

Marana Police Department  
Office of Internal Affairs

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**Administrative Investigation**

**Reference: OIA # 2017-IA-016**

**Investigator: Sgt. Chris Warren**

**Supplement Report:**

On October 11, 2017, an Internal Affairs Investigation was opened in reference to Officer Kyla Sylvia and Officer Keith Storms. The Marana Police Department received information a citizen may have witnessed the two officers engaged in sexual conduct while on duty.

**Investigative Details:**

On October 11, 2017, Captain Roberto Jimenez made contact with a [REDACTED] via telephone. [REDACTED] was reported to have information pertaining to a female citizen who witnessed the alleged sexual conduct. [REDACTED] confirmed [REDACTED] knew the citizen who had witnessed the incident. The citizen had told the [REDACTED] [REDACTED] she had been on a walk near the lake area on the north side of Continental Ranch. During her walk, she observed a male officer and a female officer who appeared to have a strong attraction to each other. The two officers then got into one of the patrol cars and one of their heads was seen going down toward the lap area of the other officer. [REDACTED] reported the citizen was very hesitant to report the incident. [REDACTED] said the citizen would be willing to make a statement, however she requested to remain anonymous.

On October 12, 2017 at approximately 1815 hours, I received a phone call from the citizen who had witnessed the alleged inappropriate conduct. The female citizen requested to remain anonymous and did not want to provide any personal information.

The citizen reported on Friday, July 28, 2017 at approximately 8 p.m., she was on the walking path near the lake area on the north of Continental Ranch. She stated it was still light outside when she first observed a male and a female police officer standing near the lake. Both of the officers were wearing navy blue police uniforms and there were two black and white police cars parked nearby. One of the police cars was a SUV and the other was a sedan. She described the female officer as having a thin build, approximately 5'6" tall, blond hair that was pulled up, Caucasian, and was in her mid-late 20's. The male officer was described as thin build, slightly taller than the female, mid-late 20's, Caucasian, and dirty blond hair. The citizen thought they made a nice couple and could tell there was more between them than just coworkers. She said their body language was as if they were a new couple just getting started. The citizen said she walked past them and continued on her walk.

At approximately 8:45–9:00 p.m., it was now dark and she was now walking back home. She observed the officer's vehicles were now parked a short distance away from where she had seen them earlier. She said they were now parked facing the opposite direction with a small distance between cars. The citizen appeared to have a clear memory of the events of that evening. She was able to provide details up to the point when she was asked if she had seen them in the same vehicle together. It was at this point she became nervous and was reluctant to say what she had in fact seen. When I asked her if it was possible that both officers were in the same vehicle, she

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told me it was possible. She continued to be nervous and reluctant to say anything more about the officers being in the same vehicle or what she had witnessed them doing. She said she did not want to say anything more because she wasn't trying to get anyone in trouble.

The MPD command summary for July 28, 2017 showed squad 3 was on duty at the time of the complaint. The area where the citizen reported the incident is located in MPD district 2. The command summary showed Officer Keith Storms and Officer Kyla Sylvia were assigned to district 2 on that date. Officer Storm's patrol vehicle is a Chevrolet Tahoe and Officer Sylvia drives a Ford Crown Victoria. Officer Storm's and Officer Sylvia's general characteristics and descriptions match the description given by the citizen.

A review of the radio logs for July 28<sup>th</sup> confirmed Officer Storms and Officer Sylvia were both working on that date and assigned to district 2. A review of the GPS coordinates from their patrol cars confirmed they were in the vicinity of the lake during the times the citizen reported.

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**Administrative Investigation**

**Reference: OIA # 2017-IA-016**

**Investigator: Sergeant Chriswell Scott**

**Background:**

On July 28, 2017, Ofc. Storms and Ofc. Sylvia were on duty and assigned to district 2. Their assigned shift was from 1400-2400 hrs. Ofc. Storms and Ofc. Sylvia spent several hours together at El Rio Neighborhood Park and the Marana Disc Golf Park. Both parks are near one another in the area of Coachline/Oak Stream.

A citizen mentioned to [REDACTED] a few days later that on the above noted night, it appeared that two Marana PD officers (male officer/female officer) at the same above listed parks were in the same patrol vehicle and that the female officer may have been performing oral sex on the male officer. This information was not reported to the Marana PD Chain of Command until October 10, 2017. Sgt. Warren was tasked with vetting the complaint. On October 12, 2017, Sgt. Warren spoke with the citizen, who provided a brief statement, but wished to remain anonymous. Please see Sgt. Warren's OIA supplement report for further information.

It was determined that Ofc. Storms and Ofc. Sylvia were the two officers that the citizen was referencing by the citizen's description of the officers, description of the patrol vehicles, Spillman GPS logs, and the officers later admitting that they had been at the parks during the period that the citizen stated.

Ofc. Storms and Ofc. Sylvia work together on the same shift and are in the same squad.

Both officers denied being in the same patrol vehicle or engaging in any inappropriate or sexual behavior on July 28, 2017.

Ofc. Sylvia admitted to giving another on-duty Marana PD employee, Ofc. Nicholas, oral sex in the same location on a different occasion during the same general date range while she was off duty. Ofc. Nicholas refused to answer any questions reference this investigation; after reading and signing the Employee Administrative Interview – Advice of Rights / Notice of Investigation and being advised that he was compelled to answer questions.

Ofc. Sylvia also admitted to sharing nude pictures of herself via her phone and manually stimulating Ofc. Storm's penis with her hand on a different occasion during the same general date range in the area of Twin Peaks/Tiffany Loop, while both were on duty and in uniform. Ofc. Storms admitted to reviewing nude photos of Ofc. Sylvia on her phone and placing her hand on his erect penis over his uniform pants, but denied that any manual stimulation occurred. Ofc. Sylvia later backtracked on her account of the incident, and stated that Ofc. Storms may be correct in his account of the incident.

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### Investigative Details:

The following personnel/citizens were interviewed as part of this investigation:

1. Anonymous Citizen - witness
2. Ofc. Keith Storms – subject of investigation
3. Ofc. Kyla Sylvia – subject of investigation
4. Ofc. Daniel Nicholas – subject of investigation
5. Ofc. Brian Neuman – witness (personnel report only)

Each MPD employee was served with a copy of the MPD Employee Administrative Interview – Advice of Rights / Notice of Investigation (NOI) form. Each employee read the form and stated they understood their rights. The forms were signed by each employee and are included in this case file. All the interviews were audio/video recorded and transcribed.

### Summary of Interviews:

Note: See transcripts for complete details on each interview. MPD personnel will typically be referred to by first name for ease of writing and understanding.

#### ***Kyla Sylvia-***

On October 13, 2017, at approximately 1425 hrs, Sgt. Warren and I spoke with Kyla Sylvia in the 2<sup>nd</sup> floor interview room at the MPD headquarters. Kyla is currently assigned to Squad 3 as a patrol officer. Her direct supervisor is Sgt. Joe Miller.

Kyla was admonished that she was required to answer all questions truthfully, and that failure to do so could be grounds for termination. She verbally indicated that she understood this requirement.

Kyla confirmed that she worked 1400-2400 hrs on July 28, 2017, and was assigned to district 2. Her assigned patrol vehicle was a Ford Crown Victoria/Police Interceptor (541). Her supervisor at that time was LPO Brian Neuman, as Sgt. Evans [REDACTED] at that time. She confirmed that she had received instruction from supervisors in the past that she needed to remain highly visible and proactive when not assigned to calls for service.

Kyla stated that she was in the area of the El Rio Neighborhood Park and the Marana Disc Golf Park doing paperwork. Kyla stated she was in the area alone initially, and then Keith Storms joined her. Kyla stated that Keith joined her at approximately 1900 hrs, and that he was driving a 4x4 Chevy Tahoe. Kyla advised that there was no communication between them planning to meet up. Kyla stated that they exited their vehicles and looked at the lake at the park. Kyla advised they spoke with a few citizens in the area. They talked for a while at the lake, then they re-entered their vehicles and moved their vehicles to a dirt area nearby. Kyla then stated that she believed they got to the park area between 1830-1930 hrs, and did not clear until the midnight squad cleared briefing (approximately 2130 hrs). Kyla noted that they were parked

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driver's door to driver's door while they were in their vehicles. Kyla told me they discussed FMLA, finances, home life, etc. Kyla noted that they were initially working on paperwork. Keith had his red interior light on at that point. Kyla noted that they never exited their patrol vehicle after they moved to the dirt area.

We noted that Kyla stated several times thus far that she thought she knew what this interview was about. I asked her why she thought she knew what we wanted to speak with her about. Kyla explained that she remembered that Brian approached Kyla and Keith and told them that they needed to go to work and stop talking. Kyla advised that they kept hitting the "10-8" button to reset the timer during their shift. Kyla acknowledged that there were more productive things she could have been doing with her time.

I asked Kyla what the nature of the relationship she had with Keith was. She told me that it was strictly work-related. I asked her if they had ever had a personal or romantic relationship. She told me they had not, and advised they have never hung out outside of work. She further advised that they don't really even text during the day.

Kyla also stated this particular day stood out to her because a few days later, she was working out with a Marana [REDACTED] who mentioned that there was a rumor going around that "something happened" between Kyla and another officer in the area of the El Rio Neighborhood Park and the Marana Disc Golf Park during the same period that Kyla had been up there with Keith. Kyla told me that the rumor was that two officers (male/female) were in the same area. The female officer allegedly got into the male officer's car and the females head disappeared. Kyla told me the rumor frustrated her because it was inaccurate and that nothing sexual had occurred between Keith and her. Kyla advised that she wouldn't engage in sexual behavior during duty hours.

Kyla advised that she was never in Keith's patrol SUV and he was never in her patrol vehicle. Kyla indicated that they both have gear on their patrol vehicle's front seat, and one of them would have to move their gear for another person to sit in the front seat. Kyla advised that there have been no other times that Keith has been in her patrol vehicle. Kyla told us that she has never been in Keith's patrol vehicle. Kyla advised that she has never had intimate relations with Keith at any time.

Kyla told me she told Keith that a Marana [REDACTED] told her a rumor was going around reference that night. Kyla told me she did not ask the other employee where she heard the rumor. Kyla told us that Keith told her later that he tracked the rumor back to [REDACTED] Kyla advised she did not confront [REDACTED] on the rumor, and did not know if Keith confronted [REDACTED] either. Kyla told me [REDACTED] sometimes sends her messages on Facebook, but that she typically does not respond. Kyla advised that she does not know [REDACTED] very well and that [REDACTED] is rumored to be a gossiper. Kyla advised that [REDACTED] does not text her. She later stated that [REDACTED] texted her a long time ago around the time [REDACTED] I confronted Kyla on the fact that I was nearly positive that I saw a recent text thread on her cell phone from [REDACTED] when we reviewed her cell phone on 9/21/17 reference 2017-IA-014. Kyla then stated that she could not remember if [REDACTED] had texted her. Kyla then stated that she has texted [REDACTED] in the past, but she could not remember

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if she was texting [REDACTED] during the time around 9/21/17. Kyla then commented, "I can't, I'm trying not to incriminate myself" when we confronted her on the discrepancy in her statement. Kyla then stated that she would need to review her phone, but that [REDACTED] has, in fact, texted her in the past.

Kyla did not know why [REDACTED] would start a rumor that she was engaged in inappropriate behavior with Keith. Kyla stated that there were no lights on during the time she was talking with Keith except the light from the MDC. Kyla stated that not even the red interior lights were on while they were talking.

Kyla remembered me speaking with her during the last shift rotation reference rumors that there was an attraction between Keith and her. Kyla remembered me speaking with her about the optics of situations, and how we shouldn't put ourselves in positions where rumors can start. She admitted that she disregarded my counsel, but that it wasn't intentional on her part.

Kyla again stated that the relationship between Keith and her was strictly professional. She also confirmed that there was nothing romantic in nature and nothing outside of work.

Kyla confirmed that she did not notify a supervisor of the rumor of sexual conduct on duty.

Kyla then requested to see any pictures the witness possibly may have taken. I asked her if seeing pictures would change her statement. She said no it wouldn't change the scenario, but that she was just curious to see what the citizen was seeing. Kyla reiterated that nothing happened that night. **\*\*It should be noted that Sgt. Warren and I never told Kyla that the witness took photographs that night\*\***

Kyla told me that she finds Keith attractive, but that she does not know if he feels the same way about her.

Kyla then said that she is a friendly person, and people often mistake that for flirtation.

***Keith Storms-***

On October 13, 2017, at approximately 1551 hrs, Sgt. Warren and I spoke with Keith Storms in the 2<sup>nd</sup> floor interview room at the MPD headquarters. Keith is currently assigned to Squad 3 as a patrol officer. His direct supervisor is Sgt. Joe Miller.

Keith advised that he worked in district 2 on July 28, 2017. He further advised that LPO Brian Neuman was his supervisor that night. Keith remembered that the expectations given to him by supervisors included checking the district code 9 hotspots, remaining proactive, and remaining highly visible.

Keith remembered this particular shift; particularly that he had met up with Kyla during the shift. He stated that we told him there was an allegation of "sexual misconduct", and that Brian had discussed it with him. It should be noted that neither Sgt. Warren nor I had used the term sexual misconduct up until that point. Keith went on to say that during the shift, Brian drove up to where Keith and Kyla were meeting and told

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them that meeting up there did not look appropriate. Brian told them that they needed to leave the area and do police work.

Keith told me that he met up with Kyla near the "Marana Lake." This lake is at the El Rio Neighborhood Park and the Marana Disc Golf Park. Kyla was there first, and was doing paperwork in the paved area. Keith told me Kyla didn't summon him to the area, he just happened to come across her there. Keith told me there were many citizens in the vicinity. He told me they got out of their vehicles at one point and spoke with some people about the birds in the area. At this point, it was still daylight. Keith estimated that he got to the area at approximately 1830-1900 hrs. Keith then told me they re-entered their respective patrol vehicles and moved over to the unpaved area. Their vehicles were positioned driver's door to driver's door. Keith stated they got lost in conversation and Brian eventually drove up and told them to split up. Brian mentioned that it didn't look good that they were out there. Keith noted that it was dark outside when Brian approached their vehicle. Keith also agreed that it is not common for citizens to be in the area of the park when it's dark outside. Keith estimated that he left the area around 2030-2100 hrs, after Brian told him to leave.

I asked Keith if he had heard anyone talk about that night in particular. Keith advised me that Brian was the only person that he had heard discussing that night. When I asked Keith if Kyla had ever approached him and told him she had heard rumors, Keith then remembered a conversation he had with Kyla later about that night. This conversation with Kyla occurred a few days to a week after 7/28/17. Keith told me that a Marana [REDACTED] approached Kyla and told her that a citizen stated that one officer got into another officers patrol vehicle and that the officer's head disappeared, indicating that one officer was performing oral sex on the other officer. Keith then told me that he approached the Marana [REDACTED] to confront [REDACTED] on the rumor and quash the rumor. Keith told me that the Marana [REDACTED] told him not to worry because the source of the rumor, [REDACTED] was unreliable. Keith told me that according to the Marana [REDACTED] [REDACTED] was at another Marana [REDACTED] residence when the rumor was discussed. Keith advised me he discussed the rumors of sexual misconduct afterward with Brian. I spoke with Brian informally on 10/20/17. He told me that Keith did tell him later that there was a rumor going around that Keith and Kyla were at the park together, but Keith did not mention any allegations of sexual misconduct. **\*\*Brian was later served with an NOI and asked to respond to an email that I sent him reference this matter on a personnel report. Brian later said that he didn't recall Keith telling him about allegations of misconduct, but didn't want to say definitively. Please see the attached email and personnel report for further information.\*\***

I asked Keith about the nature of his relationship with Kyla. He told me that Kyla is his co-worker and that they are friends when they're on-duty. Keith told me that he doesn't hang out with Kyla off duty. I asked Keith if he had ever had a romantic relationship with Kyla. He told me that off duty, he has had a sexual relationship with Kyla. Keith followed up by stating that the sexual relationship was a one-time thing. Keith couldn't remember exactly when he had sex with Kyla, but believed that it was after the 7/28/17 shift.

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I asked Keith if Kyla had texted him today. He advised me she hadn't. Sgt. Warren asked Keith if there would be a text message or phone call today between them. Keith seemed to have difficulty remembering if he had communicated with Kyla today. Keith then stated that he spoke with Kyla yesterday via telephone.

Keith denied that he or Kyla were in one others cars the night of 7/28/17. Keith acknowledged hitting "10-8" several times between 1800-2127 hrs. He stated that he hits the "10-8" command so that dispatch doesn't "Code 20" him. Keith did state that he did some paperwork during that period.

Keith advised that he never discussed rehearsing a story with Kyla if they were ever questioned about their actions that night.

Keith then stated that no misconduct occurred that night, nor occurred on any other night while on duty.

Keith followed up later and stated that his sexual involvement with Kyla was a one-time thing, and that nothing had ever occurred on duty. Keith further stated that there had never been any inappropriate activity, touching, kissing, hand holding, with Kyla while on duty.

***Kyla Sylvia-***

Kyla stated that all of her prior statements to me were true. She advised that she was honest with me to the best of her ability.

When confronted with her prior statement involving sexual involvement with Keith, she admitted that her prior statement reference not ever having sex with Keith was false. Kyla then told me that she had sex with Keith once outside of work. Kyla stated that she was separating work and her personal life in her mind. She also confirmed that she was intentionally dishonest with me previously.

She stated once again that nothing happened on 7/28/17 that was inappropriate in nature. She advised that they had sex once, and didn't know for sure if it was before or after 7/28/17. The sexual encounter was generally around the time of 7/28/17. Kyla stated that they have been strictly friends since the time they had sex.

Kyla noted that Keith called her earlier today around 1330 hrs to talk about work. A check of her cell phone log confirmed that Keith called Kyla around 1322 hrs earlier today. She also spoke to him briefly yesterday morning.

Kyla then stated that there was nothing inappropriate that occurred on 7/28/17, nor any other night at work. She stated that they have never done anything inappropriate at work.

Kyla did advise that after they had sex the one time off duty, they both agreed to never discuss their sexual activity with anyone. I asked Kyla if there was ever a discussion of denying having sex, even if they were asked at work. Kyla advised that she didn't remember having that discussion. She did advise that their agreement to never reveal their sexual involvement played a role in her lying to me about their sexual involvement previously. She advised that she didn't want to get Keith in trouble.



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Kyla advised that she had flirted with Keith at work in the past at work, but that no physical contact was made at work. By flirting, she explained that there were sexual innuendos that were made at work. She couldn't remember what type of innuendos were made initially. She eventually stated that they were innuendos about how good the sex was. Kyla generally agreed that they were not work appropriate.

Kyla stated that the night of 7/28/17, there might have been a few comments that were sexual in nature that was exchanged between them. She stated the comments might have been "sexual flirtation".

Kyla once again stated that they were not in one another's vehicle the night of 7/28/17. She stated that she had never been in his car to do anything sexual. We then asked if anything had happened outside Keith's patrol car. Kyla stated that they had stood outside of Keith's patrol car before. We then asked her what she had done outside of his car. She responded, "I know what you're talking about now."

She told us that there was one night at Twin Peaks/Tiffany Loop where they were having a sexual conversation. Kyla advised she showed him a few sexually explicit pictures on her cell phone of herself. Keith got out of his patrol SUV, and she got out of her patrol car. Kyla stated that she touched Keith inappropriately. When asked to explain what that meant, she stated that she touched his penis. I asked if she had touched his penis outside the clothing or inside the clothing. Kyla stated that she believed it was outside the clothing. She stated that she believed that this incident occurred prior to 7/28/17, but wasn't positive. She also admitted to sending him sexually explicit pictures, but that most of that was off duty. We then asked her what else happened outside the vehicle. Kyla indicated that she was trying to think about that night.

Kyla denied having oral sex with any other officers that were on duty. She denied grabbing any other officers' genitals on duty. Then she stated that Daniel was on duty. I asked her if she was referring to another investigation involving Daniel that occurred on 9/17/17 under 2017-IA-014. Kyla stated that it was not on that date, but on another date.

Kyla then stated that one time she was off duty and Daniel was on duty. She stated that she met him in the area of the El Rio Neighborhood Park and the Marana Disc Golf Park, near where she had been with Keith on 7/28/17. Kyla stated that she met up with Daniel at approximately 0100 hrs, but didn't have sex with him. Kyla then stated that she performed oral sex on Daniel while he was on duty.

Kyla stated that she was pretty sure that she only touched Keith outside the clothing. She stated that he didn't take his duty belt off. I asked if Keith unzipped his pants. She confirmed that he unzipped his pants. I asked why he would unzip his pants if she only touched his penis outside the pants. She then stated that he unzipped his pants so he could pull his penis out. I asked her if Keith pulled his penis out. She stated, "From my knowledge, I believe he did." I then asked if she grabbed his penis. She advised that she did. I then asked if she performed oral sex on Keith. She stated, "no, not to my knowledge I don't remember if I did or not but I don't think I did, I don't remember doing it". She then stated that she just grabbed it. She stated that Keith didn't ejaculate, but that he got some enjoyment out of it. Kyla then stated that she gave Keith a hand job. She categorized it as a "quick tease".

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Kyla stated that she was embarrassed, and she felt like she should just quit.

***Keith Storms-***

Keith reiterated that other than the one sexual contact he had previously disclosed, there was nothing else of a sexual nature that had occurred with Kyla. Keith further stated that there had been nothing of a sexual nature on duty with Kyla.

Keith denied ever having sex with Kyla on duty. Keith denied ever receiving oral sex from Kyla on duty. Keith denied ever receiving manual stimulation of his genitals from Kyla on duty.

When asked, Keith acknowledged remembering the incident at Twin Peaks/Tiffany Loop with Kyla. Keith told us that the squad debriefed at Twin Peaks/Tiffany Loop until midnight. The rest of the squad left to go home, and the two of them stayed behind. Keith stated he saw her going through photos. He told us that Kyla showed him nude photos of herself. Keith told Kyla that the photos were causing him to get aroused. Keith advised that told her not to get him aroused. Keith then stated that he stepped out of his patrol vehicle and showed Kyla his erection. Keith then stated that he patted Kyla's hand on his crotch area and said, "see, don't do it". Keith stated that nothing further happened. Keith denied unzipping his pants.

Keith later stated when Kyla showed him the photos, "I grabbed her hand and said, don't get me hard" as he placed her hand on his crotch.

Keith acknowledged that he had previously told me that there had never been anything sexual on duty with Kyla. Keith acknowledged that reviewing sexually explicit photos of Kyla, talking about her giving him an erection and putting her hand on his crotch would qualify as sexual.

Keith admitted that his prior statement that he had not engaged in sexual activity with Kyla on duty was incorrect. When I asked him why he lied to me, he stated that it wasn't his intention. Keith told me that the Twin Peaks/Tiffany Loop incident did not cross his mind when I initially asked about on duty sexual activity with Kyla because he was focused on the 7/28/17 incident.

When asked, Keith stated that he had indeed spoken with Kyla via telephone either yesterday or today. He then said that they spoke this morning. Keith stated that he got mixed up on his days.

Keith admitted to having sexually explicit conversations with Kyla on duty, but could not remember the details of what they had talked about.

Keith then stated that reference the Twin Peaks/Tiffany Loop incident; Kyla showed him one or two sexually explicit photos of herself. Keith then told Kyla that he was getting aroused. Kyla was sitting in her car the entire time. Keith then grabbed her hand and placed it on his erect penis over the clothing. Kyla then patted his crotch and nothing further happened.

Keith stated that he believed the Twin Peaks/Tiffany Loop incident occurred before the 7/28/17 incident.

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Keith told me there was rumor that Kyla and Daniel Nicholas had engaged in inappropriate activity on duty. Keith could not remember who had given him that information.

***Daniel Nicholas-***

On October 16, 2017, at approximately 1034 hrs, I spoke with Daniel Nicholas in the 2<sup>nd</sup> floor interview room at the MPD headquarters. Daniel is currently assigned to Squad 6 as a patrol officer, though he is currently on imposed administrative leave reference an unrelated Internal Affairs investigation. His direct supervisor is Sgt. Art Figueroa.

After reading his NOI to him and verifying he understood the form, Daniel signed the NOI. He then stated that he did not wish to answer questions reference this Internal Affairs investigation. He was admonished that there would be a strong possibility of termination for refusing to cooperate with the administrative investigation. He indicated that he understood, but did not want to answer any questions. I then escorted him back out of the building.

***Kyla Sylvia-***

On October 19, 2017, at approximately 1151 hrs, I spoke with Kyla Sylvia in the 2<sup>nd</sup> floor interview room at the MPD headquarters.

I advised Kyla that I wanted to ask her follow-up questions to the Twin Peaks/Tiffany Loop incident involving Keith. Kyla advised that she had not spoken or communicated with Keith at all since I last spoke with her on 10/13/17. I asked Kyla to explain the Twin Peaks/Tiffany Loop incident again.

Kyla told me that the squad finished their debrief at that location. The other squad members left the location. Debrief started around 2315 hrs. She explained that debrief usually ends around 2355 hrs. Kyla couldn't remember if the incident occurred before or after midnight. She explained that they were each in their separate vehicles in the "45" position with the driver's door to the driver's door, but far enough apart that the car doors could open. The conversation that ensued was flirtatious in nature. Keith then exited his vehicle. A conversation then occurred about the size of Keith's penis. Kyla then stated that Keith then pulled his penis out and she grabbed it. Kyla then said that she "teased him a little bit", then they stopped.

I reminded Kyla that in prior conversation with me she mentioned she showed him sexually explicit photos of herself. Kyla stated that the pictures occurred prior to him getting out of his vehicle. She stated that she showed him the photos from her vehicle by holding her phone out the window, but later stated that he may have gotten out of his vehicle and reviewed the photos. Kyla stated that the details from that night were not clear in her head, she only remembered the basics. Kyla could not recall if she sent him sexually explicit pictures later that night. Kyla stated that this incident was prior to the 7/28/17 incident. Kyla also stated that she believed that the Twin Peaks/Tiffany Loop incident most likely occurred before she actually had sex with him off duty.

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Kyla then stated that she could not remember clearly the details of the conversation about Keith's penis size that night. I noted that she frequently used the phrase(s), "as far as I remember/recall."

