I had told her that yeah, Kyla, she is difficult and she's trouble and like I said, Daniel Nichols came into that conversation and at that time, she's like no, he's not involved with her. He told me he's not involved with her. He's a good guy. I want to believe he's a good guy and so that's how I took that was from our prior conversation.

Det. Kesterson: Okay. When she sent you that text what was your response to it?

[REDACTED] Because she had said Dan's a liar, my response was Nicholas?

Det. Kesterson: Okay. And then what happened?

[REDACTED] She said yup and then she sent me a screenshot of basically where his vehicle was on the mapping system that night in Gladden Farms which is apparently where Kyla is now residing.

Det. Kesterson: Okay. What was the further conversation?

[REDACTED] She sent me the picture of his vehicle and then.

Det. Kesterson: And you're referring to like the patrol map off of our MDC, right?

[REDACTED] Yeah. It's our Spillman map and basically all of our vehicles because they have GPS attached to the vehicles, you can see where the vehicles are at when the officers are logged on so it's essentially a picture of his vehicle, of his patrol car.

Det. Kesterson: Okay. Does it give the time or the date that it was there?

[REDACTED] Let me see if I can pull it up. There's a time stamp on it. It's the time stamp from when the screen was last updated so I don't know if it's the exact time, but the hour is 02:48.

Det. Kesterson: And does it give the date?

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[REDACTED]

No. Not on that picture. You can't see it.

Det. Kesterson:

Okay. So what was further conversation he had with her?

[REDACTED]

So Dee Dee sent me the picture with the text that said I decided to be nosy and ran the plates to this house. It's [REDACTED] I was responding to her initial text about it when she confirmed it was Nicholas and my response prior to her sending me that information was yeah, I'm not all shocked by that. I know you wanted to think the best of him, but it's to obvious with them. Again, we're kind of sending texts at the same time so while I'll getting some from her, while she's sending them to me I'm trying to respond to the one prior, but she said I lied and told him someone asked me to run the plates then explained after why I ran them. My response or the next text message screen for me was that he was on duty there for an hour? She said yes, just under and then that's when I read her the plate, what she had done with the license plate and I said wait, you ran the plates to the house when his car was there? And then she sent me kind of four immediate text messages in a row that said he would have been there longer, but a big call that turned into nothing came out. He was assigned to two and three which are our southern districts and basically where his vehicles was, was in the northern district. She said no, I ran her plates. I was curious to know who he was seeing for so long since his fiancée lives in San Lucas. So I ran two potential homes he was at and one came back to hers. At that point, my response was give me a 21, which is our code for a phone call.

Det. Kesterson:

Okay. So you have a phone conversation with her.

[REDACTED]

Yes. She immediately called me.

Det. Kesterson:

Okay. What was the jest of that conversation?

[REDACTED]

I confirmed what she basically sent a text so you ran these plates because you want to know where he was at. My response to her was. I said Dee Dee, I said we can't do that. I said there's a reason why we can't even run like our next door neighbor's license plate. We can't do that.

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PRESENT: [REDACTED]

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1
2 Det. Kesterson: What was her response to that?

3
4 [REDACTED] She got quiet on the phone. I said if you get called upstairs
5 next week you need to be able to explain this and she
6 admitted that she really can't and I said to her on the phone,
7 that from me now pointing this out to her she realized what
8 she had done and like I explained to her. I told her. I said
9 look it. I asked her about what she did from that point and
10 she said she confronted Daniel.

11
12 Det. Kesterson: Okay.

13
14 [REDACTED] She said she sent him text messages or a text message
15 saying that she knew he was a liar. I don't know exactly
16 what she sent, but on the phone from what I can recall, it
17 was you're a liar. Don't talk to me ever again, you know.
18 I'll work with you as I have to, but. The impression I got is
19 whatever relationship they had or friendship they had is
20 what she was ending via text message with him and at the
21 time of our phone conversation he had not responded.

22
23 Det. Kesterson: Okay.

24
25 [REDACTED] But he knew at that time that she had ran the plate cuz she
26 told him.

27
28 Det. Kesterson: Well, she says that I lied and told him that somebody asked
29 me to run the plates.

30
31 [REDACTED] Yeah. So initially when she got on the phone with me she
32 said that she was. I think what she told him was something
33 about how he runs traffic in that area and so she went up
34 there to kind of see how he stops so much, something kind
35 of excuse, whatever excuse she gave him was something to
36 that nature, but then she said that ultimately she confronted
37 him on it and he was aware that she ran the plates and
38 that's how she obviously realized that he was at Kyla's
39 house and that's why she's calling him a liar.

40
41 Det. Kesterson: Okay. So she verbalizes to you that she ended up telling
42 him that she ran the plates.
43

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[REDACTED] Yeah. That's what I also gathered is from her text messages that she said I lied and told him someone asked me to run the plates then explained after why I ran them so I think maybe she initially told him some story how she got the information, but then ultimately she just confronted him on it and told him. That's the way I took it.

Det. Kesterson:

Okay.

[REDACTED]

So you know I explained to her. I said, you know, you've already confronted Kyla before about her behavior toward the LPO and she immediately went running to the LPO. I said you confronted Daniel. What's to stop him from obviously going and telling Kyla and then her coming and informing somebody that you've done this and can you explain that?

Det. Kesterson:

And what was her response to that?

[REDACTED]

She was very quiet on the phone.

Det. Kesterson:

Okay.

[REDACTED]

[REDACTED]

hadn't realized the extent of what she had done until it was to late or until I pointed it out to her I should say, you know. The impression I get is that obviously this was very much an emotional issue and she acted on emotions and it wasn't until I spoke with her on the phone that she realized the extent of what she had done.