Kyla then stated that she couldn't remember clearly if Keith's penis was outside of his pants. She remembered grabbing at his crotch area, but couldn't remember if his penis was out or inside his pants. I reminded her that in an earlier interview, she stated that she manually stimulated his penis with her hand. She then stated that she remembered actually seeing his penis. She then stated that she didn't recall everything that specifically occurred that night.

Kyla stated that the night of the Twin Peaks/Tiffany Loop incident, she was still "10-8" during her interactions with Keith.

I then confronted Kyla with Keith's account of the incident. She remembered her hand on his crotch, but now couldn't recall if his penis was out, or if instead, her hand was on his crotch area over the clothing. Kyla stated that there's a possibility that Keith's account of the incident was correct. Kyla then stated that knowing what she does about Keith's character, she now doesn't think he would actually pull his penis out because he was in uniform and he's professional while on duty.

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**Prior Discipline:**

Ofc. Storms, Ofc. Nicholas, and Ofc. Sylvia have received no formal discipline pertaining to the MPD Discipline Matrix over the past two years.

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**Attachments:**

Internal Affairs Report

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Interview Transcripts

- Anonymous Citizen - witness
- Keith Storms – subject of investigation
- Kyla Sylvia – subject of investigation
- Daniel Nicholas – subject of investigation

Notice of Investigation / Advice of Rights Form

- Keith Storms
- Kyla Sylvia
- Daniel Nicholas
- Brian Neuman

Additional Documents

- Shift Summary Printout for 7/28/17
- Spillman Radio Log History for Ofc. Sylvia and Ofc. Storms on 7/28/17 shift
- 2<sup>nd</sup> Floor 103 Interview Room Audio/Video
- Ofc. Neuman's Personnel Report

Entered by Sgt. C. Scott #407

NARRATIVE (Continued)

TO: Chief of Police

NAME OF PERSON ABOUT WHOM REPORT IS WRITTEN

VIA: Captain

NAME: Officers Keith Storms #430 and Kyla Sylvia #469

VIA: Lieutenant Brunenkant

FROM: JOSEPH MELLER #361

EXECUTIVE REVIEW

*I concurred with Sgt Meller's findings & recommendations*

Lieutenant <i>TB/161</i>	Chief of Police	Captain
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On 10/25/2017 I was assigned to review an administrative investigation, OIA #2017-IA-016, which had been conducted by Sgts Warren and Scott earlier in the month. Ofcs Keith Storms and Kyla Sylvia were the foci of the investigation. My assignment to this matter was due to the fact that I am currently Kyla's and Keith's immediate supervisor. The investigation was in reference to information made available to the Department alleging possible misconduct between the two officers during a shift they had worked together on 07/28/2017. My review included materials provided to me, which were prepared by the investigating sergeants. The key elements that were most relevant during my review can most easily be divided into the following sections: 1) basic/background information, 2) the preliminary administrative interview with Kyla, 3) the preliminary interview with Keith, 4) a second interview with Kyla, 5) a second interview with Keith, and 6) a third interview with Kyla. My findings are as follows:

1) Basic/background information

- The investigation began with an anonymous citizen who had seen two police officers, male and female, "having a romantic moment" in the area of El Rio Preserve, also known as Marana Lake, around dusk and just after nightfall on 07/28/2017. As to whether or not there was a sexual component to this moment, the caller was either genuinely uncertain or unwilling to give detail. The caller felt that, innocent or otherwise, the actions of the two officers "just didn't seem like anything that a police officer on duty would be doing."
- Preliminary investigation revealed Kyla and Keith as the most likely identities of the officers about whom the caller was referring. This was based on the date, the approximate time of day, the caller's physical descriptions of officers and patrol vehicles, and radio log entries.
- On 10/13/2017 Keith and Kyla were each served with proper Notice of Investigation forms, which individually identified them as the focus officers for the investigation. The form explained the allegation and advised them of all applicable rights. Keith and Kyla signed their respective forms indicating they understood their rights.

2) Preliminary interview with Kyla

- During Kyla's initial interview she confirmed that she and Keith were indeed the officers described by the caller. She explained that on the date in question they were at the preserve together from approximately 1900-2130 hrs. During that time Kyla stated she completed a minimal amount of paperwork, walked around the lake with Keith, and "lost track of time" while engaged in personal conversation. To avoid triggering a dispatcher's safety check due to officer inactivity, Kyla admitted she reset her computer's timer several times

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NARRATIVE (Continued)

while meeting with Keith. The two officers only left the area after another officer approached them and explained what they were doing “just looks bad.”

- Kyla admitted that she could have been much more productive with her time, and acknowledged that she knew her chain of command wanted all officers to be proactive frequently throughout their shifts.
- During the preliminary interview the parties also discussed a specific rumor that had developed subsequent to the events of 07/28. The rumor alleged that Kyla had engaged in oral sex with Keith while inside a patrol vehicle on that date. This rumor was brought to the attention of Kyla by another [REDACTED] employee. The employee alleged the source of the rumor was [REDACTED] Kyla was upset about this information and discussed it with Keith.
- Kyla denied there was any legitimacy to the rumor. During the preliminary interview she also stated her relationship with Keith was “strictly work-related.” She claimed they did not socialize outside of work, that they communicate almost exclusively while at work, and that the topics of their conversation were almost entirely work-related. She denied ever having any sort of romantic encounter with Keith that would have registered on a scale ranging from hand-holding to full sexual intercourse.
- Kyla recalled a conversation she had had earlier in her career with Sgt Scott, who at the time was her immediate patrol supervisor. She recalled discussing with him a rumor alleging romantic chemistry between her and Keith. She also recalled Sgt Scott’s counsel at the time that officers should be wary to place themselves in situations that can perpetuate such rumors.

3) Preliminary interview with Keith

- Immediately after speaking with Kyla, Sgts Warren and Scott interviewed Keith, whom they had tentatively identified using the same preliminary information leading them to identify Kyla. The interview occurred subsequent to Keith being served with the aforementioned Notice of Investigation.
- Keith indicated he had been unable to get ahold of his preferred union representative prior to the interview. Before the interview began he sought clarification that he could still speak with said representative about this case, even though the representative was not present during the interview. He seemed satisfied upon learning that this communication was permissible and did not make any requests for further representation.
- Sgts Warren began by explaining they were investigating a citizen’s allegation, and that they had already spoken with at least one other officer prior to this interview. Keith understood this. Sgt Scott then showed Keith a shift summary for 07/28/2017 to help refresh his memory as to his assignment that day (patrol district two).
- Sgt Scott then spoke with Keith about patrol assignments and general expectations. Keith indicated he was aware of expectations while on patrol, as told to him by his supervisors. Those expectations included finding specific ways to be proactive unless assigned to a call for service (traffic stops, security checks, high-visibility activities, etc).
- The conversation turned to specific recollections about the shift Keith worked on 07/28/2017. He studied the shift summary including calls for service he had taken and maintained he had no “independent recall” of that



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## NARRATIVE (Continued)

shift. Sgt Warren ultimately explained that a citizen “saw two officers that were mostly engaged in some type of inappropriate behavior.” Keith responded to this by saying that he now knew what Sgts Warren and Scott were referring to, and that “the only thing that would come to mind initially was Sylvia and I when we were 45 [meeting with one another].” He was still unsure if that incident had occurred on 07/28/2017, as his days tend to mix together.

- Despite being uncertain if this was in fact the date/incident to which Sgts Warren and Scott were referring, Keith seemed to assume that the inappropriate behavior referenced moments earlier by Sgt Warren was specifically “allegations of sexual misconduct.” Keith then went on to explain that he had used that specific phrase claiming that, during the “45” incident he was referring to, an officer had approached him and Kyla concerned that their prolonged presence at a secluded location made it look like they were doing “something sexual in nature.”
- Keith went on to explain the “45” incident in more detail. He stated he had come across Kyla doing paperwork in a paved area near Marana Lake around sunset. He had not intended or made any arrangements to meet with her, and stated that he simply came upon her and stopped to talk, just as he would with any other officer he might encounter in a similar situation. They exited their patrol vehicles, spoke briefly with passers-by, then returned to their patrol vehicles and moved to a dirt area while it was still daylight. He then claims they became “lost in conversation” until an officer came and allegedly said they should “split up” because it did not look appropriate for them to be meeting for so long. Keith believed he met with Kyla around 1900 hrs and stayed at the preserve with her until about 2030-2100 hrs.
- They then ask about any rumors he may have heard “that something may or may not have happened that night.” Keith then stated twice that he had not heard any such rumors. Sgt Scott then asks Keith if Kyla had approached him about any such rumors, to which Keith replied in the affirmative followed by a quick apology.
- Sgts Warren and Scott challenge Keith as to why he is unable to answer broad, open questions until they are followed by much more specific questions. Keith replies that this is because he is trying to figure out what is being asked.
- Sgts Warren and Scott then reiterate to Keith the fact-finding mission of this interview, and their expectations of honesty. They point out specifically that he needs to provide any information related to a question asked, and they warned him about lies of omission. Keith indicated he understood this.
- Returning to the interview, Keith recounted a specific rumor he had heard from Kyla, who in turn had heard it from a [REDACTED] employee. Keith stated that his understanding was that the rumor alleged he and Kyla had at some point engaged in oral sex while together in a single police car in around a time and under circumstances similar to their “45” on 07/28/2017. Keith claimed he spoke with the above employee in an attempt to stop the rumor. Sometime later he claimed to have met with his acting supervisor to discuss the rumor and his dissatisfaction with it.
- Sgts Warren and Scott then direct the interview to Keith’s relationship with Kyla. He described their relationship as “coworkers and friends while we’re on duty.” He is then asked a simple, broad question about whether it has been anything more than coworkers. He answered that they have been nothing but coworkers

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## NARRATIVE (Continued)

while on duty. During more specific probative questions, the type he had been earlier told should not have to be asked, Keith indicated that he does not “hang out” with her off-duty.

- When finally asked the much more specific question, Keith disclosed he had a one-time sexual encounter with Kyla, around and most likely after 07/28/2017. He stated this was the singular time he had ever “hung out” with her off-duty, and later that he does not typically have any contact her by any media (phone, text, etc).
  - When asked specifically if he had talked to Kyla the day of this interview, Keith replied he was not sure. This was because he had talked to her recently, but he could not recall if this was “today.” Despite this lack of recall, Keith was “one hundred percent [positive]” that she had not texted him on the day of this interview.
  - Later in the interview Keith discussed additional details regarding the “45” incident that had been discussed. By this time it appears that Keith is in agreement that this incident occurred on 07/28/2017. He acknowledged that he manually reset his patrol computer’s timer several times to avoid a dispatcher’s status check on him due to prolonged inactivity. Keith acknowledged that he did this from the approximate hours of 1800-2130, and that he should have been “out and about.”
  - After a short break Sgts Warren and Scott resume questioning Keith about his relationship with Kyla and the one-time sexual encounter. By this point Keith is certain that the encounter happened after 07/28/2017. Keith could not remember the exact date, but he did state that he had met her at her residence in Gladden Farms. To get there Keith took an Uber from downtown Tucson, and offered to “download the Uber app” to show interviewers the exact date and time.
  - Sgt Scott then asked “That was the only time?” *It should be noted here that my interpretation of this question was “That was the only one-time thing,” as this had been the term used previously.* Keith replied “yes” to this and when asked maintained “one hundred percent” that nothing had happened on duty, to include any sexual or romantic activity on 07/28/2017.
- 4) Second interview with Kyla.
- Sgts Warren and Scott interviewed Kyla immediately after their preliminary interview with Keith. The first topic discussed was that, while speaking with a commander between interviews, Kyla had brought up the topic of having a Department representative. Sgt Scott asked Kyla if she wanted a representative to be present during the interview, and she stated “no.”
  - Sgts Warren and Scott spoke with Kyla regarding the statements she made during her preliminary interview. They explained the basic steps of administrative investigations, such as the research that precedes interviews, that ideally interviews should merely confirm or clarify what is already known, and that concerns of deception occur when one interview conflicts with what is known. Kyla indicated she understood this information.
  - Sgt Scott then asked Kyla if she had given any information or answers that “were not one hundred percent truthful.” Kyla replied “no” and that she was “honest with [Sgt Scott] to the best of [her] knowledge.”
  - Sgt Scott then addresses the specific discrepancy between the two preliminary interviews, that there was a sexual encounter with Keith. Kyla admitted she “had sex” with Keith outside of work. Several times during the remainder of the second interview she acknowledged she had intentionally lied about and/or omitted this

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## NARRATIVE (Continued)

fact during her initial interview. Kyla went on to state that this sexual encounter had occurred at her residence, noting that Keith had told her he had taken an Uber ride to get there.

- At one point the interview returns to the events of 07/28, during which time Kyla maintains there was no sexual contact between her and Keith but acknowledges some of their conversation was sexual in nature. During this time she claims she realizes what the interviewers are asking about and explains that there was a second sexual encounter between her and Keith.
- The second sexual encounter was separate from the one at her residence. The second encounter took place around midnight, after a squad debriefing, sometime around but not on 07/28/2017, in the area of Twin Peaks Rd. / Tiffany Lp. When she and Keith were alone, sometime around the end of their shift, she showed Keith nude pictures of herself and manually stimulated his exposed penis, but not to completion. During this time they were outdoors, in the area of Twin Peaks / Tiffany Lp, in police uniforms and near marked police vehicles.

### 5) Second interview with Keith

- Immediately after Kyla's second interview, Sgts Warren and Scott conducted a second interview with Keith. They began by clarifying the details he had provided regarding his one-time sexual encounter with Kyla at her house. At this point the terminology had changed, and when referring to this incident Keith acknowledged that it was correct to say that the two "had sex off duty once."
- Sgt Scott then clarified that, according to Keith' preliminary statements, "there's been nothing else sexual in nature with Kyla," and "there was nothing [sexual] that happened on duty with Kyla." Keith replied "correct" to both statements.
- Sgt Scott then asked Keith if he had ever had sexual intercourse with Kyla while on duty, if he had ever received oral sex from her while on duty, and if she had ever manually manipulated his genitalia while on duty. Keith replied "no" to all these questions.
- Sgt Scott then made the following statement: "Specifically reference the [manual genital manipulation], in the area of Tiffany Loop and Twin Peaks, where potentially maybe she showed you some nude photos of herself and then then you proceeded to unzip your pants." Immediately after this statement was made, both Sgts Warren and Scott made it a point to caution Keith to be very deliberate about his answer. Sgt Scott then reframed the statement into a question by asking Keith if he had ever engaged in any sexual activity with Kyla at that location after having seen nude pictures of her. Keith answered "yes."
- Keith was then asked to elaborate what happened after having been shown nude photographs. Over the course of eight additional questions or clarifying statements from investigators, Keith mentioned his own actions and statements toward Kyla. This included exiting his vehicle, motioning or grabbing at his crotch, and making statements such as "don't get me hard." Only when he was specifically admonished a third time about the importance of honesty and deliberate answers did Keith make the following statement as to what happened next: "My pants never came undone, I said don't get me hard then she grabbed my leg."
- At this point Sgts Warren and Scott were clearly unconvinced, and made what sounded to be a very earnest, fourth appeal to Keith to ensure that he maintained his integrity when answering their questions. When Keith replied that he understood, they asked him to be "completely honest with what happened that night."
- In response to this inquiry, Keith stated that they were in the area of Twin Peaks / Tiffany Lp for a squad debriefing. As it became midnight (end of shift) everyone left the area, except for him and Kyla. He then

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## NARRATIVE (Continued)

stated the following: "I saw her going through some photos and I said 'don't get me hard' and then I patted her hand on my crotch area and said 'see, don't do it' and that was it." On immediate subsequent questioning Keith maintained that this was the extent of the incident.

- Sgt Scott then reminded Keith that, during his initial interview, he had stated that nothing sexual had ever happened on duty (there is an inaudible statement made by Keith, but it seemed to have little impact on the remainder of the interview). Keith agreed that he had made this statement, Sgt Scott indicated that, in his opinion, this incident would constitute a sexual act. To this Keith replied "right, absolutely."
  - Later in the interview, Sgt Scott asked Keith several times and in different ways whether or not he agreed that the version of events to which he was admitting was a sexual act. Each time Keith agreed Sgt Scott was correct. The only defense he offered as to why he had not provided this information much earlier was that the event did not register because he was too focused thinking about the incident at Marana Lake.
  - Keith believed this incident most likely took place after 07/08/2017 (summer shift change) and before the incident that occurred at the El Rio Preserve on 07/28/2017.
  - After a short recess Sgts Warren and Scott direct the interview to Keith's recent communication with Kyla. Sgt Scott reminded Keith that earlier he had either spoken with Kyla on the day of this interview or the previous day. Keith was still unsure about which day it had been, but ultimately settled on saying that it had been "today" (day of this interview). Keith's explanation was that he had been unsure because he had mixed up his days. This discrepancy prompts yet another discussion between Sgts Warren and Scott and Keith about the importance of integrity during this interview.
  - Keith explained that the topic of conversation during this phone call was the fact that something had happened to another officer. Based on the context of this statement Keith was referring to an officer who had recently been placed on imposed leave due to a different internal investigation.
  - Sgt Warren then noted that earlier Keith had mentioned that any communication with Kyla outside of duty hours was a rarity. Keith's response indicated that such communication was more frequent than what he had stated initially, but that it was "not a regular thing." He then admitted to having sexually explicit conversations with Kyla while at work.
  - Sgts Warren and Scott then returned to the incident that had occurred at Twin Peaks / Tiffany Lp. Keith stated that the squad debrief commenced around 2345 hrs that night, and that everyone had left "shortly after midnight." Keith then recounted the sexual activity that occurred without offering any new details, other than saying that afterward they had made some sort of arrangement to "hang out" at a later time.
  - Toward the end of the interview Sgt Scott recounted earlier discussions, in which Keith confirmed that, aside from a "one-time thing" at Kyla's house, nothing sexual had occurred on-duty or off-duty. Keith recalled making that confirmation, and admitted that had been a lie.
- 6) Third interview with Kyla
- Sgt Scott interviewed Kyla a third and final time on 10/19/2017. The explanation given was to clarify some statements that were made days earlier during her first and second interviews. They explained to Kyla that it was in reference to the OIA #2017-IA-016, that she was still subject to the same Notice of Investigation served to her on 10/13/2017. Kyla declined when asked by Sgt Scott if she would like a Department representative during the interview.

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NARRATIVE (Continued)

- During the interview Sgts Warren and Scott asked Kyla questions primarily pertaining to the sexual incident she had disclosed, which had taken place in the area of Twin Peaks Rd. / Tiffany Lp. Kyla could not recall the specifics of the actual date, but that it had occurred before 07/28/2017 and most likely after they had had sex one time off duty.
- Kyla was very non-committal during many of her answers but generally maintained that, to her recollection, Keith' penis was exposed, outside of his clothing, when she touched it. Preceding this contact, Kyla explained that she and Keith engaged in "flirtatious conversation," and she had shown him nude pictures of herself.
- After being told of Keith' recounting of the incident, Kyla began agreeing with this version, claiming that she was uncertain about what actually happened. This was despite giving fairly specific details of what had occurred both before and after the physical contact.

Based on my findings I have determined that together, Kyla and Keith committed the following violations of the Marana Police Department General Orders:

- **GO 130.7 – General Standards of Expected Conduct**

During the above-detailed incident that occurred in the area of Twin Peaks Rd. / Tiffany Lp., Kyla and Keith engaged in "conduct, whether on or off duty, which [was] unbecoming or detrimental" to their positions as a Marana police officers. While there are some discrepancies in their statements, what is not in dispute is that Kyla manually manipulated Keith's genital area after showing him nude photographs of herself, shortly before or just after their duty shift. During this time both subjects would have been easily identifiable as Marana police officers in uniform, standing near marked Marana police cars, in an area of Marana near the intersection of two arterial roads.

Such actions and decisions mark a gross deviation from the standard of conduct of a Marana police officer. Correct interpretation of the order is that such conduct is prohibited *per se* and does not necessitate actual discovery by another in order to be applicable. In this case both officers should have recognized that such actions in a public place could have been observed, regardless of any precautions they may have made, and that those actions should have been avoided due to the adverse reflection they would have had upon themselves, the Department, and law enforcement in general.

- **GO 130.25(C) – On Duty Conduct Standards, Prohibited On Duty Conduct**

During their shift on 07/28/2017, Kyla and Keith spent approximately 2.5 hrs in the area of the El Rio Preserve. Some legitimate law enforcement activity reportedly occurred, such as completing a small amount of paperwork, becoming more familiar of an area within their assigned district, and brief interactions with the public. However, neither Kyla nor Keith were able to provide a compelling law enforcement reason for spending one quarter of a 10-hour shift together in that area. Kyla admitted they spent much of their time talking about subjects not at all related to law enforcement, some of which were sexual in nature.

Kyla and Keith were well aware of long-standing orders from their chain of command to be proactive during periods when there are few calls for service. Kyla admitted that she manually reset her timer at intervals sufficient to avoid a dispatcher's safety check due to inactivity. Because of this she had to have been well aware

of the amount of time being spent at the preserve, and should have known that such activity or lack thereof detracted from her known obligations and responsibilities while on duty.

Based on my findings I have determined that, during his administrative interview, Keith committed the following violation of the Marana Police Department General Orders:

- **GO 130.19 – Untruthfulness**

Based on my review of Keith's administrative interviews, I found that Keith withheld information that should have been given during broadly-asked questions. The most egregious example of this occurred during his first and second interviews, when during each he confirmed that nothing sexual happened between himself and Kyla at any time other than a one-time sexual encounter at her residence. It was only when he was provided with very specific information to the contrary that he disclosed the incident near Twin Peaks / Tiffany Lp. Several times during the interview Keith agreed with interviewers that, based on the totality of his version of events, the incident was clearly sexual in nature; and at one point he even agreed that his statement alleging there had been only one sexual encounter was a lie.

Keith's only defense for this discrepancy was that he was thinking about the original incident at El Rio Preserve at the time, which is why the other incident did not register with him, however I reject this explanation. During Keith's initial interview he admitted to losing track of time while talking with Kyla, yet had very specific recall of the event and the topics of conversation. He also initially explained that his relationship with Kyla has always been strictly professional. However, after learning interviewers had knowledge of the Twin Peaks / Tiffany Lp incident, he then disclosed additional details about their relationship, namely that they had frequently spoken about sexually-explicit topics relative to their relationship.

Another important point to be noted when discussing Keith's disclosure of the Twin Peaks / Tiffany Lp is the manner in which he actually disclosed it. After he first admitted that Kyla had manually manipulated his genitalia during that incident, he was asked to explain and elaborate on what had happened. Despite eight additional questions and clarifying statements, Keith initially explained that the incident culminated with Kyla only touching his leg. Keith's story then changed to the extent that she touched his genitals over his clothing, and then again to say that he took her hand and placed it on his genitals over his clothing.

Another issue I find difficult to believe is Keith's memory of when he had last spoken with Kyla, relative to their interviews on 10/13. Keith is unable to remember if he had talked to her on 10/12 or 10/13, when in fact he had talked to her on both days. Keith clearly demonstrates the ability to remember specific information from months ago, particularly when those facts are inconsequential or already-known (ie, he remembered speaking with citizens about pelicans and other birds while at the preserve, he remembered speaking with his supervisor about a rumor while they were at a Chipotle restaurant, etc). Despite this, Keith claims he cannot remember his last conversation with Kyla, despite clear evidence that such a conversation had taken place a mere 2.5 hrs before his preliminary interview, and despite the fact that he actually recalled the specific topic of that conversation.

One could attempt to argue that the above discrepancies listed under this general order section could be attributed to semantics the lack of agreed upon definitions for specific phrases used during the interview (such as sexual activity). However, this notion is defeated by Keith's own agreement that at he should have

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**NARRATIVE (Continued)**

initially disclosed the Twin Peaks / Tiffany Lp incident much earlier than he did during his interviews. During the interviews, Keith habitually demonstrated a pattern of omitting material facts when properly asked, to the extent that I can only identify it as intentional dishonesty. These omissions were despite countless advisories from his interviewers, who at times went so far as to deliberately stop him from answering a question so that they could remind him about the importance of total honesty.

Based on my findings I have determined that, during her administrative interview, Kyla committed the following violation of the Marana Police Department General Orders:

- **GO 130.19 – Untruthfulness**

During her initial interview, which had clearly been identified to her as an administrative investigation, Kyla made untrue oral statements concerning her relationship with Keith. She repeatedly denied that any sexual activity had ever occurred between the two, either on or off duty. After being given a break of approximately one hour, the interviewers commenced a second interview with Kyla. At the beginning of that interview they spoke at length about honesty truthfulness, and even ensured that she was aware that interviewers were speaking to anyone who was involved. Kyla understood all this and maintained that all of her previous statements were true to the best of her knowledge.

Kyla only admitted to having a brief sexual relationship with Keith after learning what he had told the investigators. In her second interview she repeatedly acknowledged that she had intentionally lied to the interviewers about this fact. During this interview she also disclosed the second sexual encounter at Twin Peaks Rd / Tiffany Lp unknown to the investigators at the time, which clearly should have been mentioned during the first interview based on the specific questions asked.

I have reviewed the above policy violations for both officers and recommend that Keith and Kyla be subject to discipline. Of the violations listed, I have determined that the most serious violation for both officers is their untruthfulness during their respective administrative interviews. In these cases, the untruthfulness is to the extent that it should be classified on the Marana Police Department's Discipline Matrix as a violation type-E. This is the most serious violation type and reserved for the most serious types of violations. Untruthfulness is included there for good reason, along with other extremely serious offenses such as felonious conduct or excessive force with serious injury. Based on the reason for and manner in which each officer lied, I find that their decisions and statements damage their integrity and trust beyond repair.

Taking all of the above into account, and regarding the policy violations listed above, I hereby make the following disciplinary recommendations, in accordance with the Marana Police Department's Discipline Matrix:

- Keith Storms: Termination
- Kyla Sylvia: Termination





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NARRATIVE (Continued)

TO: Chief of Police

NAME OF PERSON ABOUT WHOM REPORT IS WRITTEN

VIA: Deputy Chief

NAME: Officer Nicholas #466, Officer Sylvia #466, Officer Storms

VIA: Captain

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**EXECUTIVE REVIEW**

Captain	Chief of Police	Deputy Chief
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**OIA #2017-IA-016**

I have reviewed internal affairs case 2017-IA-016 to include all audio, video and transcribed statements.

On October 10, 2017, a rumor came to my attention regarding possible sexual misconduct involving two Marana police officers near Marana Lake. After conferring with the Chief, we directed Internal Affairs to conduct an investigation. Internal Affairs was able to track the rumor to [REDACTED] who ultimately conveyed that a friend of [REDACTED] told [REDACTED] about the incident. Internal Affairs made contact with this citizen, who wished to remain anonymous. The citizen told Internal Affairs that she was walking through the Marana Disc Golf Park on Friday July 28, 2017 when she observed two officers, who appeared to be having a "romantic moment" [transcribed statement, anonymous citizen, page 12, lines 17-18].

Officers Sylvia and Storms were identified as the officers in question based on the vehicle descriptions, officers' descriptions, Spillman GPS logs and both officers later admitted that they were at the park for several hours. Both officers denied any sexual activities or behavior between them on duty that day.

During Officer Storms and Sylvia's interviews, both officers failed to report completely, honestly, and accurately all facts and information pertaining to the IA investigation. Several inconsistencies and contradicting statements were noted.

During this investigation, Officer Sylvia also admitted to performing oral sex on Officer Nicholas, while he was on duty, and Officer Sylvia was off duty. This incident allegedly occurred in the area of the Marana Disc Golf Park.

Before this internal investigation was completed, Officer Nicholas and Officer Sylvia resigned their positions with the Marana Police Department and the Town of Marana.

**Findings:**

The following highlights my findings and recommendations for each employee found in violation of department and Town policies:

**Officer Sylvia**

What follows are numerous statements, from Officer Sylvia to internal affairs investigators, which ultimately were determined to be false in violation of:

**General Order 130.19 Untruthfulness**

A. No employee shall knowingly make an untrue statement about a fact, either orally or in writing, in connection with any investigation, assignment or inquiry.

C. Employees are required to report completely, honestly, and accurately all facts and information pertaining to any investigation, whether criminal or administrative, or other matter of concern to the Department.

**Town of Marana Personnel Policies - Section 5-5-5 Grounds for Disciplinary Action**

Grounds for disciplinary action, up to and including termination, include, but are not limited to, the following:

A. Dishonesty, including, but not limited to, intentionally giving false information, intentionally falsifying records or making false statements when applying for employment, lying to supervisors in connection with the employee's job, or an investigation, giving false information or lying about the reason for an absence from work, or falsifying time sheets or other payroll records.

In addition to untruthfulness, Officer Sylvia also violated the following policies:

**130.25 On Duty Conduct Standards**

C. Prohibited on Duty Conduct: Employees are prohibited from engaging in any activity, action, or conduct that detracts from their obligations and responsibilities while on duty.

**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.

**Town of Marana Personnel Policies - Section 5-5-5 Grounds for Disciplinary Action**

Grounds for disciplinary action, up to and including termination, include, but are not limited to, the following:

(O). Inability or unwillingness to perform the assigned job; failure to perform assigned work in an efficient or effective manner.

(R). Any action, on or off the job, bringing discredit to the Town.

- Dereliction of duty on three incidents, the July 28<sup>th</sup> incident where she and Storms spent 3 hours not performing their assigned duties.

- Tiffany Loop and Twin Peaks incident where Officer Sylvia admits to a sexual encounter with Officer Storms while they're on duty.
- The incident where Officer Sylvia admits to giving oral sex to Officer Nicholas, who was on duty.

**Statements:**

- Sylvia statement, page 17, lines 36-42 - Officer Sylvia was asked by Sergeant Warren "Has there been any intimate relations with Officer Storms" Officer Sylvia replied "No." Sergeant Warren then asked "Not at any time?" Officer Sylvia's response was "No."
- Page 27, lines 17-25 – Sergeant Scott "Just to confirm. You're telling me that the relationship between yourself and Officer Storms is strictly a professional relationship?" Sylvia replied "Yes." Sergeant Scott "Nothing outside of work. Nothing romantic in nature?" Again Officer Sylvia replied "No. Nothing at all."
- Page 31, lines 41-43 – "I have never done anything with Officer Storms. Never. The only thing we have done is 45 and talk. That's it."
- Page 32, lines 20-21 – "But there was nothing that happened. I have never done anything with Officer Storms. Ever."
- Page 33, line 18-24 - "No. I can't. I have never done anything on duty at all..."
- Following the first break in Officer Sylvia's interview, Sergeant Scott asked "Was there anything that you told us any of the answers you told us earlier that were not a hundred percent truthful?" Sylvia replied "No...I was honest with you the best of my knowledge" [Page 47, lines 8-15]
- Officer Sylvia finally admits that the initial statements she gave internal affairs investigators when asked if she had ever had a sexual relationship with Officer Storms, were false. See page 48, lines 10-43.
- Page 49, lines 9-15 - Officer Sylvia attempts to obfuscate her response by stating "I guess I was separating work from outside of work like I have never done anything with Officer Storms at work" after admitting she had sex with Officer Storms outside of work.
- Page 49, lines 21-28 – Sergeant Scott comments "Okay, so would you say that you were intentionally dishonest with me? Officer Sylvia replied "I suppose so" and Sergeant Scott countered with "It's a yes or no. Were you intentionally dishonest with me?" Officer Sylvia said "Yes."
- Page 50, lines 15-19 – Sylvia states "The truth is I found Officer Storms attractive. We talk outside of work, not during business hours, not during duty hours. We met outside of work. We had sex once. Nothing else has happened since then. And when we had met up and had sex the night. It was before this incident."
- Page 57, lines 25-42 – after questioning by Sergeants Warren and Scott, Officer Sylvia states "Like we've flirted. We've flirted at work, but there's been no physical contact at work."
- Page 61, lines 4-42 – Officer Sylvia admits to an on-duty incident at Tiffany Loop and Twin Peaks, where she "touched him inappropriately."
- Page 63, lines 19-20 – "I've never done anything sexual on duty. I have never done anything sexual on duty."
- Page 63 starting on line 28 – Officer Sylvia then mentions that Officer Nicholas was on duty

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NARRATIVE (Continued)

- Page 65 line 15, Officer Sylvia admits to giving Officer Nicholas oral sex while he was on duty and she was off duty. This incident allegedly occurred near the same Disc Park on Coachline and Silverbell.

In Officer Sylvia's transcribed statement, page 14. Lines 10-12, Officer Sylvia states "...we kept putting the 10-8 button on our MDC so we kind of like lost track of time. We just got lost in conversation."

There is an officer safety feature in Spillman, Marana's computer aided dispatch system, that alerts the dispatcher when an officer is out on a traffic stop or area check (code 9) over ten (10) minutes or is inactive over an hour. When a dispatcher gets the alert, they ask the officer for their "Code 20," (Status-welfare) and the officer responds with "Code 4" (Okay) and their location. If an officer does not respond or acknowledge the "code 20" then an immediate welfare check by a supervisor or another officer is required. If the officer does not respond with a "Code 4" then officers will respond to the officer's last known location.

Officer Sylvia's statements about sending multiple "10-8" (in-service) messages while meeting with Officer Storms at the park shows a deliberate and concerted effort to deceive her actual location.

There are a total of 74 pages in Officer Sylvia's transcribed statement. Through almost the entire document, Officer Sylvia lies, contradicts herself, or tries to confuse the issues.

**RECOMMENDATION:**

Pursuant to the discipline matrix, these violations are sustained "E" violations: 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.**

**Officer D. Nicholas**

On Monday 10/16/2017, Officer Nicholas was questioned about new allegations made in interviews (2017-IA-016) and refused to answer the Internal Affairs investigator's questions.

In a NOI (Notice of Investigation) form that Officer Nicholas signed, the NOI states: "If you refuse to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to disciplinary action up to and including dismissal from the Police Department"

This admonition on the NOI was explained by Sergeant Scott to Officer Nicholas and Officer Nicholas still refused to cooperate with OIA.

**RECOMMENDATION:**

Based on the evidence presented in this internal investigation, the listed violations are sustained. Pursuant to the discipline matrix, this is a sustained "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.**

Officer Nicholas submitted his letter of resignation on October 18, 2017; regardless the recommendation on this internal investigation is termination.

**Officer Keith Storms**

What follows are numerous statements, from Officer Storms to internal affairs investigators, which ultimately were determined to be false in violation of:

**General Order 130.19 Untruthfulness**

A. No employee shall knowingly make an untrue statement about a fact, either orally or in writing, in connection with any investigation, assignment or inquiry.

C. Employees are required to report completely, honestly, and accurately all facts and information pertaining to any investigation, whether criminal or administrative, or other matter of concern to the Department.

**Town of Marana Personnel Policies - Section 5-5-5 Grounds for Disciplinary Action**

Grounds for disciplinary action, up to and including termination, include, but are not limited to, the following:

A. Dishonesty, including, but not limited to, intentionally giving false information, intentionally falsifying records or making false statements when applying for employment, lying to supervisors in connection with the employee's job, or an investigation, giving false information or lying about the reason for an absence from work, or falsifying time sheets or other payroll records.

In addition to untruthfulness, Officer Storms also violated the following policies:

**130.25 On Duty Conduct Standards**

C. Prohibited on Duty Conduct: Employees are prohibited from engaging in any activity, action, or conduct that detracts from their obligations and responsibilities while on duty.

**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.

**Town of Marana Personnel Policies - Section 5-5-5 Grounds for Disciplinary Action**

Grounds for disciplinary action, up to and including termination, include, but are not limited to, the following:

(O). Inability or unwillingness to perform the assigned job; failure to perform assigned work in an efficient or effective manner.

(R). Any action, on or off the job, bringing discredit to the Town.

- Dereliction of duty on two incidents, the July 28<sup>th</sup> incident where Storms and Sylvia spent 3 hours not performing their assigned duties.
- Tiffany Loop and Twin Peaks incident where Officer Sylvia and Storms admit to a public sexual encounter with each other while they're on duty (both in uniform).

**Statements:**

Officer Storms' answers to IA investigators questions were reluctant, less than forthcoming and required investigators to ultimately confront Officer Storms.

Officer Storms admitted to a single off-duty sexual encounter with Officer Sylvia but denied any sexual activity with Officer Sylvia on duty. See page 22, lines 1-43 and page 23, lines 1-11.

- When asked about the nature of his relationship with Officer Sylvia, Officer Storms replied: "We're friends. Well, we're coworkers and we're friends while we're on duty. We're not in a relationship. We, you know, it's not like we've gone out in public, you know. The nature of our relationship is coworkers."
- Officer Storms was then asked has it been anything other than coworkers and Officer Storms stated: "No. Not on duty. It has not been anything, other than coworkers."
- After more prodding by IA investigators, Officer Storms admits to having a sexual relationship with Officer Sylvia off duty. When asked was this a one-time thing, Officer Storms replied "Yes." Storms was then asked "and nothing since then?" and Storms replied "No"

Officer Sylvia admitted to having a sexual encounter with Officer Storms on duty while in the area of Twin Peaks and Tiffany Loop [Sylvia's statement page 61, lines 29-43].

- When confronted with this information, Officer Storms denied several times to having any sexual activity with Officer Sylvia on duty. See Storms' statement page 40, lines 40-42 and page 41 lines 1-19.
- Page 41, lines 21-42 – Officer Storms is confronted with the information provided by Officer Sylvia about the Twin Peaks and Tiffany Loop incident. Storms is cautioned by investigators to "think truthful" before answering. Storms, then admits to seeing nude photos of Officer Sylvia, approaching Officer Sylvia, who at the time was seated in her marked police car, grabbed her hand and placed Sylvia's hand on his crotch and said something to the effect of "don't get me hard".
- Page 45, lines 1-11 – Officer Storms admits to Sergeant Scott that earlier in the interview Storms told him that there's never been anything sexual between Storms and Sylvia while on duty. Storms, acknowledges his untruthfulness when Sergeant Scott made the following comment: "That was not true. Cuz I think her showing you some photos. You talked about her giving you an erection. You putting her hand on your crotch (sp) is absolutely sexual. Storms replies "Yes, absolutely."
- Page 63, lines 40-43 – Officer Storms states "Like I said, yes, I will admit, you know I didn't forth come all the information and you know, obviously we know that. At Twin Peaks and Tiffany Loop she patted my crouch area and that was it.

There was a noted discrepancy in statements between Sylvia and Storms about the Twin Peaks and Tiffany Loop incident. Both officers' statements were identical up until it got to the point of whether Officer Storms exposed his penis or not. Sylvia initially reported he did, Storms insisted he did not and that Sylvia just patted his genitals over his clothing. Sylvia was questioned again about this detail and said she was not sure anymore and stated:

*"Yes, Because taking from what I know of Keith's character, when I think about it now, I don't think he would have actually pulled it out because again he is in uniform and he has a very professional way of dealing with things so like based off of his character and what I know of him, I don't think he actually would. It's just my memory kind of leans towards that it's not that I'm trying to omit anything or hide that or anything. It's just I'm trying to remember exactly what happened."* [Sylvia last statement page 11, lines 13-21]

Regardless of the specifics, the conduct that both Officers' Storms and Sylvia were engaged in was sexual in nature, inappropriate, unprofessional and created a situation that will adversely impact the professional image of the department.

Officer Sylvia states that Storms called her the day of the interview at 1322 hours, shows her call log to IA investigators. [Page 57 Sylvia's statement line 15-21.]

- Storms denied texting Sylvia the day of the interview. [Page 24 lines 38-42.] Storms was asked "You really can't remember right now if you've talked to Sylvia today on the phone or texted her today? Is that what you're telling me? Storm replies "No, I did not speak to her today. I spoke to her yesterday." [Page 25, lines 16-38]
- Page 53, lines 1-33 Storm's recanted his earlier statement about getting a text from Officer Sylvia the day of the interview.
- Sergeant Warrant confronts Officer Storms with his contradictory statements when he said "This is another example of things that you're saying that turn out not to be true that when we confront you and then it's different..." [Page 53, lines 26-31].

In Officer Storms transcribed statement [page 29, lines 24-43 and page 30, lines 1-35]. Officer Storms admits to hitting the 10-8 button on his MDC multiple times while he is out with Officer Sylvia and explains that is his "normal procedure" and a "habit" he got into to avoid getting "code 20."

There is an officer safety feature in Spillman, Marana's computer aided dispatch system, that alerts the dispatcher when an officer is out on a traffic stop or area check (code 9) over ten (10) minutes or is inactive over an hour. When a dispatcher gets the alert, they ask the officer for their "Code 20," (Status-welfare) and the officer responds with "Code 4" (Okay) and their location. If an officer does not respond or acknowledge the "code 20" then an immediate welfare check by a supervisor or another officer is required. If the officer does not respond with a "Code 4" then officers will respond to the officer's last known location.



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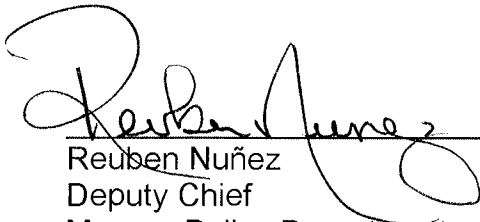
NARRATIVE (Continued)

Officer Storms admits sending multiple "10-8" (in-service) messages while stationary and meeting with Officer Sylvia at the park for three hours and this shows a deliberate and concerted effort to deceive his actual location.

**RECOMMENDATION:**

Pursuant to the discipline matrix, these are sustained "E" violations: 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**.

  
\_\_\_\_\_  
Reuben Nuñez  
Deputy Chief  
Marana Police Department

November 2, 2017  
1030 hours

TO: Chief of Police  
VIA:  
VIA:

REPORT NUMBER(S) IF ANY: 2017-IA-016  
NAME OF PERSON ABOUT WHOM REPORT IS WRITTEN  
NAME: Keith Storms, Kyla Sylvia

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### EXECUTIVE REVIEW

Division Lieutenant	Chief of Police	Captain
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#### Executive Summary

I concur with the findings and recommendations from the Chain of Command concerning Kyla Sylvia and Officer Storms for termination.

#### Details

Kyla resigned prior to the completion of this investigation; however, had she remained she would have been terminated for violations of gross misconduct and untruthfulness as outlined in the personnel reports completed by Deputy Chief Nunez and Sergeant Miller.

Officer Storms was clearly untruthful in his statements to Internal Affairs. In and of itself this is a violation that is not survivable in this profession. However, even if he had told the truth, I believe the details of what occurred at Tiffany Loop and Twins Peaks would have resulted in a recommendation for termination. I think Keith knew this and that was his motivation for lying to investigators. It is equally accurate to conclude that, even though the exact details are not entirely clear, the truth most closely aligns with Kyla's initial version of this incident. It would make no sense for her to further incriminate herself by adding sordid details that did not occur. Especially when you consider the fact she had already admitted to several other career ending actions at that point. Keith had reason to exclude the details provided by Kyla regarding the manner in which she manipulated his genitals, because he knew the truth would have resulted in him losing his job. Despite the fact that Kyla changed her story a week later (after discovering that Keith told a different version of the incident) is immaterial. It was evident to me that she changed her story at that point in an attempt to keep Keith from losing his job.

I find that Officer Storms' untruthfulness and other violations of misconduct as articulated by Deputy Chief Nunez and Sergeant Miller are grounds for termination.



Terry S. Rozema, Chief of Police, November 2, 2017

# Marana Police Department

## Investigation Summary Report

**Case Type:** Internal Affairs Investigation **Case Number:** 2017-IA-016  
**Incident Date:** 07/28/2017 **Date Reported:** 10/10/2017  
**Origin:** Internal **Report Number:**  
**Location:** 11555 W Civic Center Dr  
**Address:**  
**Shift:** Swing **Assignment:** Patrol  
**Status:** Open **Date Closed:**

### Case Summary

Case Summary Item	Date
Internal Affairs Deadline	11/9/2017
Chain of Command Review	12/9/2017
120 Day Deadline	2/7/2018

### Case Tracking

Case Tracking Item	Date
Internal Affairs Investigation	
Chain of Command	
State Mandated Deadline	

### Employee(s)

<b>Neuman, Brian A</b> Supervisor: Miller, Joseph S	<b>ID#:</b> 1322	<b>Badge:</b> 0379	<b>Race:</b> Caucasian <b>Assignment:</b> Patrol	<b>Sex:</b>
<b>Nicholas, Daniel</b> Supervisor: Figueroa, Art M	<b>ID#:</b> 466	<b>Badge:</b> 466	<b>Race:</b> Caucasian <b>Assignment:</b> Patrol	<b>Sex:</b>
<b>Storms, Keith T</b> Supervisor: Miller, Joseph S	<b>ID#:</b> 1662	<b>Badge:</b> 430	<b>Race:</b> Caucasian <b>Assignment:</b> Patrol	<b>Sex:</b>
<b>Sylvia, Kyla</b> Supervisor: Miller, Joseph S	<b>ID#:</b> 469	<b>Badge:</b> 469	<b>Race:</b> Caucasian <b>Assignment:</b> Patrol	<b>Sex:</b>

### Tracking:

### Narrative:

ref allegations ref on duty conduct involving storms and sylvia



**Marana Police Department**  
**Employee Administrative Interview – Advice of Rights/Notice of Investigation**

**Employee name:** Brian Neuman    **Date:** 10/20/17    **Time:** 1445  
**IA #** 2017-IA-016

You are being questioned as part of a Marana Police Department administrative investigation regarding the following:

*A citizen came forward with information reference an allegation of potential misconduct involving Ofc Storms and Ofc Sylvia on a shift you supervised on 7/28/17. You are a witness officer reference this investigation.*

COPIES OF ALL COMPLAINTS THAT CONTAIN THE ALLEGED FACTS THAT ARE REASONABLY AVAILABLE ARE ATTACHED (other than complaints involving matters pursuant to federal laws under the jurisdiction of the Equal Employment Opportunity Commission).

If you believe this investigation could result in a dismissal, demotion or suspension, you may have a representative present during the interview. At the conclusion of this interview, you may consult with your representative and may then make a statement, not to exceed five minutes, addressing specific facts or policies that are related to this interview.

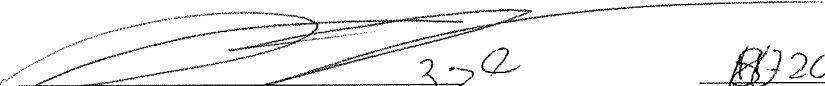
You will be asked questions that are specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself.

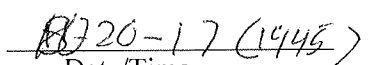
If you refuse to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to disciplinary action up to and including dismissal from the Police Department.

If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental administrative/disciplinary proceedings.

You are being given a direct order not to discuss this investigation, including your interview, with any unauthorized person. Other than the investigating supervisor/s and your representative, you may only discuss this investigation in privileged communications that you may have with your attorney, minister, or spouse

I have read and understand my rights as set forth in this document.

  
Employee Signature

  
Date/Time



**Marana Police Department**  
**Employee Administrative Interview – Advice of Rights/Notice of Investigation**

**Employee name:** Keith Storms    **Date:** 10/13/17    **Time:** 1551  
**IA #** 2017-IA-016

You are being questioned as part of a Marana Police Department administrative investigation regarding the following:

*A citizen came forward with information reference an allegation of potential misconduct involving you and another officer that occurred on 7/28/17. You are a focus officer reference this investigation.*

COPIES OF ALL COMPLAINTS THAT CONTAIN THE ALLEGED FACTS THAT ARE REASONABLY AVAILABLE ARE ATTACHED (other than complaints involving matters pursuant to federal laws under the jurisdiction of the Equal Employment Opportunity Commission).

If you believe this investigation could result in a dismissal, demotion or suspension, you may have a representative present during the interview. At the conclusion of this interview, you may consult with your representative and may then make a statement, not to exceed five minutes, addressing specific facts or policies that are related to this interview.

You will be asked questions that are specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself.

If you refuse to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to disciplinary action up to and including dismissal from the Police Department.

If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental administrative/disciplinary proceedings.

You are being given a direct order not to discuss this investigation, including your interview, with any unauthorized person. Other than the investigating supervisor/s and your representative, you may only discuss this investigation in privileged communications that you may have with your attorney, minister, or spouse

I have read and understand my rights as set forth in this document.

K. Storms #430  
Employee Signature

10-13-17 1551  
Date/Time



**Marana Police Department**  
**Employee Administrative Interview – Advice of Rights/Notice of Investigation**

**Employee name:** Daniel Nicholas    **Date:** 10/16/17    **Time:** 1034  
**IA #** 2017-IA-016

You are being questioned as part of a Marana Police Department administrative investigation regarding the following:

*During an internal query reference allegations of officer misconduct, information came to light reference additional misconduct involving an off duty officer and yourself while you were on duty. The conduct occurred generally around July of 2017 within the town limits. You are a focus officer reference this investigation.*

COPIES OF ALL COMPLAINTS THAT CONTAIN THE ALLEGED FACTS THAT ARE REASONABLY AVAILABLE ARE ATTACHED (other than complaints involving matters pursuant to federal laws under the jurisdiction of the Equal Employment Opportunity Commission).

If you believe this investigation could result in a dismissal, demotion or suspension, you may have a representative present during the interview. At the conclusion of this interview, you may consult with your representative and may then make a statement, not to exceed five minutes, addressing specific facts or policies that are related to this interview.

You will be asked questions that are specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself.

If you refuse to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to disciplinary action up to and including dismissal from the Police Department.

If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental administrative/disciplinary proceedings.

You are being given a direct order not to discuss this investigation, including your interview, with any unauthorized person. Other than the investigating supervisor/s and your representative, you may only discuss this investigation in privileged communications that you may have with your attorney, minister, or spouse

I have read and understand my rights as set forth in this document.

  
Employee Signature

10/16/17 1034  
Date/Time



**Marana Police Department**  
**Employee Administrative Interview – Advice of Rights/Notice of Investigation**

**Employee name:** Kyla Sylvia    **Date:** 10/13/17    **Time:** 1420  
**IA #** 2017-IA-016

You are being questioned as part of a Marana Police Department administrative investigation regarding the following:

*A citizen came forward with information reference an allegation of potential misconduct involving you and another officer that occurred on 7/28/17. You are a focus officer reference this investigation.*

COPIES OF ALL COMPLAINTS THAT CONTAIN THE ALLEGED FACTS THAT ARE REASONABLY AVAILABLE ARE ATTACHED (other than complaints involving matters pursuant to federal laws under the jurisdiction of the Equal Employment Opportunity Commission).

If you believe this investigation could result in a dismissal, demotion or suspension, you may have a representative present during the interview. At the conclusion of this interview, you may consult with your representative and may then make a statement, not to exceed five minutes, addressing specific facts or policies that are related to this interview.

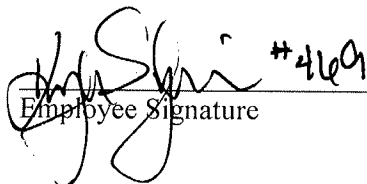
You will be asked questions that are specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself.

If you refuse to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to disciplinary action up to and including dismissal from the Police Department.

If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental administrative/disciplinary proceedings.

You are being given a direct order not to discuss this investigation, including your interview, with any unauthorized person. Other than the investigating supervisor/s and your representative, you may only discuss this investigation in privileged communications that you may have with your attorney, minister, or spouse

I have read and understand my rights as set forth in this document.

 #469  
\_\_\_\_\_  
Employee Signature

10/13/17    14:20  
\_\_\_\_\_  
Date/Time

**Chriswell Scott**

---

**Subject:** Squad 3  
**Start:** Fri 7/28/2017 12:00 AM  
**End:** Sat 7/29/2017 12:00 AM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** MPD Patrol Calendar

Date: 7/28/2017

Shift: Squad 3

Squad Training: Town FMLA Training.