Det. Kesterson:

Okay. Let me ask you a couple questions.

[REDACTED]

Yeah.

Det. Kesterson:

She said that she ran Kyla's plate. Did she tell you she ran any other plate? Did she say ran a series of plates or how did she say that?

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She said she ran the plate to this house. It's [REDACTED]
[REDACTED] On the phone I want to say because of where his
vehicle is on the mapping system I think she said she
narrowed it down to two houses so I want to say she ran
plates possibly at two houses and I don't know obviously
which one she figured out returned to Sylvania. She said our
pool car was parked across the street and so that's how she
knew he was at an officer's house, but she didn't know
which officer. She expected obviously Kyla so I don't
know if she ran plates where the pool car was parked in
front of and obviously that didn't return to anybody
connected to the PD and so she ran the one across the
street. I don't know. The impression I got is that she ran
two houses.

Det. Kesterson:

[REDACTED]

[REDACTED]

Yes, I have.

Det. Kesterson:

[REDACTED]

[REDACTED]

Okay.

Det. Kesterson:

[REDACTED]

[REDACTED]

Correct.

Det. Kesterson:

[REDACTED]

[REDACTED]

Det. Kesterson:

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Det. Kesterson:

[REDACTED]

[REDACTED]

[REDACTED]

Det. Kesterson:

[REDACTED]

[REDACTED]

[REDACTED]

Det. Kesterson:

[REDACTED]

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[REDACTED]

[REDACTED]

Det. Kesterson:

Okay.

[REDACTED]

[REDACTED]

Det. Kesterson:

Okay.

[REDACTED]

[REDACTED]

Det. Kesterson:

Okay. But you're familiar with the fact that when we take ACJIS tests there are questions on there because we all have to take them, correct?

[REDACTED]

Correct.

Det. Kesterson:

There's questions about when you can and can't run them. Are you familiar with the fact that we're not allowed to run anything for our personal?

[REDACTED]

Yes. I am aware of that.

Det. Kesterson:

Okay. Did you get that training in the academy?

[REDACTED]

I want to say yes. [REDACTED]
[REDACTED]

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1
2 Det. Kesterson: Okay.

3
4 [REDACTED] I know we have to, you know, renew our ACJIS
5 certification. I want to say it's yearly I think, every two
6 years. I know that's why I used the example of the
7 neighbors with her because that's what popped in my head
8 as far as I know it's probably a similar question on the test,
9 if not that question. You can't just go run your neighbor's
10 license plates whether it's just because you want to or not
11 for your own personal gain. I know that's why I used that
12 example with her so.

13
14 Det. Kesterson: And this was on the phone conversation.

15
16 [REDACTED] This was on the phone conversation and I told her that. I
17 said Dee Dee, there's a reason why we can't run our
18 neighbor's license plate. You can't do that.

19
20 Det. Kesterson: Okay. And you're her response was nothing, right?

21
22 [REDACTED] She was very quiet. Like I said, I think at that point she
23 realized what she had done.

24
25 Det. Kesterson: Okay. Any other conversations you have had with her
26 reference Daniel or?

27
28 [REDACTED] I want to say I've only had two conversations with her
29 regarding Daniel. The first one was [REDACTED]
30 [REDACTED] he
31 had shown up for something. He was bringing her phone
32 charger or something and she's asked me a couple of times
33 about [REDACTED] and kind of what her reputation is.
34 They went to the academy together. I suspect they're
35 friends. I think she genuinely does want to try and see that
36 [REDACTED] successful and I explained to her what's why,
37 well, he follows her around everywhere and you know. If
38 you watch our screen system when they're on duty it's very
39 obvious that she is a constant back up or he is her constant
40 back up and I explained that to her and what she told me
41 and again, this is where I could tell she had some sort of
42 close relationship with Daniel. To the extent, I don't know
43 what, but she said well, I talked to him about that and he

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didn't know that was her reputation so he's not going to follow her around anymore and that was kind of the jest of that conversation so that was that one and then the second time would be when she confronted Kyla regarding her behavior on the radio and this would be the third incident.

Det. Kesterson:

Okay. Do you get the impression that Dee Dee has a pretty good working understanding of expectations of law enforcement and what we can and can't do? I mean like use of force and stuff like that. There's always.

[REDACTED]

You know, as far as we have a lot of newer officers. She's one of them, but she is a good cop. She's a good police officer. Putting this incident aside, she has good morals, good values. She is in a uniform for the right reasons. She wants to help people. [REDACTED] She's respectful. I've seen her on calls when she's been on her own and she does a good job. She does good investigations. She wants to do right by the department. I think that again, this was a terrible error in judgment on her part that was fueled with emotions from whatever is going on between her and Daniel.

Det. Kesterson:

[REDACTED]

[REDACTED]

No. I never had a single problem with her. She's actually I think very cautious. [REDACTED]

[REDACTED]

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Det. Kesterson:

[REDACTED]

[REDACTED]

[REDACTED]

Det. Kesterson:

Okay. Anything else that I haven't asked you about reference this specific incident?

[REDACTED]

No.

Det. Kesterson:

Anything else you want to add? I know you have a high opinion of her. We understand that. I just wanted to see is there anything that I'm missing reference the incident.

[REDACTED]

No. You've covered it all.

Det. Kesterson:

You have it on your email, correct?

[REDACTED]

I have them on my text messages.

Det. Kesterson:

On your text messages. Can you forward those to me?

[REDACTED]

Yes, I can.

Det. Kesterson:

Okay. We're going to go ahead and conclude this statement. It's 11:14 hours.