Officer Name & Badge #	Assignment
Sgt. T. Evans #3U1	Admin FMLA
LPO B. Neuman #3L1	10-100
Ofc. B. Barton #K92	Training
Ofc. K. Storms #430	Dist 2
Ofc. J. Rizzi #442	Dist 3
Ofc. A. Alvarez #444	Dist 3
Ofc. C. Chavez #445	At Large
Ofc. Q. Nguyen #454	Dist 1 & 4
Ofc. K. Sylvia #469	Dist 2

Notes:

**No notable calls**

Activity:

Incident Number	Nature	Area	Agency	Officer	When Reported	Disposition	Address	City	State	Complainant
4 1707-1164	911 HANG UP	M2	MPD	Storms, Keith 54	23:15:54 07/28/ 2017	CLU	[REDACTED]	Marana	AZ	[REDACTED]



1707- 1090A M3 MPD Rizzi,V 1:38:01  
1163 B Incent 14  
07/28/  
2017

1707- SUSP M4 MPD Chave 21:14:00  
1162 ACT z,Cryst 28  
al 07/28/  
2017

1707- KCP M3 MPD Rizzi,V 19:37:00  
1161 Incent 43  
07/28/  
2017

1707- VIOL M1 MPD Nguye 12:04:00  
1160 COURT n,Qua 19  
ORDE n 07/28/  
2017

1707- 1051 M3 MPD Rizzi,V 17:55:00  
1159 Incent 11  
07/28/  
2017

1707 1051 M3 MPD Alvare 17:25:00  
1158 z,Aler 06  
07/28/  
2017

1707- THREA M2 MPD Sylvia, 16:59:00  
1157 TS Kyla 01  
07/28/  
2017

1707- CHECK M2 MPD Storm 16:55: CLU  
1156 WELFA s,Keith 55  
RE 07/28/  
2017

1707- 1090A M4 MPD Nguye 15:49: ALW  
1155 R n,Qua 25  
n 07/28/  
2017

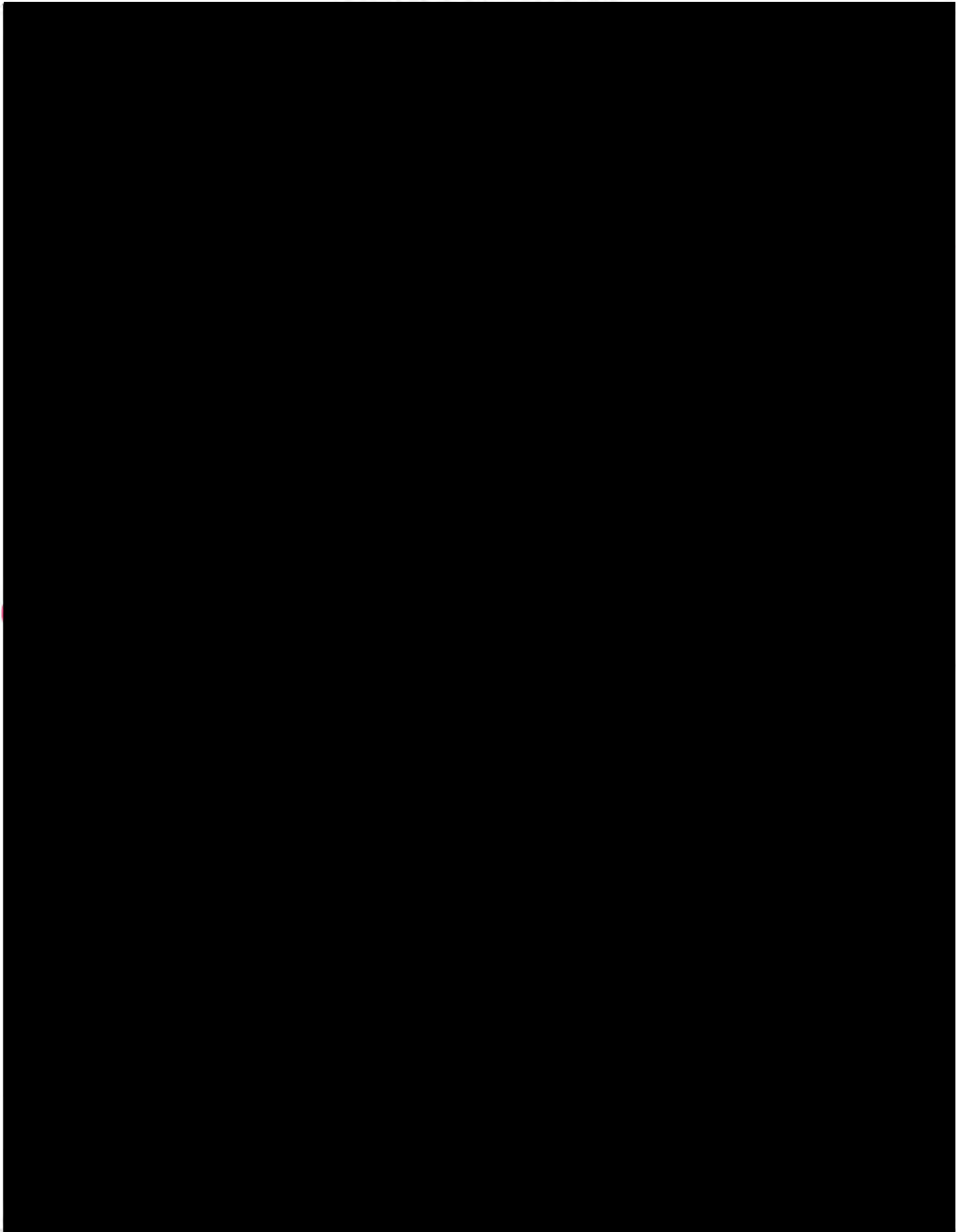
1707- 1051 M2 MPD Rizzi,V 15:29: CLU  
1154 1057 incent 33  
07/28/  
2017

1707- 1088 M1 MPD Shafe, 15:21: CLU  
1153 John 14  
07/28/  
2017

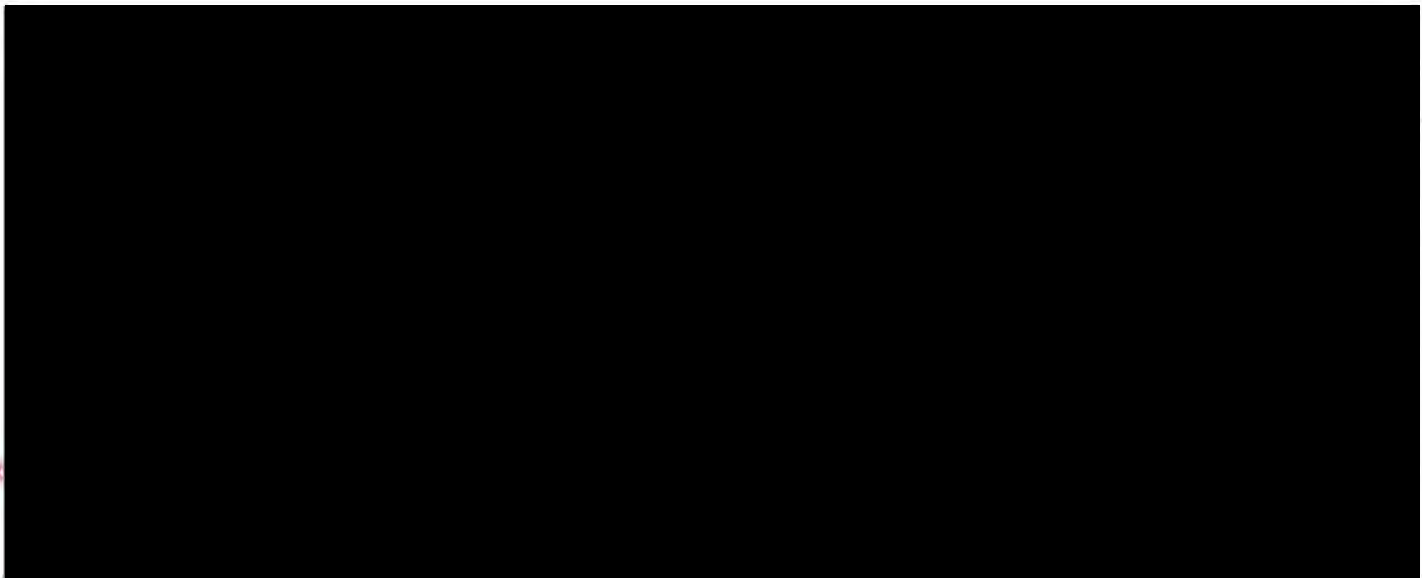
1707- REPG M1 MPD Casull 15:06: ACT  
1152 o,Liehl 22  
a 07/28/  
2017

1707- C18 M2 MPD Sylvia, 14:53: PAA  
1151 Kyla 23  
07/28/  
2017

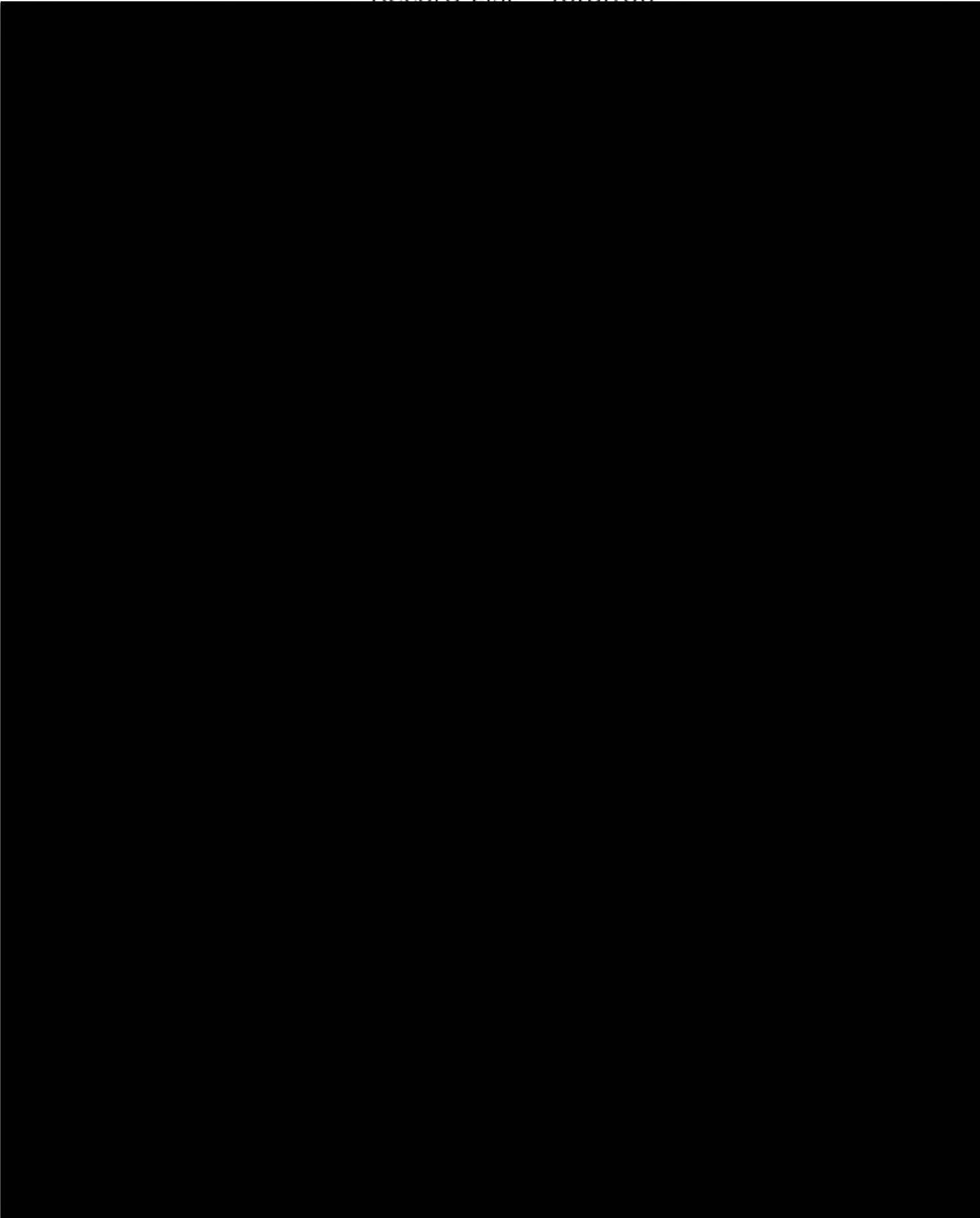
Record List - Total:70



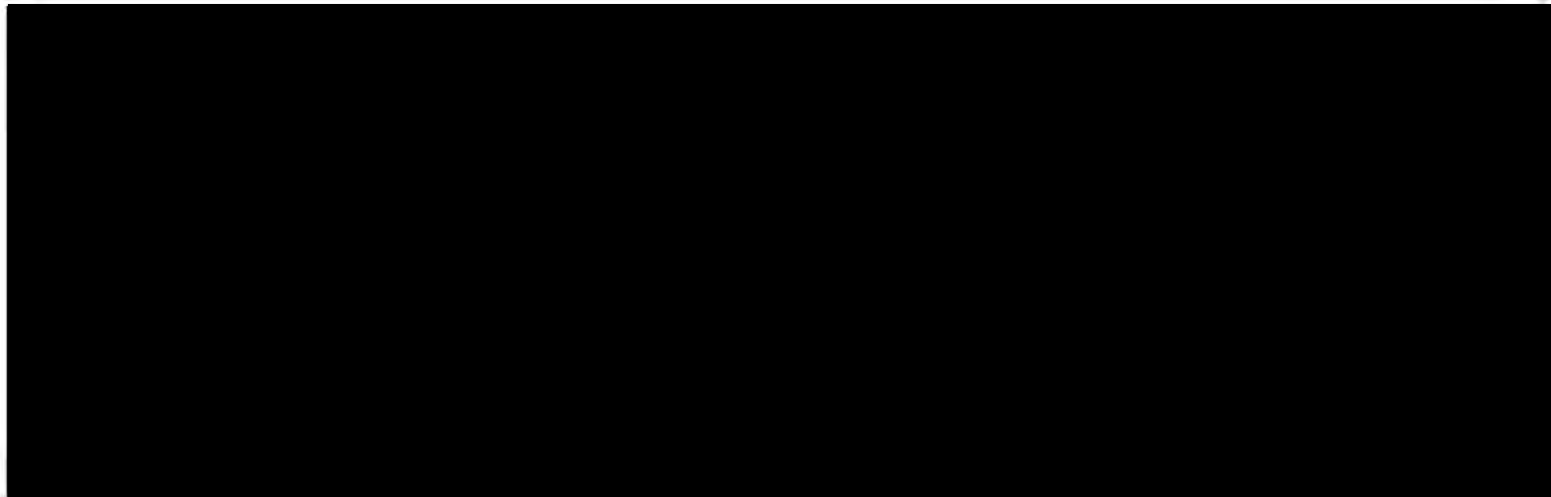
0000-5461



Record List - Total:60



74



**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: Is that fair enough?  
2  
3 Female: Yeah. I appreciate that.  
4  
5 Sgt. Warren: Yeah. Absolutely.  
6  
7 Female: Yes.  
8  
9 Sgt. Warren: So can you just tell me a little bit about. Do you recall this  
10 what day this was?  
11  
12 Female: Yes. It was on a Friday. It was July 29<sup>th</sup>.  
13  
14 Sgt. Warren: July 29<sup>th</sup>. And it was a Friday, you said.  
15  
16 Female: That's correct. Yes.  
17  
18 Sgt. Warren: Okay. And about what time of day?  
19  
20 Female: It was in the evening. It was after work. I would say  
21 probably around 8:00-ish.  
22  
23 Sgt. Warren: Around 8:00. Do you remember if it was still dark out or  
24 sunset or light?  
25  
26 Female: It was light out. When I went by the sun was still out.  
27 When I walked back it was getting a little darker.  
28  
29 Sgt. Warren: Okay. And what area was this in, if you can describe it or  
30 kind of?  
31  
32 Female: It was out by that man-made lake out there on the bike  
33 path, the walking path at Continental Ranch.  
34  
35 Sgt. Warren: Okay. Is that kind of where that disc, Frisbee golf course is  
36 also?  
37  
38 Female: You know, I don't know where that's at. It's just like off of  
39 Silverbell and Coachline, in that area.  
40  
41 Sgt. Warren: Okay.  
42

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Female: There's a couple subdivisions there and then there's the  
2 bike path and it starts and it goes all the way up to Twin  
3 Peaks.  
4  
5 Sgt. Warren: You were just out for walk. Was that correct?  
6  
7 Female: Ah hum. Yes.  
8  
9 Sgt. Warren: If you can kind of tell me what you saw and what  
10 happened. So you're on a walk and you walk along and  
11 what did you see?  
12  
13 Female: Yeah. It was just kind of odd. They were, you know. I  
14 thought they were on their lunch break or whatever and I  
15 thought oh, they make a really cute couple. I mean it was  
16 more than just police officers standing there or you know.  
17 Generally people just generally stand around or what have  
18 you. They were looking at the ducks. It was just. I thought  
19 it was kind of cute. That's just my opinion.  
20  
21 Sgt. Warren: Yeah. I understand.  
22  
23 Female: I mean you could tell that it was more than just work stuff.  
24  
25 Sgt. Warren: And what made you think that? I'm just curious.  
26  
27 Female: Just the way they were kind of standing there. I mean it was  
28 just like seeing a young couple getting started, you know  
29 and then kind of. You could tell by the body language.  
30  
31 Sgt. Warren: I got you.  
32  
33 Female: I don't want to say. I'm sorry.  
34  
35 Sgt. Warren: No. It's okay. Were they wearing uniforms, do you recall?  
36  
37 Female: Yes. They were.  
38  
39 Sgt. Warren: Okay. Do you remember what color the uniforms were?  
40  
41 Female: They were navy blue.  
42



**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: Navy blue. Okay. And did you see the patrol cars at that  
2 point?  
3  
4 Female: Yes, I did.  
5  
6 Sgt. Warren: What did the patrol cars look like? Were they black and  
7 white? Were they all white? Did you see what color?  
8  
9 Female: Black and white. One was like an SUV and the other one is  
10 just a regular police car.  
11  
12 Sgt. Warren: And were they standing by their car at this point or were  
13 they a little bit away from the car?  
14  
15 Female: They were by the lake. They were just like right on the bike  
16 path, right by the lake.  
17  
18 Sgt. Warren: And it was male and a female.  
19  
20 Female: That's correct. Yes.  
21  
22 Sgt. Warren: Were they Caucasian, Hispanic or African American?  
23  
24 Female: Both Caucasian.  
25  
26 Sgt. Warren: How would you describe them? So let's start with the  
27 female. How would you describe her as to what she looked  
28 like?  
29  
30 Female: They were both thin build, if I recall correctly and I mean it  
31 was a while ago. I believe if I recall, she had blonde hair. It  
32 wasn't short. It was a little long. I don't remember if she  
33 had it up, but I mean it was long. You could tell it was long  
34 hair. It wasn't short hair. Thin. Not too skinny, but not  
35 stocky either. I mean just regular. And I'm sorry. I didn't  
36 pay too much attention to her. I kind of suck at this kind of  
37 thing. I didn't know I was going to be interrogated.  
38  
39 Sgt. Warren: No. And I don't want you to feel that way at all. You're  
40 doing wonderful. Thank you very much. About how old  
41 would you say she was?  
42

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Female: They were both young. I would say maybe twenties, maybe  
2 mid to late. I mean I'm very bad at. They were young.  
3  
4 Sgt. Warren: Okay. Do you remember how her hair was? Was it like in a  
5 bun? Was it down to her shoulders? Anything like that.  
6  
7 Female: No, I don't. I'm sorry.  
8  
9 Sgt. Warren: That's okay.  
10  
11 Female: I mean I know it was long. You could tell that it was long  
12 and it was blonde, but it wasn't straight down. I mean she  
13 had. I don't know how she had it, but you could tell it was  
14 long hair.  
15  
16 Sgt. Warren: Okay. About how tall would you say she was?  
17  
18 Female: I wasn't that close, you know, that I could tell. I'm thinking  
19 maybe 5'6, 5'7.  
20  
21 Sgt. Warren: Okay. Anything distinct about her that kind of stood out?  
22  
23 Female: No, not really. Uh, oh. I'm at work right now.  
24  
25 Sgt. Warren: Oh. I'm sorry. Do you need to call me.  
26  
27 Female: No. No. That's okay. Go ahead. No. I'm just going to  
28 ignore this guy. I'd usually be home right now, but.  
29  
30 Sgt. Warren: Oh, geese. How about the male officer?  
31  
32 Female: He was thin. Probably about her height, maybe a little bit  
33 taller. Also I would say about the same age. Like I said,  
34 they looked like a young couple. I thought they made a cute  
35 couple actually. Probably not what you want to hear, but.  
36  
37 Sgt. Warren: That's all right. And he was in uniform also.  
38  
39 Female: Yes, he was.  
40  
41 Sgt. Warren: A navy uniform.  
42  
43 Female: Ah ha.

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Sgt. Warren: You said she was maybe around 5'6, 5'7 so you said he  
3 was about the same height, maybe a little bit taller.  
4  
5 Female: Yeah.  
6  
7 Sgt. Warren: Okay.  
8  
9 Female: Actually. You know what. I'm sorry. Can I give you a call  
10 right back?  
11  
12 Sgt. Warren: Absolutely.  
13  
14 Female: He's bugging me so. Okay. I'll give you a call right back.  
15  
16 Sgt. Warren: Thanks. I appreciate it.  
17  
18 Female: Okay. Thank you.  
19  
20 Sgt. Warren: Bye. Bye.  
21  
22 Female: Bye.  
23  
24 Sgt. Warren: Hi. This is Chris.  
25  
26 Female: Hi. (Inaudible) so sorry about that.  
27  
28 Sgt. Warren: No. No problem at all. Everything okay?  
29  
30 Female: Yes. It's a long story.  
31  
32 Sgt. Warren: No worries.  
33  
34 Female: (Inaudible).  
35  
36 Sgt. Warren: Got you. I just wanted to double check one quick thing. So  
37 it's July 29<sup>th</sup>. You said Friday. I looked at the calendar. The  
38 29<sup>th</sup> shows a Saturday. I just wanted to double check with  
39 you on that real quick.  
40  
41 Female: Oh. Goodness gracious. Okay. Well, it was July 29<sup>th</sup>. I  
42 thought it was Friday. Sorry. But that was the actual date.  
43

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: Okay.  
2  
3 Female: Make sure. It's going to take me a minute.  
4  
5 Sgt. Warren: No. Take your time.  
6  
7 Female: Do you have any other questions in the meantime or?  
8  
9 Sgt. Warren: We were just going over what the guy looked like, what the  
10 male officer looked like.  
11  
12 Female: Ah hum. He was Caucasian as well. I can't remember what  
13 color of hair. I'm thinking it was like a dirty blonde,  
14 blonde.  
15  
16 Sgt. Warren: Okay.  
17  
18 Female: If I recall correctly. I mean it's so long ago. It's just kind of  
19 hard, you know.  
20  
21 Sgt. Warren: No. You're remembering more than most people do after  
22 the time so you're doing great. You said thin build.  
23  
24 Female: (Inaudible). Yes. He was thin build.  
25  
26 Sgt. Warren: Okay.  
27  
28 Female: They were both thin. I mean they were just typical. I mean  
29 nothing stood out on either one.  
30  
31 Sgt. Warren: Okay. Did he have a ball cap on or baseball hat or  
32 anything?  
33  
34 Female: Oh, good grief. I don't remember.  
35  
36 Sgt. Warren: No problem. So you're walking by. You see them. And  
37 about how far away would you say their cars are from  
38 where they are?  
39  
40 Female: They were to the left of me. The lake was to the left and  
41 then their cars were to the right of me.  
42  
43 Sgt. Warren: Okay.

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317  
**DATE:** October 12<sup>th</sup>, 2017  
**TIME:**  
**LOCATION:** Telephone Call  
**PRESENT:** Anonymous female  
**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Female: So like in a dirt area.  
3  
4 Sgt. Warren: And then you kept walking and you passed them.  
5  
6 Female: Ah hum.  
7  
8 Sgt. Warren: And then how much longer later would you say you came  
9 back?  
10  
11 Female: Well, I ended up getting home to my house around 9:00 so.  
12 I mean I walk all the way up to. What do you call it? To  
13 Twin Peaks and then back.  
14  
15 Sgt. Warren: Okay. Is it generally dark when you get back home at that  
16 time of day?  
17  
18 Female: Yeah. Yeah. It is.  
19  
20 Sgt. Warren: And when you came back do you remember it being dark  
21 or dusk or anything?  
22  
23 Female: Yes, it was. It was.  
24  
25 Sgt. Warren: So if you're usually home by 9:00. When you came back it  
26 was probably before 9:00, would you say?  
27  
28 Female: Yes. Definitely.  
29  
30 Sgt. Warren: Okay. And what'd you see at that time when you came  
31 back?  
32  
33 Female: They were no long out there. The two cars, one was facing  
34 in one direction and the other one was facing in another  
35 direction and the parking lights were on, that's why cuz it's  
36 dark, but you know. I apologize. I think it was July 28<sup>th</sup>.  
37  
38 Sgt. Warren: That's okay.  
39  
40 Female: Cuz it was a Friday.  
41  
42 Sgt. Warren: And the cars, they were moved obviously since you had  
43 walked by the first time.

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Female: They were. Yes.  
3  
4 Sgt. Warren: And were they now facing like opposite directions of each  
5 other?  
6  
7 Female: Yes, they were.  
8  
9 Sgt. Warren: Okay. And what'd you see at that point when you walked  
10 by?  
11  
12 Female: Well, they weren't outside. They weren't standing outside  
13 the car or anything like that. I mean they were in it.  
14  
15 Sgt. Warren: Were they both in one car, one in each one? Could you tell?  
16  
17 Female: You know. I can't recall that anymore.  
18  
19 Sgt. Warren: So them being parked opposite so like the driver's side  
20 doors would have been close to each other.  
21  
22 Female: Yes.  
23  
24 Sgt. Warren: Okay. Would you say like pretty close or still a couple feet  
25 away or a ways away, enough for a door to open or?  
26  
27 Female: Enough for the door to open.  
28  
29 Sgt. Warren: Okay. Did it look like they were both possibly in the same  
30 vehicle together?  
31  
32 Female: I don't want to incriminate anybody. You know.  
33  
34 Sgt. Warren: No.  
35  
36 Female: It was so long ago.  
37  
38 Sgt. Warren: I appreciate everything you're telling. You're being very,  
39 very helpful and I understand that. Did you think that  
40 maybe they were in the same car together possibly?  
41  
42 Female: Yes.  
43

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: Okay.  
2  
3 Female: I mean I don't. That's just a possibility. Can we just leave it  
4 at that?  
5  
6 Sgt. Warren: Okay. So you said it might not have been the 29<sup>th</sup>.  
7  
8 Female: It was a Friday. So wasn't Friday the 28<sup>th</sup>.  
9  
10 Sgt. Warren: Yeah.  
11  
12 Female: Yeah. So it was the 28<sup>th</sup>.  
13  
14 Sgt. Warren: The 28<sup>th</sup>. Okay.  
15  
16 Female: Sorry about that.  
17  
18 Sgt. Warren: No. That's okay. And I know it's a little uncomfortable for  
19 you, but if I could ask just a little bit more questions just  
20 about them being the same vehicle as to what you may  
21 have seen. It'd just be really helpful for me.  
22  
23 Female: You know. It was dark at that point. I was walking back. I  
24 mean I didn't stop and stare. It wasn't anything like that. I  
25 mean I don't know what exactly else to tell you.  
26  
27 Sgt. Warren: Did it appear that that they may have been doing something  
28 together or engaged in some type of activity or anything  
29 like that?  
30  
31 Female: You know. The lights weren't on. I mean I don't know.  
32  
33 Sgt. Warren: But would you say it was high likelihood they were in the  
34 same car together?  
35  
36 Female: I would say it's a possibility. I won't say high likelihood.  
37 I'm concerned. I don't want to get, you know anybody in  
38 trouble that might be innocent. I mean, you know, I hope  
39 you understand that. I mean I'm not trying to get anybody  
40 in trouble here. I understand that, you know there's rules  
41 and you know, we have to follow them whether we're  
42 police officers or it doesn't matter what we do, but you

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 know, there's things, moral issues that we have to follow  
2 and.  
3  
4 Sgt. Warren: Exactly. And did it look like they're both in the car together  
5 or the SUV would you say?  
6  
7 Female: I can't even remember. I'm sorry.  
8  
9 Sgt. Warren: Okay. Was there something though that made you think  
10 that maybe something more was going on at that point?  
11  
12 Female: From the way that they were acting prior to that in the  
13 daylight, it just kind of seemed that way. I mean we've  
14 seen people flirt. We've been there, you know. It's just one  
15 of those things that you just kind of pick up on that. Like I  
16 said, I thought they made a cute couple, but I mean they  
17 weren't holding hands or all over each other. It's just the  
18 way they were looking at each other and just.  
19  
20 Sgt. Warren: It was obviously there was some chemistry there.  
21  
22 Female: There was something there. Yeah.  
23  
24 Sgt. Warren: And what made you think things were a little bit different  
25 when you came back as opposed to when you went by the  
26 first time?  
27  
28 Female: Well, cuz they were still there. I mean their cars had, you  
29 know moved and they were just. I guess what I thought was  
30 if there was something not going on they would have gone  
31 back to work and did whatever they were supposed to be  
32 doing. I mean it's just not. I don't know why they were  
33 sticking around there. It's like they were looking at the  
34 ducks and looking at the lake. I mean it just didn't seem  
35 like anything that a police officer on duty would be doing.  
36  
37 Sgt. Warren: Yeah. How much time would you guess between the time  
38 you passed them the first time till you came back? How  
39 long on your walk does it usually take you to make that  
40 roundtrip to that point?  
41  
42 Female: Oh, gosh. It just depends. You know, sometimes I stop to  
43 talk to people and you know, it takes a little longer. I don't



**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 know. Maybe a half an hour, 45 minutes if that. Probably  
2 around 45 minutes, I would think. It's kind of far.

3  
4 Sgt. Warren: And when you came back was your feeling that they were  
5 in one of the vehicles or could they have been out still  
6 standing by the lake or somewhere else?

7  
8 Female: I think because of the fact that they had moved the cars and  
9 parking lights on I thought that they were in the vehicles or  
10 vehicle. I mean I just don't know. But they were not out  
11 there. I didn't see them out there.

12  
13 Sgt. Warren: Okay. So what I'm going to do is. We can go through to try  
14 to figure out which two officers these were that were there  
15 at that particular time and day and then go from there. I  
16 apologize in advance. If I can ask you one just difficult  
17 question cuz we're going to ask them what was going on  
18 and we want them obviously, hopefully they're going to tell  
19 us the truth back and what I want to be able to say is okay,  
20 the person. Of course, you're completely anonymous. Your  
21 name, number, anything like that, I'm not asking. It's never  
22 going to come up at all, one hundred percent. You have my  
23 word on that. [REDACTED] knows me and knows who I am  
24 so if there's ever any issues at all [REDACTED] can contact me and  
25 you know who you're talking to, but I don't know who I'm  
26 talking to so hopefully that kind of makes you feel a little  
27 bit more at ease with that part. But if I can ask you a  
28 difficult question. If I ask the officers hey, were you guys  
29 doing something you shouldn't have been doing. Was there  
30 anything you saw that they shouldn't have been doing?

31  
32 Female: You know. I guess it's a really hard question to answer  
33 because of the fact that. I mean for all I know they could  
34 have been on their lunch break. They could have been just  
35 on a break. I don't want to accuse somebody of something.  
36 I mean if they have a romance going on or what have you. I  
37 mean that's none of my business. I don't know. I can't  
38 really answer that question.

39  
40 Sgt. Warren: Okay

41  
42 Female: I'm sorry. I mean I'm not trying to be difficult.

43

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Warren #317

**DATE:** October 12<sup>th</sup>, 2017

**TIME:**

**LOCATION:** Telephone Call

**PRESENT:** Anonymous female

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: No. Absolutely.  
2  
3 Female: I just, you know. I know that it's hard. And I understand  
4 your position as well, but it's just one of those things where  
5 I'm just a little. I don't want to get somebody in trouble if  
6 there was something innocent.  
7  
8 Sgt. Warren: Oh, no.  
9  
10 Female: By all means if you're doing your investigation and you  
11 find that they have done something wrong or what have  
12 you, I mean that's your responsibility, you know now.  
13  
14 Sgt. Warren: Absolutely.  
15  
16 Female: You understand what I'm trying to say. I'm not trying to.  
17 To me, it looked like just an innocent young couple that  
18 was, you know having a romantic moment. Does that make  
19 sense?  
20  
21 Sgt. Warren: And that was when you came back, right?  
22  
23 Female: No. Going over there, you know just seeing their body  
24 language and the way they were with each other. It was like  
25 there's a little more to it than just, you know two people. I  
26 mean it's just a little more than just coworkers.  
27  
28 Sgt. Warren: Yeah. Okay.  
29  
30 Female: I mean I feel very uncomfortable in all this so.  
31  
32 Sgt. Warren: I understand and I really appreciate it. This does help  
33 tremendously because, you know if it was something  
34 innocent then nothing more was going on then, you know  
35 okay and no harm. If there was something more then we'll  
36 talk to them and you know, whether there be some  
37 discipline issues or whatever, that's on them. This is  
38 nothing to do with you or you getting anybody in trouble or  
39 anything like you caused. There's certain things as officers  
40 that they should or shouldn't be doing that we just want to  
41 make sure we're following up on and that helps keep the  
42 trust of the community and respect of the community to  
43 say, you know we look into things and we found they were



**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 2:25 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: This is Sergeant Chris Warren, Marana Police Department.  
2 This will be an internal affairs interview reference IA  
3 number 2017-IA-016. The date is October 13<sup>th</sup>, 2017. The  
4 time is 2:25 p.m. We're in an interview room at the Marana  
5 Police station. Also present is Sergeant Chriswell Scott,  
6 who is a co-investigator. Sergeant Scott, if you could say  
7 and spell your first and last name.  
8  
9 Sgt. Scott: Chriswell, C h r i s w e l l. Last name, Scott, S c o t t.  
10  
11 Sgt. Warren: Also with us is Officer Kyla Sylvia who is going to be the  
12 focus of this investigation. Kyla, if you could say and spell  
13 your first and last name for me.  
14  
15 Ofc. Sylvia: Kyla Sylvia. K y l a S y l v i a.  
16  
17 Sgt. Warren: Kyla, right before we went on tape we gave you a copy of  
18 the Marana Police Department, Employee Administrative  
19 Interview, Advice of Rights, Notice of Investigation form.  
20 It's got your name, today's date and time on it. It advises  
21 you're being questioned as part of a Marana Police  
22 Department administrative investigation regarding the  
23 following: a citizen has come forward with information  
24 reference an allegation of potential misconduct involving  
25 you and another officer that occurred on July 28<sup>th</sup>, 2017.  
26 You are the focus officer reference this investigation.  
27 Copies of all complaints that contain the alleged facts that  
28 are reasonably available are attached which they aren't any.  
29 This citizen submitted the complaint via telephone. If you  
30 believe this investigation could result in a dismissal,  
31 demotion, suspension, you may have a representative  
32 present during the interview. At the conclusion of the  
33 interview you may consult with your representative and  
34 then make a statement not to exceed five minutes,  
35 addressing specific facts or policies that are related to the  
36 interview. You'll be asked questions that are specifically  
37 directed and narrowly related to the performance of your  
38 official duties or fitness for office. You are entitled to have  
39 all your rights privileges guaranteed by laws and the  
40 constitution of the state and the Constitution of the United  
41 States, including your right not to be compelled to  
42 incriminate yourself. If you refuse to answer questions  
43 relating to the performance of your official duties or fitness

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 2:25 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 for duty you will be subject to disciplinary action up to and  
2 including dismissal from the police department. Do you  
3 understand that part right there?  
4  
5 Ofc. Sylvia: Yes.  
6  
7 Sgt. Warren: If you do answer neither your statements, nor any  
8 information or evidence which is gained by reason of such  
9 statements can be used against you in any subsequent  
10 criminal proceedings. However, these statements may be  
11 used against you in relation to subsequent department  
12 administrative disciplinary proceedings. You are being  
13 given a direct order not to discuss this investigation,  
14 including your interview with any unauthorized persons,  
15 other than the investigating supervisors and your  
16 representative, you may only discuss this investigation in  
17 privileged communications you may have with your  
18 attorney, minister or spouse. I have read and understand my  
19 rights as set forth in this document. And is it correct you  
20 have signed and dated the form?  
21  
22 Ofc. Sylvia: Yes.  
23  
24 Sgt. Warren: Okay. Anything on this form that you're not clear about or  
25 you would like further explanation on?  
26  
27 Ofc. Sylvia: No. I understand.  
28  
29 Sgt. Warren: Okay. So this is an administrative investigation. This  
30 outlines that you are required to tell the truth. All right. So  
31 everything that we talk about you're going to need to be  
32 completely honest with us one hundred percent. Refusing  
33 to answer questions or answering not truthfully will be  
34 automatic grounds or could be grounds for termination. Do  
35 you understand that part?  
36  
37 Ofc. Sylvia: I do understand.  
38  
39 Sgt. Warren: And we talked about you having a representative. Did you  
40 want to start without one or?  
41  
42 Ofc. Sylvia: I'll start without one.  
43

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 2:25 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: Okay.  
2  
3 Sgt. Scott: You and I have talked in the past before and so I'll just say  
4 this again. The purpose of the interview is not to intimidate  
5 you. It's not to scare you or bully you. These are fact  
6 finding investigations. We're just here for the truth. And so  
7 what you should expect from us is we'll treat you  
8 professionally. We're going to ask you questions that are  
9 related to this investigation. This is not a wild goose chase  
10 where we're just going to be asking you random stuff from  
11 five years ago, but in return what we want from you is the  
12 absolute truth, just like what Sergeant Warren just said.  
13  
14 Ofc. Sylvia: Okay.  
15  
16 Sgt. Scott: Do you understand that?  
17  
18 Ofc. Sylvia: Ah hum.  
19  
20 Sgt. Scott: Okay.  
21  
22 Sgt. Warren: And I'll apologize in advance if some of the questions  
23 make you uncomfortable. That's not our intention, but  
24 there's certain things that we need to find out as part of this  
25 investigation.  
26  
27 Ofc. Sylvia: I understand.  
28  
29 Sgt. Warren: Okay. You want to go ahead and get started?  
30  
31 Sgt. Scott: Sure. All right. So right now you are currently assigned to  
32 which squad?  
33  
34 Ofc. Sylvia: Squad three.  
35  
36 Sgt. Scott: Squad three. All right. And you've been assigned to squad  
37 three for some period of time now.  
38  
39 Ofc. Sylvia: Yes.  
40  
41 Sgt. Scott: Okay. At least before June or July.  
42  
43 Ofc. Sylvia: Ever since I got off FTO.

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**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Sgt. Scott: When was that approximately?  
3  
4 Ofc. Sylvia: I want to say May I think.  
5  
6 Sgt. Scott: May. Okay. So you were in squad three with me in May,  
7 June up until July 8<sup>th</sup> or so.  
8  
9 Ofc. Sylvia: Yes.  
10  
11 Sgt. Scott: And then you remained in squad three after shift change.  
12  
13 Ofc. Sylvia: Yes.  
14  
15 Sgt. Scott: Okay. So what we are talking about today is July 28<sup>th</sup> and  
16 you'll see that's on your NOI here. At that time your  
17 supervisor was who?  
18  
19 Ofc. Sylvia: Brian Neuman. We did not have a sergeant.  
20  
21 Sgt. Scott: Okay. So Sergeant Evans was out. I've got the shift roster  
22 here, the shift summary and it shows Sergeant Evans. You  
23 can look at it [REDACTED] And Sergeant Neuman was the  
24 10-100. We're giving this to you to help your recollection  
25 of that night, that shift. I know it was a little while ago so.  
26  
27 Sgt. Warren: It was a Friday.  
28  
29 Sgt. Scott: So based off of this shift summary, where were you  
30 working? What district were you working?  
31  
32 Ofc. Sylvia: District two.  
33  
34 Sgt. Scott: District two. And that was a shift assignment that was  
35 given to you by?  
36  
37 Ofc. Sylvia: LPO Neuman.  
38  
39 Sgt. Scott: Okay. Were there any expectations that were given to you  
40 at the beginning of your rotation as far as what your  
41 expectations are when you're assigned to a district?  
42

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1 Ofc. Sylvia: You would stay within your district until a certain period of  
2 hours unless you need to go to another to help out as a 78  
3 for another officer or go take another call cuz another  
4 officer is busy.  
5  
6 Sgt. Scott: Okay.  
7  
8 Ofc. Sylvia: So mostly stay in your district and take calls for service in  
9 your district.  
10  
11 Sgt. Scott: Okay. Would it be safe to say that you've received  
12 communication from either Neuman or myself prior to  
13 when you were working for me then that stay proactive, try  
14 to initiate some traffic stops, pedestrian stops, make  
15 yourself well known. Chief Rozema's expectation is that  
16 we're highly visible.  
17  
18 Ofc. Sylvia: Yes.  
19  
20 Sgt. Scott: Okay. So those are all things that you've heard before.  
21  
22 Ofc. Sylvia: Correct.  
23  
24 Sgt. Scott: Okay. All right. Know that you've seen this shift roster and  
25 if you switch to the other page, the back page, it shows you  
26 the calls that came out. Does this shift kind of ring a bell  
27 for you?  
28  
29 Ofc. Sylvia: It does.  
30  
31 Sgt. Scott: Okay.  
32  
33 Sgt. Warren: And before we get on to this part. What type of patrol  
34 vehicle are you issued?  
35  
36 Ofc. Sylvia: Crown Victoria.  
37  
38 Sgt. Warren: What's your car number?  
39  
40 Ofc. Sylvia: 541.  
41  
42 Sgt. Warren: Is that the same car you've always had?  
43



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1 Ofc. Sylvia: Yes.  
2  
3 Sgt. Warren: Okay. Has there been any days or on that particular day  
4 would you have been driving any other vehicle?  
5  
6 Ofc. Sylvia: No. I believe I had my car that day.  
7  
8 Sgt. Warren: Okay. What else do you remember about that particular  
9 day?  
10  
11 Ofc. Sylvia: I remember I was doing. I had an ATAR, I believe that I  
12 was working on.  
13  
14 Sgt. Scott: Would that have been from a prior shift maybe?  
15  
16 Ofc. Sylvia: If it wasn't an ATAR I was typing reports and I remember  
17 being up at the very north part of district two like  
18 Coachline and Silverbell area.  
19  
20 Sgt. Scott: Coachline and Silverbell.  
21  
22 Ofc. Sylvia: Coachline and Silverbell where Coachline kind of curves  
23 over and connects with 10,000 N. Silverbell.  
24  
25 Sgt. Scott: Okay. Were you just like right there?  
26  
27 Ofc. Sylvia: Like in that park area.  
28  
29 Sgt. Scott: Which park?  
30  
31 Ofc. Sylvia: There's the Marana walk Park with the kind of lake.  
32  
33 Sgt. Scott: Okay. Yeah. Okay. Is that a place that you typically do  
34 paperwork?  
35  
36 Ofc. Sylvia: Sometimes.  
37  
38 Sgt. Scott: Okay.  
39  
40 Ofc. Sylvia: When I want to be like out a little bit farther away so  
41 people won't bother me as much so I can get paperwork  
42 done.  
43

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1 Sgt. Scott: Were you doing paperwork anywhere else that day that you  
2 can recall?  
3  
4 Ofc. Sylvia: I usually jump around.  
5  
6 Sgt. Scott: Okay.  
7  
8 Ofc. Sylvia: I don't really stick to a specific spot.  
9  
10 Sgt. Scott: Okay. Do you remember briefing that day generally or not  
11 really?  
12  
13 Ofc. Sylvia: Not really.  
14  
15 Sgt. Scott: Okay. Do you recall where you went directly after briefing?  
16  
17 Ofc. Sylvia: I usually go to QT first.  
18  
19 Sgt. Scott: Quick Trip.  
20  
21 Ofc. Sylvia: Quick Trip.  
22  
23 Sgt. Scott: The one on Cortaro?  
24  
25 Ofc. Sylvia: Ah hum.  
26  
27 Sgt. Scott: Okay.  
28  
29 Ofc. Sylvia: And then kind of go out and look for traffic or do other  
30 things, wait for calls or try to be a little bit more proactive,  
31 drive around.  
32  
33 Sgt. Scott: Okay. And on this date here so July 28<sup>th</sup>, 2017, that Friday,  
34 where were you living at that time?  
35  
36 Ofc. Sylvia: I believe I was still at [REDACTED] I believe I  
37 hadn't moved out of there yet.  
38  
39 Sgt. Scott: Okay. That's out of jurisdiction, correct?  
40  
41 Ofc. Sylvia: Yes.  
42  
43 Sgt. Scott: Okay. Do you recall going there during your shift?

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1  
2 Ofc. Sylvia: I don't think I did that day.  
3  
4 Sgt. Scott: Okay. And you're not living there right now, are you?  
5  
6 Ofc. Sylvia: No.  
7  
8 Sgt. Scott: And you're still living up in district one.  
9  
10 Ofc. Sylvia: Yeah. Gladden Farms.  
11  
12 Sgt. Scott: Gladden Farms area. Okay. Is there any other place you've  
13 lived, other than those two in the last six months to a year?  
14  
15 Ofc. Sylvia: No.  
16  
17 Sgt. Scott: Okay. Are there any other residences that you would be  
18 doing paperwork at during that shift?  
19  
20 Ofc. Sylvia: No.  
21  
22 Sgt. Scott: Okay. You don't recall being at any house doing paperwork  
23 or any house while you're on a call?  
24  
25 Ofc. Sylvia: No. I don't think I went anywhere that day.  
26  
27 Sgt. Scott: Okay.  
28  
29 Ofc. Sylvia: I can't even think of anywhere that I would be.  
30  
31 Sgt. Scott: Okay.  
32  
33 Ofc. Sylvia: And I'm really trying to remember if I did go anywhere.  
34  
35 Sgt. Warren: Are you familiar with the vehicle's GPS system?  
36  
37 Ofc. Sylvia: Yes.  
38  
39 Sgt. Warren: And it tracks locations throughout the whole shift and what  
40 areas you're in, for how long and everything else.  
41  
42 Ofc. Sylvia: Ah hum.  
43

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1 Sgt. Warren: Okay.  
2  
3 Ofc. Sylvia: I do have my best friend's house in district three, but I  
4 don't believe I went over there at all and I have nobody in  
5 district two that I would stop with and hang out with.  
6  
7 Sgt. Scott: Do you know anybody that lives on [REDACTED]?  
8  
9 Ofc. Sylvia: [REDACTED]?  
10  
11 Sgt. Scott: Yeah.  
12  
13 Ofc. Sylvia: No.  
14  
15 Sgt. Scott: Okay. It's up there [REDACTED]  
16  
17 Ofc. Sylvia: I don't know.  
18  
19 Sgt. Scott: So just for reference, I'm going to pull open up. I have  
20 Google maps open right now.  
21  
22 Ofc. Sylvia: Okay.  
23  
24 Sgt. Scott: So what I'm showing you right now is going to be [REDACTED]  
25 [REDACTED] and just let me know whether or not you  
26 think that looks familiar?  
27  
28 Ofc. Sylvia: It did not look familiar.  
29  
30 Sgt. Scott: Okay. You had mentioned that you were up at Coachline.  
31 What was the location, Coachline and where?  
32  
33 Ofc. Sylvia: Coachline and Silverbell.  
34  
35 Sgt. Scott: Coachline and Silverbell up near where the little lake is.  
36  
37 Ofc. Sylvia: Yes.  
38  
39 Sgt. Scott: Is that where they used to do Frisbee and stuff?  
40  
41 Ofc. Sylvia: Yeah.  
42

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1 Sgt. Scott: Okay. Do you remember how often you were there or how  
2 long you were there that night?  
3  
4 Ofc. Sylvia: I was there for probably at least a couple hours.  
5  
6 Sgt. Scott: Okay. Was it all in one sitting or did you leave and go some  
7 other places and come back to?  
8  
9 Ofc. Sylvia: It was all in one sitting.  
10  
11 Sgt. Scott: Okay. Do you remember roughly what time that was?  
12  
13 Ofc. Sylvia: I want to say. The sun was going down when I started or  
14 was getting to be dusk so maybe 6:30.  
15  
16 Sgt. Scott: Okay.  
17  
18 Ofc. Sylvia: 6:30 or 7:30. I don't remember what time the sun went  
19 down.  
20  
21 Sgt. Scott: Okay. And so you were doing paperwork there. Were you  
22 in your car?  
23  
24 Ofc. Sylvia: Yes.  
25  
26 Sgt. Scott: Were you ever outside of your car?  
27  
28 Ofc. Sylvia: I did get out of my car, kind of like walk around and look at  
29 the lake a little bit and then, but I didn't go anywhere after  
30 that.  
31  
32 Sgt. Scott: Okay. Were you by yourself?  
33  
34 Ofc. Sylvia: I was initially and then Storms was also assigned district  
35 two and he came up to 45 me.  
36  
37 Sgt. Scott: Okay. What time do you think he came up there?  
38  
39 Ofc. Sylvia: Probably around 7:00.  
40  
41 Sgt. Scott: 7:00.  
42  
43 Ofc. Sylvia: It was still light out when he came up there.

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1  
2 Sgt. Scott: Okay. Is Storms driving a Crown Vic or is he driving what?  
3  
4 Ofc. Sylvia: He drives a Tahoe.  
5  
6 Sgt. Scott: He drives a Tahoe.  
7  
8 Ofc. Sylvia: A 4 x 4 Tahoe.  
9  
10 Sgt. Scott: Okay. So he drives up there. Was there any sort of  
11 communication between the two of you like a text or a  
12 MDC message or anything?  
13  
14 Ofc. Sylvia: No. I was there and he just showed up.  
15  
16 Sgt. Scott: Just showed up.  
17  
18 Ofc. Sylvia: Ah hum.  
19  
20 Sgt. Scott: Okay.  
21  
22 Ofc. Sylvia: I do vaguely remember that there was an alarm call or not  
23 an alarm call, a call that came out. I thought it was a  
24 suspicious activity, but I'm not finding it.  
25  
26 Sgt. Scott: Would have been that shift.  
27  
28 Ofc. Sylvia: Cuz if this is about what I think it's about. He came up, 45  
29 me. We got out of our vehicles and walked over to kind of  
30 like look at how the lake was set up.  
31  
32 Sgt. Scott: I'm going to interrupt you real quick. So you were about to  
33 tell me what you think this is about?  
34  
35 Ofc. Sylvia: Yes.  
36  
37 Sgt. Scott: Okay. Continue.  
38  
39 Ofc. Sylvia: And we got out of our vehicle. We just walked up to where  
40 the railing is for the walk path and we're just talking and  
41 we both kind of wondered like how far the lake went. We  
42 were just talking about the lake and everything that  
43 happens up there. I thought there was a call that came out

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1 like a suspicious activity or something, but I could be  
2 wrong. That might have been another day. But we drove  
3 over to, down Coachline a little bit. I believe it's the water  
4 station right there. A little farther down. Or is it the church  
5 right there. I don't remember exactly where it was. But it  
6 was that dirt path that leads up to the walk path right there  
7 and got out of our vehicles again and walked up to the  
8 walking path and we're just standing there talking. A  
9 couple people came and talked to us.  
10  
11 Sgt. Scott: This is a different location than where you were initially?  
12  
13 Ofc. Sylvia: No. It's the same area. It's just maybe 200 yards down the  
14 walk path.  
15  
16 Sgt. Scott: Okay.  
17  
18 Ofc. Sylvia: But we had gotten in our cars and moved. A couple people  
19 came up and talked to us. We talked to a couple of people  
20 like bystanders and then got back in our car to drive away,  
21 but we just 45'd and just ended up talking the whole time.  
22  
23 Sgt. Scott: Okay. So how long do you guys think you were talking? Is  
24 this still within that same time frame, the 6:30 to 7:30 that  
25 you told me or?  
26  
27 Ofc. Sylvia: Well, 6:30, 7:30 is when we got there, when we initially got  
28 there and then I remember squad five coming out of  
29 briefing and we were all just talking. I think we lost track  
30 of time. We were just talking. We were 45 with mirrors to  
31 mirrors so.  
32  
33 Sgt. Scott: So at least from sometime between 6:30 and 7:30 till the  
34 time the midnight squad cleared briefing.  
35  
36 Ofc. Sylvia: Yes.  
37  
38 Sgt. Scott: Okay. So is that typically around like 9:30?  
39  
40 Ofc. Sylvia: Usually.  
41  
42 Sgt. Scott: Okay. Other than you and Officer Storms. That's what I  
43 mean when I say you guys. Other than the two of you

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1 standing at that railing, the rest of the time were you  
2 parked, you know 45-ing like mirror to mirror?  
3  
4 Ofc. Sylvia: Yes.  
5  
6 Sgt. Scott: Okay.  
7  
8 Ofc. Sylvia: I would say there was probably maybe a foot between us.  
9  
10 Sgt. Scott: Okay. Do you know if he was working on anything or?  
11  
12 Ofc. Sylvia: Um, he was at the beginning. He had his red light on. We  
13 were both typing reports and we both finished our reports  
14 and we just started talking about work stuff. I had questions  
15 about certain documents, retirement documents and  
16 everything that I didn't know the process of going through  
17 getting applied for and he knew a little bit more about that  
18 so we kind of talked about that and that led into like  
19 finances and like home life and things like that, but we  
20 never got out of the vehicle after that point.  
21  
22 Sgt. Scott: Okay. You had mentioned kind of several times since  
23 we've been talking that like you think you know what this  
24 interview is about.  
25  
26 Ofc. Sylvia: Ah hum.  
27  
28 Sgt. Scott: What about that kind of made you think, whatever  
29 happened that night that made you think that maybe this  
30 was what we were talking about?  
31  
32 Ofc. Sylvia: I remember the day. I remember it was a Friday.  
33  
34 Sgt. Scott: Ah hum.  
35  
36 Ofc. Sylvia: It was a Friday. And what I specifically remember was  
37 Neuman kind of said well, I didn't put anybody where I  
38 wanted to put everybody because me and Storms we get  
39 along. Chavez and Quan, they get along and Alvarez and  
40 Rizzi get along. We're all in similar districts with who we  
41 usually get along with and I remember that specific night  
42 that everybody was kind of 45 with each other for about the  
43 same period of time so that kind of stuck out to me. I



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1 remember that and Neuman came and was like what are  
2 you guys doing. We're like oh, we're just talking.  
3  
4 Sgt. Scott: What do you mean that he came up? Did he drive up there?  
5  
6 Ofc. Sylvia: He drove to every person and said you guys need to, you  
7 know go do something so Neuman walked up to us and was  
8 like what you guys doing. Like oh, we're just talking. And  
9 he's like do you realize what time it is. We're like oh. We  
10 didn't really realize. We kind of lost track of time cuz we  
11 kept putting the 10-8 button on our MDC so we kind of like  
12 lost track of time. We just got lost in conversation.  
13  
14 Sgt. Scott: You know what the purpose of that button is, right?  
15  
16 Ofc. Sylvia: To go 10-8.  
17  
18 Sgt. Scott: Oh, no. So when you say you keep hitting the 10-8 button,  
19 are you referring to resetting the timer?  
20  
21 Ofc. Sylvia: Yes.  
22  
23 Sgt. Scott: You understand the purpose of the timer?  
24  
25 Ofc. Sylvia: So that way it doesn't reach an hour if you get code 20 or  
26 dispatch will check on you, check your welfare.  
27  
28 Sgt. Scott: So it's an officer safety measure.  
29  
30 Ofc. Sylvia: Yes. If dispatch sees that you've reset your timer then they  
31 know that you're okay.  
32  
33 Sgt. Scott: Would it be safe to say that if you have to keep hitting 10-8  
34 while doing nothing that you probably should be doing  
35 something productive?  
36  
37 Ofc. Sylvia: I agree.  
38  
39 Sgt. Scott: You know what I mean so. Cuz you're saying that you guys  
40 got there, what, between 6:30 and 7:30 somewhere?  
41  
42 Ofc. Sylvia: My time frame might be a little off.  
43

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1 Sgt. Scott: Ish. Ish.  
2  
3 Ofc. Sylvia: Yeah.  
4  
5 Sgt. Scott: And you were there at least probably till around 9:30.  
6  
7 Ofc. Sylvia: Ah hum.  
8  
9 Sgt. Scott: Okay. So during that period of time, how much of that time  
10 do you think you actually spent doing paperwork?  
11  
12 Ofc. Sylvia: I would say probably. If I remember correctly. I had  
13 probably about two reports to do at least so I know I  
14 finished both of those and then we just kind of talked after  
15 that.  
16  
17 Sgt. Scott: Would it be safe to say that maybe there's something more  
18 productive you could have been doing with your time?  
19  
20 Ofc. Sylvia: I agree.  
21  
22 Sgt. Scott: Okay. You mentioned that all the officers, it just so  
23 happened with the way shift assignments came up that  
24 every officer was kind of paired up with someone that they  
25 get along with and you said you get along with Officer  
26 Storms. What's the nature of the relationship that you have  
27 with Officer Storms?  
28  
29 Ofc. Sylvia: Strictly work related.  
30  
31 Sgt. Scott: Okay. Have you all had anything beyond that as far as a  
32 personal relationship or romantic relationship?  
33  
34 Ofc. Sylvia: No. We never even hang out outside of work.  
35  
36 Sgt. Scott: Okay.  
37  
38 Ofc. Sylvia: It's all just work stuff like we'll talk while at work, 45 at  
39 work, but we don't really even text during the day.  
40  
41 Sgt. Scott: Okay.  
42

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1 Ofc. Sylvia: And the other thing that sticks out to me about this specific  
2 incident and why I thought this was the reason you guys  
3 were speaking with me because a couple days later, I was  
4 on my RDO's. I was working out with [REDACTED] and [REDACTED]  
5 brought up to my attention. [REDACTED] like there's a rumor  
6 going around about you that something happened between  
7 you and another officer at this time, at this location and so.  
8

9 Sgt. Scott: What was that all about?

10  
11 Ofc. Sylvia: I asked [REDACTED] what it was about. [REDACTED] like well, we don't  
12 know who it was, but somebody came up and said that they  
13 saw two officers there and then they saw. It was a female  
14 and a male officer and they said they saw one of them get  
15 out of the car. I believe it was the female and go into the  
16 other vehicle and then her head disappeared which  
17 ultimately frustrated me because none of that even  
18 happened and I knew what incident she was referring to  
19 which at this time and at this place with Officer Storms, but  
20 it frustrated me because it's not accurate in the slightest.  
21 We were 45 mirror to mirror and I told her. I was like  
22 there's no way. There's no way. I mean I understand that  
23 maybe somebody assumed something, but there was  
24 nothing sexual at all that went on between me and Storms,  
25 especially during duty hours. I wouldn't do that.  
26

27 Sgt. Scott: Okay. So on that day while you guys were there for the  
28 potentially up to three hours, potentially, maybe it was two  
29 hours. Was there a point when either one of you were in the  
30 other person's car?  
31

32 Ofc. Sylvia: Never.

33  
34 Sgt. Scott: Okay.

35  
36 Ofc. Sylvia: My reason too is I would have to move. I carry my supply  
37 bag in my passenger seat, as well as my duffle bag that has  
38 all my extra stuff in, my purse, everything, my water bottle,  
39 all that is in my passenger seat and he has the same thing in  
40 his truck from what I've seen when I'm 45 with him, you  
41 know, standing there talking to him. In his vehicle he has  
42 the same amount of items in his passenger seat. In my



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**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: Did you discuss with Officer Storms what [REDACTED] told you at  
2 the gym?  
3  
4 Ofc. Sylvia: I brought it up to him.  
5  
6 Sgt. Scott: When was that?  
7  
8 Ofc. Sylvia: It was that same night that she told me. I said hey, did you  
9 hear anything about a rumor going around about us, about  
10 that night and it frustrated him too because he's like well,  
11 we didn't do anything and I don't know what they would  
12 have seen. I don't know what they would have said, but  
13 there was nothing that went on between us.  
14  
15 Sgt. Scott: And [REDACTED] didn't tell you where [REDACTED] heard that rumor  
16 from?  
17  
18 Ofc. Sylvia: No.  
19  
20 Sgt. Scott: Did you ask [REDACTED]?  
21  
22 Ofc. Sylvia: I didn't. I believe Storms asked [REDACTED] and he talked to me  
23 about it afterwards and I guess it was [REDACTED] told  
24 [REDACTED] and then Storms was able to out of [REDACTED] who had actually  
25 told [REDACTED] that so.  
26  
27 Sgt. Scott: Do you communicate with [REDACTED]  
28  
29 Ofc. Sylvia: [REDACTED] sends me messages on Facebook, but I usually tend not  
30 to respond. If I do it's just I'm having a good day. How are  
31 you? [REDACTED] say hi, how are you doing and that's strictly  
32 what I keep it at cuz I don't know [REDACTED] very well. I don't.  
33 I've heard that [REDACTED] is a gossiper so I don't want and I didn't  
34 really get a chance to know [REDACTED] very well so I tend to kind  
35 of like not really converse with [REDACTED] a whole lot.  
36  
37 Sgt. Scott: Does it strike you as odd that [REDACTED] sends you Facebook  
38 messages, [REDACTED] doesn't really know you?  
39  
40 Ofc. Sylvia: Yeah. Ah hum. Which is why I don't really respond back.  
41  
42 Sgt. Scott: Does [REDACTED] text you at all?  
43

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1 Ofc. Sylvia: No.  
2  
3 Sgt. Scott: Never texted you?  
4  
5 Ofc. Sylvia: A long time ago, [REDACTED] did, but [REDACTED]  
6 hasn't sent me anything, other than Facebook messages.  
7  
8 Sgt. Scott: Okay. And the other reason I'm asking you that is cuz.  
9 Remember when we talked not to long ago in my office  
10 and you were showing me your messages up until the date  
11 in question till the time of the interview. I could have sworn  
12 that I saw messages between you and [REDACTED] then.  
13  
14 Ofc. Sylvia: I can show you.  
15  
16 Sgt. Scott: Okay.  
17  
18 Ofc. Sylvia: But I don't remember.  
19  
20 Sgt. Scott: So did you ever confront [REDACTED] on the allegation?  
21  
22 Ofc. Sylvia: No.  
23  
24 Sgt. Scott: Do you know if Storms did?  
25  
26 Ofc. Sylvia: I don't know.  
27  
28 Sgt. Scott: Okay.  
29  
30 Ofc. Sylvia: But I heard from Storms. Storms is the one I heard that  
31 [REDACTED] is a gossip from. If that makes sense.  
32  
33 Sgt. Scott: Okay.  
34  
35 Ofc. Sylvia: So I don't know [REDACTED] very personally at all.  
36  
37 Sgt. Warren: Was there text messages on your phone when he looked at  
38 it from [REDACTED]  
39  
40 Ofc. Sylvia: I can't remember honestly. I have no problem showing you.  
41  
42 Sgt. Warren: You can't remember ever texting with [REDACTED] or you don't  
43 know at that time if there was text messages from [REDACTED]?

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1  
2 Ofc. Sylvia: I don't remember at that time if there was text messages.  
3  
4 Sgt. Warren: So you have text messaged with [REDACTED] before.  
5  
6 Ofc. Sylvia: Previously.  
7  
8 Sgt. Scott: When you say previously, what do you mean?  
9  
10 Ofc. Sylvia: Months ago like I don't. Usually [REDACTED] converses with me  
11 through Facebook and I don't remember the last time that  
12 [REDACTED] actually sent me a text. If [REDACTED] did I do the same thing that  
13 I do with the Facebook messages. I tend to just kind of like  
14 keep it short, sweet, simple. Yeah, I'm good. I'm doing  
15 well. How are you and then I usually don't respond back.  
16  
17 Sgt. Warren: Did you not just say [REDACTED] never texted you before?  
18  
19 Ofc. Sylvia: I'm trying not to incriminate myself cuz I don't.  
20  
21 Sgt. Warren: Well, you're being asked direct questions. You need to tell  
22 the truth.  
23  
24 Ofc. Sylvia: And I am telling you the truth.  
25  
26 Sgt. Warren: Whether it's incriminating or not, it needs to be the truth.  
27 That's what this is coming down to right now.  
28  
29 Ofc. Sylvia: It is. I understand. And I'm not trying to be dishonest. I'm  
30 truly not. I'm trying to honestly think about. I'd have to  
31 look at my phone.  
32  
33 Sgt. Warren: But [REDACTED] has texted you before.  
34  
35 Ofc. Sylvia: [REDACTED] has texted me before. Yes.  
36  
37 Sgt. Warren: Okay. So that's the truth now coming forward.  
38  
39 Ofc. Sylvia: But previously. Most of the time, ninety percent of the  
40 time, [REDACTED] uses Facebook and I don't remember the last time  
41 that [REDACTED] did sent me a text message.  
42

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1 Sgt. Scott: The reason why I'm asking is like I said, when I saw your  
2 phone before I could have sworn that I saw a text message  
3 from [REDACTED] there.  
4  
5 Ofc. Sylvia: Okay.  
6  
7 Sgt. Scott: And the reason why I remember is cuz it struck me as kind  
8 of odd cuz I didn't know that you knew [REDACTED].  
9  
10 Ofc. Sylvia: Ah hum.  
11  
12 Sgt. Scott: [REDACTED]  
13 in so I remember. In my mind, I was like hum, that's  
14 interesting, but it had nothing to do with the scope of what  
15 you and I were talking about then so I just, you know.  
16  
17 Ofc. Sylvia: Okay.  
18  
19 Sgt. Scott: But that's why I'm asking you. At that time, you and I  
20 talked, what, three, four weeks ago, something like that?  
21  
22 Ofc. Sylvia: Yeah.  
23  
24 Sgt. Scott: That's why I'm asking you, during that time did [REDACTED] text you  
25 about something?  
26  
27 Ofc. Sylvia: I honestly don't remember.  
28  
29 Sgt. Scott: Okay.  
30  
31 Ofc. Sylvia: I would honestly have to look at my phone and I didn't  
32 mean to make it sound like I said never and I didn't mean  
33 to make it sound dishonest. I was honestly trying to  
34 remember whether [REDACTED] had or not and I honestly couldn't  
35 remember if I had given [REDACTED] my new phone number.  
36  
37 Sgt. Warren: Here's the thing. We're asking a lot of questions. Just tell  
38 us what's going on. I mean we shouldn't have to be pulling  
39 information out of you right now as to what's true and  
40 what's not true.  
41  
42 Ofc. Sylvia: No. I understand.  
43



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1 Sgt. Warren: Because right now with that statement, now I'm starting to  
2 question is Kyla being honest with us right now. Over some  
3 little, something minute like that so no more of that. Not  
4 going to put up with that.  
5  
6 Ofc. Sylvia: I didn't mean for it to come out that way.  
7  
8 Sgt. Warren: Okay. Like I said, right now you don't know what we know  
9 and what witnesses saw. There's also a very high likelihood  
10 that when this is done that polygraphs are going to be  
11 issued as well.  
12  
13 Ofc. Sylvia: Okay.  
14  
15 Sgt. Warren: So that's the other thing is that we need to be able to show  
16 the chief one hundred percent truth and honesty here and  
17 that there's no gray areas and there's no what if's or  
18 anything like that.  
19  
20 Ofc. Sylvia: Okay.  
21  
22 Sgt. Warren: Do you completely understand that?  
23  
24 Ofc. Sylvia: I do. I completely understand and I'm being a hundred  
25 percent honest with you. I don't know how else to tell you  
26 or explain to you that I'm being honest. I don't know what  
27 they would have seen. I don't know what somebody would  
28 have said. I don't know, you know.  
29  
30 Sgt. Scott: So let's just say hypothetically and this is strictly a  
31 hypothetical so I don't want you to read to much into it.  
32 Let's say [REDACTED] did start that rumor.  
33  
34 Ofc. Sylvia: Okay.  
35  
36 Sgt. Scott: Why would [REDACTED] do that?  
37  
38 Ofc. Sylvia: I have no idea.  
39  
40 Sgt. Scott: What dog would [REDACTED] have in the fight to start a rumor that,  
41 you know.  
42  
43 Ofc. Sylvia: It was dark.

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1  
2 Sgt. Scott: You were seen, you know off the beaten path. You know  
3 what I mean.  
4  
5 Ofc. Sylvia: I mean it was dark. I know that. The only light that was in  
6 the vehicles was the computer screen. We didn't even have  
7 our red lights on when we were talking. I know we were  
8 there for quite a long time and the road that we were on  
9 was like. Can I bring up the map of the area so I can show  
10 you specifically?  
11  
12 Sgt. Scott: I know where you were at.  
13  
14 Ofc. Sylvia: Okay.  
15  
16 Sgt. Scott: I've got your GPS there so I know exactly where you were.  
17  
18 Ofc. Sylvia: So in that dirt area. And Neuman even came up and talked  
19 to us about it. He's like it just looks bad and we both didn't  
20 really realize it until he brought it up to us and to our  
21 attention. We're like oh, oops, you know. Yeah, you're  
22 right. It doesn't look good for where we were sitting at for  
23 such a long period of time.  
24  
25 Sgt. Scott: Why doesn't that look good?  
26  
27 Ofc. Sylvia: It doesn't look good because of people can assume certain  
28 things, like he said, off the beaten path. You're, you know,  
29 with another officer and another vehicle. It's dark out there,  
30 you know. People, they don't know what you're doing.  
31  
32 Sgt. Scott: So it's interesting that you say that because at one point I  
33 was your supervisor.  
34  
35 Ofc. Sylvia: Ah hum.  
36  
37 Sgt. Scott: And do you remember me having a conversation with you  
38 about how there was rumor that you and Keith Storms had  
39 some sort of attraction to each other?  
40  
41 Ofc. Sylvia: Ah hum.  
42

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1 Sgt. Scott: You remember that? Okay. You remember we were talking  
2 about optics of situations and how we don't need to put  
3 ourselves in positions where these kinds of rumors can  
4 start.  
5  
6 Ofc. Sylvia: Yes.  
7  
8 Sgt. Scott: Is it safe to say you disregarded everything that I told you?  
9  
10 Ofc. Sylvia: Not intentionally.  
11  
12 Sgt. Scott: Okay. And the reason why I'm asking you this. I'm starting  
13 to see a pattern where I'm your supervisor and I tell you  
14 hey, you probably shouldn't do that cuz it doesn't look  
15 right.  
16  
17 Ofc. Sylvia: Yeah.  
18  
19 Sgt. Scott: And what do you tell me usually?  
20  
21 Ofc. Sylvia: I usually say okay.  
22  
23 Sgt. Scott: Okay. And then you say it's nothing and then fast forward,  
24 you know a month later and what are you doing.  
25  
26 Ofc. Sylvia: It's not intentional. I don't intentionally disregard what you  
27 tell me. Like that whole situation was just. I know it looked  
28 bad. I know for a hundred percent fact in my mind that  
29 there was nothing that happened. Nothing that happened.  
30 And then I'm trying to even think of where somebody  
31 would get an idea of something that could have happened.  
32  
33 Sgt. Warren: I'll tell you this. I have personally talked to a witness that  
34 saw you guys.  
35  
36 Ofc. Sylvia: May I ask what they saw?  
37  
38 Sgt. Warren: That's what we're trying to get your version of what's  
39 going on or what exactly did happen because that's part of  
40 the barometer we're using to what's truthful and what's not  
41 truthful.  
42

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1 Ofc. Sylvia: Okay. I'm trying to like figure out how to, I don't know,  
2 give more details to show that what I'm telling you is the  
3 truth. I mean I was parked doing paperwork. There was no  
4 text message or anything like that between Officer Storms  
5 and me to meet. He drove up and I was like oh, what are  
6 you doing and he asked what I do and we started talking a  
7 little bit and the sun was going down, started talking about  
8 the lake. We both got out of the vehicle, out of our own  
9 vehicles and walked up across the little rope thing for the  
10 walk path, was standing at the fence just talking. We were I  
11 would say, between each other there was probably a  
12 distance of at least two feet, leaning against the guardrail or  
13 the handrail and then talking. A couple bystanders came by.  
14 We talked to them a little bit, walked back down the hill,  
15 climbed back over the rope, walked back to my car. We  
16 had the conversation of I wonder how far the lake goes to  
17 the other side because it was full of water at that time. So  
18 we drove over to the other side, down the road, just in front  
19 of the church, water thing. I don't know what exactly it is.  
20 Down the dirt path to where the GPS shows us and got out  
21 of our vehicles, again walked up to the walk path, just  
22 stood there talking. I think we went down to near the  
23 water's edge and just kind of like looked around. There was  
24 no physical contact between him and me at all and I walked  
25 back up the hill. We're getting ready to leave and I can't  
26 remember what the conversation started and we just 45. He  
27 pulls up next to me and I rolled my window down. I told  
28 him I had a couple reports to write. He goes well I got to  
29 write a couple reports too. When him and I 45 we try to get  
30 as close as possible and so there's less distance between us.  
31 We don't have to yell at each other across the windows so  
32 it's usually kind of like a game to see who can get closer  
33 like the mirrors, you know. Does that make sense?  
34

35 Sgt. Warren: So you would meet on a regular basis then?  
36

37 Ofc. Sylvia: Only when we're in similar districts, but whenever we 45  
38 it's always the same like there's not enough room to even  
39 get out of the car between the two of us. You can barely  
40 even open the door for the whole handle part of the door to  
41 clear the door frame and we sat there and talked.  
42

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1 Sgt. Scott: I just want to make sure. This was all after I had already  
2 told you there's rumors about the two of you and make sure  
3 you're not doing anything to give that perception that  
4 you're doing something you're not supposed to be doing.  
5  
6 Ofc. Sylvia: I believe so.  
7  
8 Sgt. Scott: Well, I know cuz you weren't working for me anymore.  
9 This was after July 8<sup>th</sup>.  
10  
11 Ofc. Sylvia: Yeah.  
12  
13 Sgt. Scott: So you had Neuman as your 10-100. And we had that  
14 conversation while I was still on the squad.  
15  
16 Ofc. Sylvia: Yes.  
17  
18 Sgt. Scott: Okay. Do you think there's maybe some other more  
19 productive areas maybe you could have done your  
20 paperwork in district two?  
21  
22 Ofc. Sylvia: There is. And Neuman brought that to our attention. He's  
23 like whenever you guys 45, if you guys want to 45 that's  
24 fine, just do it in a more lighted area, do in a code 9 area,  
25 do it in, you know a place that is visible, but again, we  
26 weren't really thinking.  
27  
28 Sgt. Scott: Well, that sounds like a common sense answer that he's  
29 giving you guys.  
30  
31 Ofc. Sylvia: It is. And we agreed with him. We understand it looks bad.  
32  
33 Sgt. Scott: And you're being paid to be highly visible. Yeah. That's  
34 why you're in a black and white car in full uniform.  
35  
36 Ofc. Sylvia: Yes.  
37  
38 Sgt. Scott: As opposed to sightseeing and looking at ducks and  
39 wondering how far the river goes for two or three hours.  
40  
41 Ofc. Sylvia: Correct.  
42

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1 Sgt. Scott: Correct. Maybe you could have been like in the Walmart  
2 parking lot in the back doing the exact same thing and then  
3 closer to an area where there's actually calls for service.  
4  
5 Ofc. Sylvia: Neuman brought that to our attention and we both agreed  
6 with him about how it looked bad and you know, but I  
7 talked to Neuman first and I'm like I'm sorry. I didn't mean  
8 to like make it seem that way and I know that it looks that  
9 way, but, you know, there was nothing that went on  
10 between me and Storms. We were just having a  
11 conversation. We talked about finances. We talked about  
12 my soon to be ex-husband. We talked about my son. We  
13 talked about his truck. We talked about my car. We talked  
14 about trading in vehicles and like job experience and we  
15 talked about really everything under the sun ultimately.  
16  
17 Sgt. Scott: And just to confirm. You're telling me that the relationship  
18 between yourself and Officer Storms is strictly a  
19 professional relationship.  
20  
21 Ofc. Sylvia: Yes.  
22  
23 Sgt. Scott: Nothing outside of work. Nothing romantic in nature.  
24  
25 Ofc. Sylvia: No. Nothing at all.  
26  
27 Sgt. Scott: Okay. Let's talk about the code 9's. You mentioned that  
28 Neuman made mention of maybe doing your paperwork in  
29 a code 9 area and then looking at your shift it looks like  
30 there's some code 9's that were done. So let me just ask  
31 you. Would it be safe to say the purpose of doing a code 9  
32 is to actually be in your area, in the code 9 area?  
33  
34 Ofc. Sylvia: Ah hum.  
35  
36 Sgt. Scott: Okay.  
37  
38 Sgt. Warren: And you know when you log into code 9 it plots where  
39 your GPS is at that exact moment?  
40  
41 Ofc. Sylvia: Yes.  
42  
43 Sgt. Warren: So if you're not in that area.

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1  
2 Ofc. Sylvia: I mean it's very possible that I could have been in the  
3 general vicinity, but missed the general area of the code 9,  
4 but thought it was, you know cuz the map I usually try. I  
5 actually write down on a sticky note when I go through and  
6 do my stop. I write down every specific like district one,  
7 this is the code 9 for that and then the location for that. I go  
8 down the list and so based off of the map, I kind of do like  
9 main cross streets, write those down so I can kind of  
10 generally remember where the code 9 is at and so I'll  
11 usually try to plot that code 9 for when I'm driving through  
12 certain areas like that.  
13  
14 Sgt. Scott: Has there ever been a time where you've logged a code 9  
15 and you were intentionally nowhere near that code 9 area  
16 just for the sake of logging one?  
17  
18 Ofc. Sylvia: No.  
19  
20 Sgt. Scott: Are you sure?  
21  
22 Ofc. Sylvia: I'm positive. I usually don't do a code 9 unless I'm actually  
23 in that specific area.  
24  
25 Sgt. Warren: Any reason why your radio logs would show you're in one  
26 area meeting with Officer Storms and code 9's in different  
27 areas that night?  
28  
29 Ofc. Sylvia: I don't remember doing that.  
30  
31 Sgt. Warren: You don't remember doing that.  
32  
33 Ofc. Sylvia: No. I don't remember what code 9 I would have used for  
34 up there.  
35  
36 Sgt. Warren: District hot spots or different areas you may have code 9  
37 Boy or code 9 Frank. You seem to remember everything  
38 else about that night. You remember everything else you  
39 guys talked about and everything like that, but anytime  
40 we're asking anything about potentially any wrong doing  
41 you suddenly don't remember.  
42

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1 Ofc. Sylvia: I'm not trying to. I'm honestly trying to remember what I  
2 did that night. I can't.  
3  
4 Sgt. Scott: I completely agree with Sergeant Warren. I mean you have  
5 a great recollection of everything you guys talked about  
6 that night and actually an amazing recollection, you know,  
7 but then I'm asking you, you know questions about code  
8 9's, you know.  
9  
10 Sgt. Warren: Police work.  
11  
12 Sgt. Scott: What you were actually being paid to do, correct?  
13  
14 Ofc. Sylvia: Yes.  
15  
16 Sgt. Scott: All the stuff that you weren't being paid to do you  
17 remember all that, but the stuff that they're paying you  
18 twenty something dollars an hour to do and the things we  
19 expect you to do. You can't remember that stuff. That's a  
20 problem.  
21  
22 Ofc. Sylvia: All right.  
23  
24 Sgt. Warren: So I'm going to reiterate something one more time.  
25 Something I learned a long time ago from one of my very  
26 first police chiefs'. Okay. Think of a subway system in  
27 New York. It's got three rails. The electricity goes through  
28 the middle rail, correct?  
29  
30 Ofc. Sylvia: Correct.  
31  
32 Sgt. Warren: So there's certain things in your career if you do wrong,  
33 you touch a side rail, you touch over here, you're going to  
34 get zapped, but you're going to be okay. You're going to  
35 survive it, but there's certain things that you do in your  
36 career that if you touch that middle rail you're dead. No  
37 one is going to save you and there's no coming back from  
38 it. Lying is one of those things. Okay. If you did code 9,  
39 boys', different things, that's a separate issue. You and  
40 Officer Storms having any type of relationship on duty,  
41 that's a separate issue, but the one thing that's that third rail  
42 that's going to guarantee you being in trouble that you can't  
43 come back from is the dishonesty part.




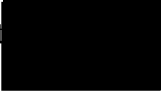
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**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 2:25 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Ofc. Sylvia: I'm not being dishonest with you.  
3  
4 Sgt. Warren: Like I said, right now your recollection is almost perfect. I  
5 can't remember what I did yesterday, but you remember  
6 two, three months ago everything you guys talked about  
7 and what you looked at, but when we ask you more specific  
8 questions suddenly you can't remember.  
9  
10 Ofc. Sylvia: I guess I remember it because it was bothersome to me, but  
11 I felt like the whole rumor came up and that's why I  
12 remember. I was trying to think of like how somebody  
13 would be able to get this impression from us meeting. I  
14 think that's why I remember so much about it.  
15  
16 Sgt. Warren: Why would someone get an impression of two officers  
17 meeting in a little, quiet, secluded area by a lake and  
18 hanging out for three hours?  
19  
20 Ofc. Sylvia: Well, like how would they get.  
21  
22 Sgt. Warren: Put yourself in that position. That's how they got that  
23 impression.  
24  
25 Ofc. Sylvia: I understand that. I do.  
26  
27 Sgt. Warren: You said Sergeant Scott's talked to you about that before  
28 and not putting yourself in that position, but then when you  
29 said Officer Neuman comes up and you're like oh, yeah,  
30 you're right. We didn't realize that. Well, you just suddenly  
31 realized that at the moment that Officer Neuman told you  
32 or did you realize it the month or two before when Sergeant  
33 Scott told you?  
34  
35 Ofc. Sylvia: I mean I understood what Sergeant Scott had told me, but  
36 it's a month later. I guess you're not really thinking when  
37 you're in situations like that or when you're meeting up and  
38 you're just talking about things. You don't really realize.  
39  
40 Sgt. Scott: When you're standing at the edge of a lake at the railing  
41 with the exact officer that I told you need to be careful  
42 about the perception and make sure that you avoid the

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1 appearance of evil cuz that's something I love telling me.  
2 Okay.  
3  
4 Ofc. Sylvia: I remember you telling me that.  
5  
6 Sgt. Scott: Okay. I feel like you don't put a lot of thought into what  
7 you're doing, to be honest with you.  
8  
9 Ofc. Sylvia: I guess I just wasn't thinking.  
10  
11 Sgt. Scott: But we pay you to it, right? To think and to be aware of  
12 perceptions because perceptions can be realities as well.  
13  
14 Ofc. Sylvia: Correct.  
15  
16 Sgt. Warren: So it this something that you meet with other officers and  
17 have these types of discussions with everybody in your  
18 squad?  
19  
20 Ofc. Sylvia: I do it with Rizzi. I'll do it with, you know Alvarez and I  
21 will meet up every once in a while.  
22  
23 Sgt. Warren: Do you ever park in dark areas and go look at ducks and  
24 walk by the lake?  
25  
26 Ofc. Sylvia: No. No. No.  
27  
28 Sgt. Warren: And not with an officer that there already has been  
29 speculation that you're somehow connected with.  
30  
31 Ofc. Sylvia: I understand how this looks bad. I do. I really do  
32 understand how this looks bad and I'm being a hundred  
33 percent honest with you. There's nothing going on  
34 between.  
35  
36 Sgt. Warren: What if I told you that the witness saw you doing more?  
37 What if I told you that?  
38  
39 Ofc. Sylvia: I don't know how they would get that. I don't know how  
40 they would have seen anything cuz there was nothing that  
41 happened. I have never done anything with Officer Storms.  
42 Never. The only thing we have ever done is 45 and talk.  
43 That's it.

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1  
2 Sgt. Warren: So this witness made up this story? I've talked to the  
3 witness. Why would this witness have completely made up  
4 a story out of the blue and everything's matched up exactly  
5 to detail, except for the part of what you guys may or may  
6 not have been doing.  
7  
8 Sgt. Scott: Here's the deal. The witness is not even   
9  
10 Sgt. Warren: It's a separate.  
11  
12 Sgt. Scott: It's not   
13  
14 Sgt. Warren: It's a citizen of Marana.  
15  
16 Ofc. Sylvia: I still don't know how they would have seen anything.  
17  
18 Sgt. Warren: They walked by.  
19  
20 Ofc. Sylvia: But there was nothing that happened. I have never done  
21 anything with Officer Storms. Ever.  
22  
23 Sgt. Scott: Were you in Officer Storms' car?  
24  
25 Ofc. Sylvia: No, I was not.  
26  
27 Sgt. Scott: Was he in your car?  
28  
29 Ofc. Sylvia: No. He's never been in my car. I've never been in his car.  
30  
31 Sgt. Scott: So there'd be no pictures of you in Officer Storms' car, no  
32 pictures of you?  
33  
34 Ofc. Sylvia: I don't know how you guys would have pictures cuz I have  
35 never been in his car.  
36  
37 Sgt. Scott: Were you in any other officer's car on duty when you guys  
38 (inaudible) together?  
39  
40 Ofc. Sylvia: No.  
41  
42 Sgt. Scott: Okay.  
43

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1 Ofc. Sylvia: I can't think of anything.  
2  
3 Sgt. Warren: There's no chance citizens would have taken pictures?  
4  
5 Ofc. Sylvia: I don't know what they would have seen.  
6  
7 Sgt. Warren: That's what we're asking you.  
8  
9 Ofc. Sylvia: I know. I'm being honest with you. I have no idea what  
10 they would have seen. I can't think of any incident that  
11 would have done anything. I've never been in somebody  
12 else's car.  
13  
14 Sgt. Warren: Were you guys somewhere else not in your car? I didn't  
15 say the witness said you were in the car. I never told you  
16 that.  
17  
18 Ofc. Sylvia: No. I can't. I have never done anything on duty at all.  
19  
20 Sgt. Scott: With who? With Officer Storms?  
21  
22 Ofc. Sylvia: Anybody.  
23  
24 Sgt. Scott: Anybody.  
25  
26 Ofc. Sylvia: I know you guys think I'm lying, but I'm not. I don't know  
27 how to convince you guys or what you guys want to hear.  
28  
29 Sgt. Warren: Was there any type of touching, hand holding, anything at  
30 all?  
31  
32 Ofc. Sylvia: No.  
33  
34 Sgt. Warren: Nothing.  
35  
36 Ofc. Sylvia: I have no idea what. I'm telling you everything that I know  
37 and I'm being honest with you about and I don't know  
38 what this is about or how it came to be.  
39  
40 Sgt. Warren: It came to be cuz we got.  
41  
42 Ofc. Sylvia: I understand that.  
43

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1 Sgt. Warren: A citizen in Marana walked by you guys and I've talked to  
2 that person. This isn't something we made up. This isn't  
3 something we stirred up because we heard a rumor going  
4 around. Because an actual citizen in Marana that's a tax  
5 payer walks by two officers and says it's apparent there  
6 was more going on. That these were not just two officers  
7 just sitting there.  
8  
9 Ofc. Sylvia: I promise you. I have no idea.  
10  
11 Sgt. Warren: Okay.  
12  
13 Ofc. Sylvia: And I know you guys think I'm lying. I know you do.  
14  
15 Sgt. Scott: I didn't say you were lying.  
16  
17 Sgt. Warren: I didn't say that.  
18  
19 Sgt. Scott: I never said you were lying. What I said was I expect you  
20 to tell the truth.  
21  
22 Ofc. Sylvia: And I am telling you the truth. I mean you told me that you  
23 know, you want the truth out of me and that's what I'm  
24 telling you, but I'm also getting the impression from you  
25 that you don't believe me.  
26  
27 Sgt. Scott: We're probing. I told you this is a fact finding mission.  
28 That's all it is.  
29  
30 Ofc. Sylvia: I will do my best to remember about the code 9's. What  
31 other questions can I answer for you to try to fix this, to try  
32 to figure this out because I don't know? You know, I can't  
33 remember everywhere that I was specifically, every code 9  
34 that I was. I can't remember. I mean if I saw maybe the  
35 radio or the incident log I might be able to remember what I  
36 was doing, but I don't remember anything on [REDACTED] I  
37 don't know anybody on [REDACTED]  
38  
39 Sgt. Warren: Let's go back to the [REDACTED] real quick. There's multiple  
40 GPS coordinates throughout your shift that puts you at a  
41 house over in that neighborhood, in that area, whether it's  
42 an exact house or somewhere around there, throughout the

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1 entire shift it shows your GPS tracking there. Do you know  
2 anybody in that area?  
3  
4 Ofc. Sylvia: Nobody is coming to mind. I don't. It's off of [REDACTED]  
5 [REDACTED] and I'm going through the list of  
6 people that I know in my head. I don't know of anybody  
7 that lives in that area.  
8  
9 Sgt. Warren: Did you meet with Officer Storms that night anywhere else,  
10 other than by the lake area?  
11  
12 Ofc. Sylvia: For that period of time, no. There might have been, you  
13 know since we were in the same district and we do get  
14 along there may have been 45's here and there and  
15 everywhere, but not nothing. It was this call or that call. We  
16 were talking about this or that and then we would go and  
17 drive our own separate ways.  
18  
19 Sgt. Warren: Did you ever meet with Officer Storms anywhere in this  
20 general neighborhood?  
21  
22 Ofc. Sylvia: I do not remember if there was a code 9 or if he came to a  
23 call there. I don't remember.  
24  
25 Sgt. Warren: Any reason that both of your GPS put you in that  
26 neighborhood at the same time for a significant time  
27 period?  
28  
29 Ofc. Sylvia: Sometimes after calls we'll 45 and just kind of talk, but it's  
30 usually not for anything, you know. It's just after the call  
31 we'll talk for a little bit and then we'll go on separate ways.  
32 I don't know anybody on [REDACTED] I don't even know  
33 anybody on [REDACTED]  
34  
35 Sgt. Scott: Did you notify a supervisor or anything about the allegation  
36 or what, you know [REDACTED] had told you?  
37  
38 Ofc. Sylvia: No. I don't believe so.  
39  
40 Sgt. Scott: Do you think that's something you should notify a  
41 supervisor about?  
42  
43 Ofc. Sylvia: Probably.

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1  
2 Sgt. Scott: Yeah.  
3  
4 Ofc. Sylvia: That was my other mistake, I guess.  
5  
6 Sgt. Scott: And the reason why I'm asking that is cuz, you know if  
7 [REDACTED] is telling you that [REDACTED] hearing an allegation that  
8 you're involved in some conduct you're not supposed to be  
9 involved in and that conduct is not true, wouldn't you just  
10 want to get in front of that and say hey, you know boss, this  
11 is what I'm hearing.  
12  
13 Ofc. Sylvia: Yeah. I guess when I talked to Storms it was oh, maybe,  
14 you know, I don't know what they would have seen, you  
15 know. We kind of like talked that over like I don't know  
16 what they would have seen. We didn't even get out of our  
17 cars, other than to go up to talk at the railing.  
18  
19 Sgt. Scott: But [REDACTED] told you that the allegation was what? What was  
20 it that [REDACTED] told you?  
21  
22 Ofc. Sylvia: [REDACTED] told me that somebody had told [REDACTED] that in that area,  
23 at that time, which was the time that I was there, that  
24 myself and Officer Storms were there, that somebody had  
25 seen a female officer and a male officer and the female  
26 officer had gotten out of the car and walked over and gotten  
27 in the passenger seat of the male's car and her head  
28 disappeared and that's what [REDACTED] told me.  
29  
30 Sgt. Scott: Which would tend to.  
31  
32 Ofc. Sylvia: Which would tend to think that there was something sexual  
33 or oral that went on.  
34  
35 Sgt. Scott: Oral sex.  
36  
37 Ofc. Sylvia: Oral sex that went on.  
38  
39 Sgt. Scott: Okay. And the reason why I'm asking you that is so let's  
40 just say it was not you.  
41  
42 Ofc. Sylvia: Okay.  
43

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1 Sgt. Scott: Do you think that's something you should let us know  
2 about?  
3  
4 Ofc. Sylvia: Definitely.  
5  
6 Sgt. Scott: That there's an allegation that there's a Marana PD officer  
7 that's potentially involved in sexual activity on duty.  
8  
9 Ofc. Sylvia: Yes.  
10  
11 Sgt. Scott: And maybe that should have maybe been put down on a  
12 memo somewhere or given to a supervisor.  
13  
14 Ofc. Sylvia: Yes. I agree.  
15  
16 Sgt. Scott: Would you agree that's a serious allegation?  
17  
18 Ofc. Sylvia: It is. I guess I wasn't thinking either on that.  
19  
20 Sgt. Scott: Okay.  
21  
22 Ofc. Sylvia: I was more frustrated than anything I think cuz I'm trying  
23 to.  
24  
25 Sgt. Scott: I'm telling you right now, if I heard a rumor from someone  
26 else that said that they saw me behind a Circle K, you know  
27 having sex with somebody on duty, I would be furious, but  
28 I would also notify a supervisor that's an allegation that's  
29 going around. Because what ends up happening is when  
30 this comes full circle three months later or whenever and  
31 now it's in internal affairs, you know, you're not in the  
32 interview room saying well, yeah, I heard that rumor three  
33 months ago, but you know. You get what I'm saying?  
34  
35 Ofc. Sylvia: Ah hum.  
36  
37 Sgt. Scott: That's something you probably want to get out in front of  
38 and say right then and there and say this is an allegation  
39 that I'm hearing and this is not factual.  
40  
41 Ofc. Sylvia: And that makes sense. That my other mistake.  
42



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1 Sgt. Scott: Especially when you find out there was multiple people  
2 talking about it, at least two, one Town employee and one  
3 [REDACTED] Get what I'm saying?  
4  
5 Ofc. Sylvia: I do.  
6  
7 Sgt. Scott: Okay.  
8  
9 Sgt. Warren: Let's take a few minutes. Give her a chance to catch her  
10 breath. I'll grab you some water or something. Okay. We'll  
11 be right back. I'll give you a few minutes. So the time is  
12 now 3:21. We'll be taking a short recess.  
13  
14 Sgt. Warren: This is Sergeant Chris Warren, Marana Police Department.  
15 The time is 3:35. This will be a continuous of the internal  
16 affairs interview with Kyla Sylvia. The same people  
17 present in the room, Sergeant Scott, as well as Kyla and  
18 myself. We just took a short break. We're back on record  
19 now. You had a question that you had just asked?  
20  
21 Ofc. Sylvia: Yes. Are you able to show me the time and the exact  
22 location of where the witness saw these things? Are you  
23 able to tell that to me or are you able to show me?  
24  
25 Sgt. Warren: Everything that you told us so far, minus the part about any  
26 touching or anything like that has matched up.  
27  
28 Ofc. Sylvia: Okay.  
29  
30 Sgt. Warren: So the witness saw you in that area. The witness saw you  
31 guys looking at ducks, walking along the lake and together  
32 and then when the witness came back you guys had moved  
33 your vehicles.  
34  
35 Ofc. Sylvia: To farther over. Okay.  
36  
37 Sgt. Warren: And it is now dark.  
38  
39 Ofc. Sylvia: Okay.  
40  
41 Sgt. Warren: And that's when the witness saw something that she  
42 believed to be possibly inappropriate. That's how it was  
43 reported to us.

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1  
2 Ofc. Sylvia: Are you able to show me the pictures? I know exactly what  
3 incident you're talking about now, now that you've told me  
4 that and I mean I've been a hundred percent honest with  
5 you about everything that happened that night.  
6  
7 Sgt. Warren: What else do you remember now that might be different  
8 that you can help add to?  
9  
10 Ofc. Sylvia: I don't know anybody on   
11  
12 Sgt. Scott: Would the pictures change anything about what happened?  
13  
14 Ofc. Sylvia: No. Honestly because I mean there was. I mean I'm trying  
15 to think if there was any time that I got out of my vehicle  
16 and I don't think there was.  
17  
18 Ofc. Sylvia: When you say get out of your vehicle, what do you mean?  
19 Get out of your vehicle for what?  
20  
21 Ofc. Sylvia: To get into Officer Storms vehicle and there wasn't any  
22 time that I would have done that.  
23  
24 Sgt. Scott: You don't think or for sure.  
25  
26 Ofc. Sylvia: For sure there was no time that I got into his vehicle.  
27  
28 Sgt. Scott: Okay.  
29  
30 Ofc. Sylvia: And I'm for sure a hundred percent. I'm questioning that  
31 now because it was so far back that I'm trying to think if  
32 there was a time, but I'm a hundred percent positive there  
33 wasn't.  
34  
35 Sgt. Scott: You're questioning whether or not you were in the  
36 passenger seat of his car?  
37  
38 Ofc. Sylvia: No. I know I never got into the passenger seat of his car.  
39  
40 Sgt. Scott: Then what are questioning then?  
41  
42 Ofc. Sylvia: I guess I'm questioning how they would have seen  
43 something like that.

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1  
2 Sgt. Warren: That's our question too. Somebody that doesn't know  
3 either of you guys, that comes forward and makes this  
4 report.  
5  
6 Ofc. Sylvia: I mean I think if I had seen the pictures maybe I could  
7 explain to you what we were actually doing, you know.  
8  
9 Sgt. Scott: And I guess that's what I don't understand because if what  
10 you're telling me is you guys were out at the lake. You  
11 guys were doing whatever. You get back to your car.  
12 You're sitting in your car. He's sitting in his car and he's  
13 45-ing. What would the pictures clarify for you?  
14  
15 Ofc. Sylvia: If there was anything. Not if there was anything cuz there  
16 was not anything.  
17  
18 Sgt. Scott: You get where I'm going with this?  
19  
20 Ofc. Sylvia: I get where the general direction that you're headed with it,  
21 but.  
22  
23 Sgt. Scott: What I'm asking you is, you want to see the pictures now.  
24  
25 Ofc. Sylvia: I'm curious what.  
26  
27 Sgt. Scott: But what I'm telling you is if nothing happened, why do  
28 you want to see the pictures? If you weren't in his car, if  
29 you weren't engaged in any sort of inappropriate behavior  
30 on duty then what should it matter?  
31  
32 Ofc. Sylvia: It doesn't.  
33  
34 Sgt. Scott: But yet you want to see the pictures.  
35  
36 Ofc. Sylvia: I wanted to see them just because I kind of wanted to see  
37 how they would have, what they would have seen.  
38  
39 Sgt. Scott: Okay. So I'm going to give you a little scenario. Okay.  
40  
41 Ofc. Sylvia: Okay.  
42


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1 Sgt. Scott: So if someone came and said hey, we saw you having sex  
2 in the chief's office over the weekend with some other  
3 person and they came and told me that. I wouldn't even ask  
4 to see the pictures cuz you know what. I wasn't in the  
5 chief's office. You got some other dude. You get what I'm  
6 saying.  
7  
8 Ofc. Sylvia: I get what you're saying.  
9  
10 Sgt. Scott: But if I'm like I'm like hey, you know what. Let me see the  
11 pictures. Let me see.  
12  
13 Ofc. Sylvia: I get where you going with that.  
14  
15 Sgt. Scott: You get what I'm saying.  
16  
17 Ofc. Sylvia: I'm not explaining it the way that I'm trying to get it  
18 across.  
19  
20 Sgt. Scott: That's what I'm asking is. What would that clarify?  
21  
22 Ofc. Sylvia: It wouldn't.  
23  
24 Sgt. Scott: If you didn't do anything and that's what you're telling me  
25 and that's what you kept telling us then.  
26  
27 Ofc. Sylvia: It's more curiosity, I guess than anything else, but I'm  
28 positive that.  
29  
30 Sgt. Scott: You're curious to see whether or not they really have  
31 pictures of you.  
32  
33 Ofc. Sylvia: No.  
34  
35 Sgt. Scott: Okay.  
36  
37 Ofc. Sylvia: I'm curious what they would have, you know I guess. I'm  
38 trying to word it in a certain way that you guys can  
39 understand what I'm trying to explain. I'm really, really  
40 bad at that.  
41  
42 Sgt. Warren: Here's the thing too though. If you're telling us the truth  
43 and I pull out a picture and I show it to you that shows

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**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 something different then what? Are you going to be oh,  
2 yeah, now I remember?  
3  
4 Ofc. Sylvia: No. I understand.  
5  
6 Sgt. Scott: (Inaudible) really disappointed in you. I really would be.  
7  
8 Ofc. Sylvia: And there's nothing. There is nothing that happened that  
9 night. I promise that. There's nothing that happened that  
10 night.  
11  
12 Sgt. Scott: Okay.  
13  
14 Ofc. Sylvia: I mean and like explained before, like when we 45 it's like  
15 a game to try to see who can get closer and I always give  
16 him a hard time about it like why are you all the way over  
17 there like 45 like so you can get closer mirror wise.  
18  
19 Sgt. Warren: If there's nothing romantic going on, why are guys looking  
20 at ducks and walking along the lake and meeting out in a  
21 private area?  
22  
23 Ofc. Sylvia: I guess just.  
24  
25 Sgt. Warren: You said you don't do that with other officers.  
26  
27 Ofc. Sylvia: No. And I understand how that looks bad now too, but it  
28 was more just like a friend to friend kind of thing like  
29 friend and it just happened to be in that area.  
30  
31 Sgt. Warren: One thing I can say was the witness said it was very  
32 apparent and obvious to her that this was more than just  
33 two friends hanging out together. She said that it was  
34 apparent to her that there was chemistry, a physical  
35 attraction and that it was. She described it as a new couple  
36 is exactly how she described it to me.  
37  
38 Ofc. Sylvia: Okay. I find Officer Storms attractive. I do find him  
39 attractive, but I don't know if he thinks the same of me. I  
40 have no idea. I mean he's a very attractive person.  
41  
42 Sgt. Scott: He's not that attractive. I'm just kidding.  
43

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1 Ofc. Sylvia: In my opinion, he is.  
2  
3 Sgt. Warren: All right.  
4  
5 Sgt. Scott: Kyla, you got to listen.  
6  
7 Ofc. Sylvia: I will.  
8  
9 Sgt. Scott: You have to listen, you know and you have to understand  
10 that your supervisors and your LPO's they have your best  
11 interest in mind. Okay. When I worked with you I never  
12 steered you in a direction where I knew you were going to  
13 get in trouble. Believe it or not, we've had these same  
14 conversations where I was sitting on the other side of the  
15   
16  
17  
18  
19 Ofc. Sylvia: And I am being truthful.  
20  
21 Sgt. Scott: I'm not saying that to say you're not being truthful, but you  
22 have to take that counsel that people are giving you and  
23 actually apply it and not just say oh, yeah. I didn't really  
24 realize what was going on.  
25  
26 Ofc. Sylvia: To be honest with you. When we talked three weeks ago,  
27 three or four weeks ago, when I was in the office the other  
28 time, I did take to heart what you told me. I have, you know  
29 completely just been strictly business coworkers, friends  
30 with everybody that I come across with and the thing about  
31 me is I'm actually a very friendly person and I had this  
32 problem my entire life. People think that I am flirting with  
33 somebody or that I'm attracted to somebody and I'm just  
34 being friendly with them.  
35  
36 Sgt. Scott: And I get what you're saying. I understand what you're  
37 saying. But there's things that you can do to avoid. No one  
38 would be making this allegation if you were in the Walmart  
39 parking lot doing paperwork or if you were in a populated  
40 area, but when you're off the beaten path. For one, you're  
41 not being visible so. When you're up near the duck pond  
42 for two or three hours and the two of you are assigned to  
43 district two, who's maintaining patrol visibility in the entire

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1 district? I mean I don't know if you look at the hot spots,  
2 but we actually have some issues on Cortaro going on so  
3 we'd prefer that if you're going to do your paperwork  
4 you'd be somewhere in that area so that when criminals are  
5 driving through they see hey, there's a Marana car there,  
6 maybe I won't go shoplift from Walmart or you know,  
7 maybe I won't shoot someone at, you know Chipotle. You  
8 know what I'm saying.  
9  
10 Ofc. Sylvia: I understand.  
11  
12 Sgt. Scott: But there's no criminals that are driving around by the duck  
13 pond so you're not visible and ultimately you're not really  
14 doing what we're paying you to do. When I saw we, I mean  
15 I don't pay you, but. You get what I'm saying.  
16  
17 Ofc. Sylvia: I get what you're saying.  
18  
19 Sgt. Warren: Do you have her radio log?  
20  
21 Sgt. Scott: Yes.  
22  
23 Sgt. Warren: A little bit ago, we were talking about the code 9 boys. So  
24 basically you said you guys were together during that time.  
25 There's a couple code 9 boys. There's one here, one here.  
26  
27 Ofc. Sylvia: And I was looking at that paper and I was trying to think if  
28 I did any follow up that day.  
29  
30 Sgt. Warren: So if you guys are meeting during this time, was that  
31 something you logged in while you guys were together to  
32 make it look like you were in a different area?  
33  
34 Ofc. Sylvia: No. D2 (inaudible) that's Walmart area.  
35  
36 Sgt. Scott: What time was that?  
37  
38 Ofc. Sylvia: That is at. (Inaudible) 22:44. 22:44, but I.  
39  
40 Sgt. Warren: And that doesn't show the GPS coordinate where you were  
41 which we have.  
42

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1 Ofc. Sylvia: Okay. When it says residence, is that that [REDACTED] address  
2 that you're talking about?  
3  
4 Sgt. Scott: Don't worry about that. What I wrote in with the red?  
5  
6 Ofc. Sylvia: Ah hum.  
7  
8 Sgt. Scott: Don't worry about that.  
9  
10 Ofc. Sylvia: Okay. Is it the highlighted ones or is it the red marks?  
11  
12 Sgt. Warren: I'm only asking about this code 9 boy and this code 9 boy.  
13  
14 Ofc. Sylvia: If I'm doing code 9 boys. I mean we'll 45 in that area and  
15 then we'll check out code 9 boys, but we'll be 45, you  
16 know either doing paperwork or you know, talking like we  
17 always do, but there's nothing that goes on at all.  
18  
19 Sgt. Warren: But there were not entered you're saying while you guys  
20 were meeting over by the pond.  
21  
22 Ofc. Sylvia: No. I don't remember doing that at all. I don't try to do that  
23 anyway. I try to make sure that if I'm in that area doing a  
24 code 9 that that's the code 9 that I'm at. I may forget to go  
25 10-8. I've done that before, you know from my code 9's,  
26 but it's not intentional.  
27  
28 Sgt. Warren: Let's take a little break. We'll have you go over to the  
29 lieutenant's office and then we'll interview the other officer  
30 and then we'll see if everything's matching up at that point.  
31 All right. The time is now 3:46. We'll be concluding the  
32 interview.  
33  
34 Sgt. Warren: This is Sergeant Chris Warren, Marana Police Department.  
35 It's still October 13<sup>th</sup>. The time is now 5:12 p.m. This will  
36 be a continuation to the earlier interview with Officer Kyla  
37 Sylvia. Also present is Sergeant Chriswell Scott. Kyla, still  
38 the Notice of Investigation. We talked to you earlier. Just to  
39 remind you about that. It's still in place.  
40  
41 Sgt. Scott: Let me talk to you real quick. I'm just going to put this on  
42 tape since it just came to my attention. Lieutenant



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1 Brunenkant told me while you were sitting in his office that  
2 you inquired about a rep.  
3  
4 Ofc. Sylvia: I talked to the LT cuz I wasn't sure. This is my first  
5 allegation basically so I wasn't sure how it worked so I just  
6 talked to him, kind of like figure out what I needed to do.  
7  
8 Sgt. Scott: Okay. Do you need a rep here right now for us to proceed?  
9 Would you like one?  
10  
11 Ofc. Sylvia: If there's just clarifying questions. No.  
12  
13 Sgt. Scott: Okay. So is that no, you don't want a rep right now?  
14  
15 Ofc. Sylvia: No. Not at the moment. No.  
16  
17 Sgt. Scott: Okay. If that changes at any point, you let me know. Okay.  
18  
19 Ofc. Sylvia: Okay.  
20  
21 Sgt. Scott: All right.  
22  
23 Sgt. Warren: A lot of questions we ask we already know the answers to  
24 and we do a lot of research as investigators beforehand and  
25 then basically the interview is just a formality to be able to  
26 verify what we already know and then what happens is we  
27 already know some information and then you start getting  
28 different stories of different things and different things that  
29 just aren't adding up. So now that leads into now what.  
30  
31 Ofc. Sylvia: Okay.  
32  
33 Sgt. Warren: When someone's story is not matching another story or  
34 another story or two, three stories all match and one  
35 person's story is completely different.  
36  
37 Ofc. Sylvia: Okay.  
38  
39 Sgt. Warren: Then I tend to believe, okay, well, the one person that's  
40 probably different is possibly the one that's not completely  
41 forthcoming with the information or being honest.  
42  
43 Ofc. Sylvia: Okay.

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1  
2 Sgt. Warren: Do you understand?  
3  
4 Ofc. Sylvia: I understand.  
5  
6 Sgt. Warren: Okay.  
7  
8 Sgt. Scott: Was there anything that you told us, any of the answers you  
9 told us earlier that were not a hundred percent truthful?  
10  
11 Ofc. Sylvia: No.  
12  
13 Sgt. Scott: Okay.  
14  
15 Ofc. Sylvia: I was honest with you the best of my knowledge.  
16  
17 Sgt. Warren: And you know we're talking to everybody here, right?  
18  
19 Sgt. Scott: Everyone that we're talking to within this building right  
20 now.  
21  
22 Ofc. Sylvia: Yes.  
23  
24 Sgt. Scott: You're just shuttling into different offices then we pull you  
25 in and then we'll shuttle you back there and we'll bring the  
26 next person in.  
27  
28 Ofc. Sylvia: Yeah. I know. I understand.  
29  
30 Sgt. Scott: Okay. Do you remember me talking to you about what I  
31 expect from you is complete honesty?  
32  
33 Ofc. Sylvia: Yes.  
34  
35 Sgt. Scott: One hundred percent honesty. It's your character. It's your  
36 reputation that's on the line.  
37  
38 Ofc. Sylvia: Yes.  
39  
40 Sgt. Scott: Okay. What you're going to get from us is we're going to  
41 be professional with you. We're going to be forthcoming.  
42 We're not going to go outside of the scope of what's going  
43 on here. Okay.

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1  
2 Ofc. Sylvia: Okay.  
3  
4 Sgt. Scott: Based off of the allegation that was made by the citizen,  
5 who said that two officers were observed in that area,  
6 which we confirmed that it's you two. It's you and Storms.  
7  
8 Ofc. Sylvia: Okay.  
9  
10 Sgt. Scott: And that there was the allegation of inappropriate conduct,  
11 inappropriate conduct on duty which is the reason why I  
12 asked you, just to kind of lay a foundation with what type  
13 of relationship you and Officer Storms have. Okay. And I  
14 asked you what's the nature of the relationship that you  
15 have with Officer Storms and you tell me that it's just a  
16 work relationship. You guys don't really talk outside of  
17 work. I asked you have you ever had a sexual relationship  
18 with Officer Storms and you tell me no. You have not had a  
19 sexual relationship with Storms. Is that totally honest?  
20  
21 Ofc. Sylvia: Outside of work.  
22  
23 Sgt. Scott: That's not what I asked you. I asked you earlier have you  
24 ever have you ever had a sexual relationship with Officer  
25 Storms and you told me no. Is that correct?  
26  
27 Ofc. Sylvia: I did tell you no.  
28  
29 Sgt. Scott: Okay. Was that factual?  
30  
31 Ofc. Sylvia: I guess it's. I kind of separate work from.  
32  
33 Sgt. Scott: When I asked you earlier, I said have you ever had a sexual  
34 relationship with Officer Storms. Was there any doubt in  
35 your mind at that point that I was talking about have you  
36 ever had a sexual relationship with Officer Storms. Is that a  
37 pretty clear question?  
38  
39 Ofc. Sylvia: It is.  
40  
41 Sgt. Scott: Okay. Was the answer you gave me factual?  
42  
43 Ofc. Sylvia: No.

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1  
2 Sgt. Scott: Okay. And what part of that was not factual?  
3  
4 Ofc. Sylvia: Outside of work, did one thing with Officer Storms.  
5  
6 Sgt. Scott: What do you mean by you did one thing with Officer  
7 Storms?  
8  
9 Ofc. Sylvia: I had sex with Officer Storms outside of work.  
10  
11 Sgt. Scott: Okay. So why were you not forthcoming and truthful with  
12 me when I asked you that prior?  
13  
14 Ofc. Sylvia: I guess I was separating work from outside of work like I  
15 have never done anything with Officer Storms at work.  
16  
17 Sgt. Scott: Is that what I had asked you prior?  
18  
19 Ofc. Sylvia: No.  
20  
21 Sgt. Scott: Okay. So would you say that you were intentionally  
22 dishonest with me?  
23  
24 Ofc. Sylvia: I suppose so.  
25  
26 Sgt. Scott: It's a yes or no. Were you intentionally dishonest with me?  
27  
28 Ofc. Sylvia: Yes.  
29  
30 Sgt. Scott: Okay. So that whole spill that I gave you about complete  
31 honesty. I want the one hundred percent truth.  
32  
33 Ofc. Sylvia: I understand.  
34  
35 Sgt. Warren: Again, without having to confront you with every little fact  
36 that we know, you bring those facts to us is what we need.  
37  
38 Ofc. Sylvia: Okay.  
39  
40 Sgt. Warren: So with that being said and getting that clarified with that  
41 one point. We had to go back to you to get that clarified.  
42  
43 Ofc. Sylvia: Okay.

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1  
2 Sgt. Warren: What else? What else?  
3  
4 Ofc. Sylvia: Honestly that night nothing happened and I know, you  
5 know with all these other things that you guys aren't going  
6 to believe me. I know that.  
7  
8 Sgt. Warren: Help us. Help us believe you. Okay.  
9  
10 Ofc. Sylvia: How?  
11  
12 Sgt. Warren: We're here just to get the truth. We want to hear from you  
13 as to what is the truth. Okay.  
14  
15 Ofc. Sylvia: The truth is I found Officer Storms attractive. We talk  
16 outside of work, not during business hours, not during duty  
17 hours. We met outside of work. We had sex once. Nothing  
18 else has happened since then. And when we had met up and  
19 had sex the night. It was before this incident.  
20  
21 Sgt. Scott: Before that incident.  
22  
23 Ofc. Sylvia: Before this time.  
24  
25 Sgt. Scott: Are you positive on that?  
26  
27 Ofc. Sylvia: I can't remember dates.  
28  
29 Sgt. Scott: How do you know it was before July 28<sup>th</sup> if you can't  
30 remember the date?  
31  
32 Ofc. Sylvia: I know it was when I was living up in Gladden Farms. I  
33 know that's when it was.  
34  
35 Sgt. Scott: But you're still living up there.  
36  
37 Ofc. Sylvia: But I had lived up there and then I had moved back to my  
38 house at [REDACTED] and then things started  
39 to not go well with my ex and so I have since permanently  
40 moved up to this address and this was before I had gone  
41 back to [REDACTED], but I don't remember  
42 the date.  
43

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1 Sgt. Scott: The night of this incident, July 28<sup>th</sup>, you guys were sitting  
2 there out by the pond. Do you remember LPO Neuman  
3 coming and talking to you guys?  
4  
5 Ofc. Sylvia: Yes.  
6  
7 Sgt. Scott: Okay. And what did he tell you?  
8  
9 Ofc. Sylvia: He said what are you guys doing. We said oh, we're just  
10 talking and he told me he fully expected to find us talking  
11 and if he had found anything else then he would have been  
12 shocked, but I just have to ask. He's like is there anything  
13 going on, you know right now between you guys and I said  
14 no.  
15  
16 Sgt. Scott: At that point, had you already had a sexual relationship  
17 with Officer Storms at the time that he had that  
18 conversation with you?  
19  
20 Ofc. Sylvia: Um, I honestly don't remember. I don't remember when  
21 cuz I know for sure that it was when I lived in Gladden  
22 Farms the first time. He came up there and then I moved  
23 back to [REDACTED] stayed there for a  
24 couple weeks and then have since permanently moved up  
25 to Gladden Farms and it was not since I've been there  
26 recently and I honestly don't remember the date that he  
27 came over. I really don't.  
28  
29 Sgt. Scott: Do you remember me asking you about, you know, do you  
30 guys hang out outside of work and all that?  
31  
32 Ofc. Sylvia: Ah hum.  
33  
34 Sgt. Scott: And what'd you tell me?  
35  
36 Ofc. Sylvia: I told you no.  
37  
38 Sgt. Scott: Okay. And is that true?  
39  
40 Ofc. Sylvia: That one time. That one time is the one exception that we  
41 ever did anything. We have not hung out outside of work  
42 since then.  
43

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1 Sgt. Warren: How about calls, texting back and forth?  
2  
3 Ofc. Sylvia: We'll text and we'll call, but ever since that time it's been  
4 very more of a friend basis than anything else.  
5  
6 Sgt. Scott: After that one night, after the one night you mean the night  
7 you had a sexual relationship.  
8  
9 Ofc. Sylvia: Yes.  
10  
11 Sgt. Scott: Since then it's been friends.  
12  
13 Ofc. Sylvia: Since then it has been friends.  
14  
15 Sgt. Scott: Have you messaged him or anyone else about this  
16 investigation?  
17  
18 Ofc. Sylvia: My current boyfriend and my best friend, but they're not  
19 employed by Marana.  
20  
21 Sgt. Scott: I'm talking about this investigation right here. When did  
22 you do that?  
23  
24 Ofc. Sylvia: (Inaudible).  
25  
26 Sgt. Scott: And you said your current who?  
27  
28 Ofc. Sylvia: Boyfriend.  
29  
30 Sgt. Scott: And where does your current boyfriend work?  
31  
32 Ofc. Sylvia: He works at [REDACTED]  
33  
34 Sgt. Scott: Okay. And who else did you tell?  
35  
36 Ofc. Sylvia: My best friend, [REDACTED]  
37  
38 Sgt. Scott: Okay.  
39  
40 Sgt. Warren: Have you had any contact with Officer Storms today?  
41  
42 Ofc. Sylvia: He called me earlier today just to talk about his DRE  
43 School and what he was doing and what he had to do.

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1  
2 Sgt. Scott: When was that?  
3  
4 Ofc. Sylvia: Today about 1:30, just before work today.  
5  
6 Sgt. Scott: Are you positive it was today?  
7  
8 Ofc. Sylvia: Yes. A hundred percent.  
9  
10 Sgt. Warren: Do you have that on your phone log by chance?  
11  
12 Ofc. Sylvia: Storms. Right there at 13:22.  
13  
14 Sgt. Scott: 13:22 there was an incoming call.  
15  
16 Sgt. Warren: So he called you.  
17  
18 Ofc. Sylvia: Yes.  
19  
20 Sgt. Scott: Any text messages between the two of you today?  
21  
22 Ofc. Sylvia: Not today. No.  
23  
24 Sgt. Warren: Anything from you letting him know that you were here?  
25  
26 Ofc. Sylvia: No.  
27  
28 Sgt. Warren: Anything from him letting you know he was here?  
29  
30 Ofc. Sylvia: No.  
31  
32 Sgt. Warren: There's no chance this could have been yesterday him  
33 calling you?  
34  
35 Ofc. Sylvia: No. This was today.  
36  
37 Sgt. Warren: Okay. Did you talk to him at all yesterday?  
38  
39 Ofc. Sylvia: I don't believe so.  
40  
41 Sgt. Warren: Do you remember the last time you talked to him before  
42 today?  
43



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1 Ofc. Sylvia: It was the night of the shooting he messaged me on the  
2 messenger and asked if I was staying late and if I was going  
3 to. We had a conversation and I asked him how late he was  
4 staying and he said he had DRE School. He has a text the  
5 following morning at 9:00 o'clock in the morning. So I told  
6 him I would cover for him and I would stay for him so he  
7 could go home and get some sleep so he could do well on  
8 the test the next day.  
9  
10 Sgt. Warren: And that was the night of the shooting.  
11  
12 Ofc. Sylvia: Yes.  
13  
14 Sgt. Warren: That was Wednesday night.  
15  
16 Ofc. Sylvia: Wednesday night. But it will probably come up cuz it was  
17 after midnight so it would probably come up very early that  
18 Thursday morning.  
19  
20 Sgt. Warren: And then the night that you guys mentioned with you and  
21 Keith, you said it was your house in Gladden Farms.  
22  
23 Ofc. Sylvia: Yes. The house I'm staying at in Gladden Farms.  
24  
25 Sgt. Warren: This is going to be kind of an odd question. Do you  
26 remember where he was coming from, how he got there,  
27 anything like that?  
28  
29 Ofc. Sylvia: He came by Uber.  
30  
31 Sgt. Warren: Okay. How do you know that? Did he tell you or?  
32  
33 Ofc. Sylvia: He told me.  
34  
35 Sgt. Warren: Okay. And this was the only time?  
36  
37 Ofc. Sylvia: The only time.  
38  
39 Sgt. Warren: Again, getting back to us not having to pry stuff out.  
40 You're helping us believe you with everything. What else?  
41 What else did we ask you earlier that might have been?  
42

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 2:25 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Ofc. Sylvia: Everything about the night that you have on that paper is  
2 truthful. I did not get out of my car to get into his car. I did  
3 not do anything with him that night. All we did was walk  
4 up to the railing. Like I mentioned before, we may have  
5 walked down to the water's edge just to see what was down  
6 there, but there was no physical contact between him and  
7 me at all.  
8  
9 Sgt. Warren: What about any other nights at work?  
10  
11 Ofc. Sylvia: No other nights at work. We've never done anything at  
12 work.  
13  
14 Sgt. Warren: And the reason that he or anyone else may have said  
15 anything different?  
16  
17 Ofc. Sylvia: I don't know why they would say anything different cuz we  
18 both had a conversation saying even doing anything at  
19 work is stupid. I mean it's not worth losing your job over to  
20 do anything at work to get in trouble for that on duty.  
21  
22 Sgt. Warren: Did you guys talk about hey, if we get asked about this, this  
23 is kind of going to be our version or this is what?  
24  
25 Ofc. Sylvia: We never came up with a version because I mean I did talk  
26 to him. When I brought up the rumors, you know. We kind  
27 of mulled it over our head like what somebody could have  
28 said, what they could have seen, what they could have  
29 done, but both of us were very much like we didn't do  
30 anything wrong. We didn't do anything at all so there was  
31 no really stories to make up or corroborate cuz the story  
32 that we both had was what had happened.  
33  
34 Sgt. Scott: After you guys had that one-time sexual encounter, did you  
35 all at that time say that you would never discuss that with  
36 anyone?  
37  
38 Ofc. Sylvia: Yes.  
39  
40 Sgt. Scott: Okay. Was there any discussion about even if you were  
41 asked at work you would deny it?  
42

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1 Ofc. Sylvia: I don't remember that. I don't remember having that  
2 conversation.  
3  
4 Sgt. Scott: Did that play into why you didn't say anything when I  
5 asked you about it the first time cuz you guys had already  
6 previously discussed you'd never disclose it?  
7  
8 Ofc. Sylvia: Yes. Cuz I kind of made him a promise when we kind of,  
9 you know said.  
10  
11 Sgt. Scott: You were assuming that he was going to lie to us as well?  
12  
13 Ofc. Sylvia: No. I wasn't assuming that.  
14  
15 Sgt. Scott: So why not just tell the truth?  
16  
17 Ofc. Sylvia: I guess I didn't want to get him in trouble.  
18  
19 Sgt. Scott: What's there to get anyone in trouble for if it happened off  
20 duty then it happened off duty?  
21  
22 Ofc. Sylvia: You're right.  
23  
24 Sgt. Scott: I mean you obviously can see the correlation between a  
25 sexual encounter off duty and an allegation of an on duty  
26 sexual encounter, correct?  
27  
28 Ofc. Sylvia: Yeah.  
29  
30 Sgt. Scott: You can understand why we may want to know whether or  
31 not if there's an allegation whether or not you've had sex  
32 off duty or on duty.  
33  
34 Ofc. Sylvia: Yeah.  
35  
36 Sgt. Scott: Does it help maybe lay a foundation or something?  
37  
38 Ofc. Sylvia: No. I understand. I guess the reason why was cuz I was  
39 kind of like, you know I've been honest with you that  
40 there's nothing happened on duty. I understand what you're  
41 saying and what you're getting at, but I guess in my mind, I  
42 was kind of separating the two.  
43

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1 Sgt. Scott: Well, I understand that, but you can't let the basis of your  
2 truthfulness be whether or not you've made an agreement  
3 with someone else that you would talk about something or  
4 not.  
5  
6 Ofc. Sylvia: I agree.  
7  
8 Sgt. Scott: Like I told you at the beginning. When I ask you a question  
9 I expect that you're going to give me hundred percent the  
10 truth and not try to rationalize why you're not telling me  
11 the truth.  
12  
13 Ofc. Sylvia: Okay.  
14  
15 Sgt. Scott: Which in case, it was like well, we talked about never  
16 discussing this so, you know I kind of made him a promise.  
17 I didn't want to get him in trouble so that's why I told you  
18 that we didn't have sex. Cuz that's basically what you're  
19 telling me, correct?  
20  
21 Ofc. Sylvia: Yes.  
22  
23 Sgt. Scott: Okay.  
24  
25 Sgt. Warren: So with that being the case. Obviously there's things we  
26 found out that didn't come out in our first interview. I'm  
27 going to ask you again what else. What else was there that?  
28  
29 Sgt. Scott: What else did you not fully, truthfully answer? And you  
30 shouldn't have to think that hard because it's right at the tip  
31 of your tongue. You know when you're not telling the  
32 truth. You knew when we were pulling you back in and I  
33 asked you what is it that you're dishonest about, that was  
34 absolutely at the front of your mind.  
35  
36 Ofc. Sylvia: Like we've flirted. We've flirted at work, but there's been  
37 no physical contact at work.  
38  
39 Sgt. Scott: What do you mean you flirted at work? That means a lot of  
40 different things to a lot of different people.  
41  
42 Ofc. Sylvia: Things were said.  
43

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1 Sgt. Scott: What do you mean?  
2  
3 Ofc. Sylvia: Like after that night. Like sexual innuendos were said  
4 between us.  
5  
6 Sgt. Scott: Like what?  
7  
8 Ofc. Sylvia: Oh, God. Trying to remember what we'd say to each other.  
9  
10 Sgt. Scott: You have to think that hard about what you guys said?  
11  
12 Ofc. Sylvia: I do cuz this was a while ago and I don't remember  
13 everything that we said. It'd be about like. I'm trying to  
14 figure out how to word it so it comes out right. Oh, I guess  
15 how good it was and like sexual things about him  
16 personally and then me personally. Does all that make  
17 sense?  
18  
19 Sgt. Scott: Conversation that you probably shouldn't be having at  
20 work?  
21  
22 Ofc. Sylvia: Yeah.  
23  
24 Sgt. Scott: That's not what we're paying you to do.  
25  
26 Ofc. Sylvia: Yes.  
27  
28 Sgt. Scott: And that stuff can probably wait for when you're off duty.  
29 So the night of the 28<sup>th</sup>, this night here, when you guys are  
30 sitting there 45-ing, was there that talk going on back and  
31 forth?  
32  
33 Ofc. Sylvia: I think there was maybe one comment or two comments,  
34 but other than that, it was all everything that I mentioned  
35 before.  
36  
37 Sgt. Scott: You think there was a comment or was there a comment  
38 said?  
39  
40 Ofc. Sylvia: I actually don't remember. I don't remember what was  
41 said.  
42

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1 Sgt. Warren: Remember early on when we started way earlier, I  
2 explained we shouldn't have to be pulling stuff out of you.  
3  
4 Ofc. Sylvia: I know. I understand and I'm not trying to.  
5  
6 Sgt. Warren: I feel like we're still there. When we first started you  
7 remember everything that happened up until anything that I  
8 confronted you about doing anything wrong then you  
9 couldn't remember and we're still there. We're still at that  
10 point.  
11  
12 Sgt. Scott: You remembered everything about that conversation. You  
13 remember that you were talking about your kid. You were  
14 talking about your work. You were talking about your  
15 divorce. You were talking about refinancing cars or buying  
16 cars, whatever it is that's going on. You can remember all  
17 that stuff. Okay.  
18  
19 Ofc. Sylvia: But like I said. If there was that was 90 percent of the basis  
20 of conversation that we had.  
21  
22 Sgt. Scott: I understand that, but if you can remember those details  
23 about everything else that was going on that night. How is  
24 that you can't remember what sort of sexual conversations  
25 you had with Keith Storms while you were on duty that  
26 night?  
27  
28 Ofc. Sylvia: That night I honestly don't remember if there was any  
29 conversation about. There might have been comments said  
30 like back and forth, but they weren't. It wasn't a  
31 conversation about doing things or saying things or  
32 anything like that. It might have just been like sexual  
33 flirtation comments, but I don't remember what they were.  
34  
35 Sgt. Scott: But they did happen?  
36  
37 Ofc. Sylvia: There may have been one or two, but I don't remember  
38 specifically.  
39  
40 Sgt. Scott: You're not answering my question. Did those comments  
41 happen that night?  
42  
43 Ofc. Sylvia: Yes. From the best of my knowledge, yes.

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1  
2 Sgt. Scott: So that night when you guys are parked and 45, you guys  
3 had or had not had a sexual relationship at that point?  
4  
5 Ofc. Sylvia: I'm really trying to remember the times that I moved  
6 because I know specifically where it was and which time,  
7 but I don't remember how long ago it was that I had moved  
8 from this house back to my other house, but I know for sure  
9 it was before I had moved back.  
10  
11 Sgt. Scott: Would it have generally been around the same time period  
12 as July 28<sup>th</sup>?  
13  
14 Ofc. Sylvia: I would venture to say yes.  
15  
16 Sgt. Scott: Okay.  
17  
18 Ofc. Sylvia: But I don't remember.  
19  
20 Sgt. Warren: I'm still waiting for you to give us something. Everything  
21 that we've confronted you on about any wrong doing has  
22 come from us asking you.  
23  
24 Sgt. Scott: You literally volunteered no information. Everything that  
25 you've done wrong has been because I have told you I  
26 know you did something wrong and then you say okay,  
27 yeah.  
28  
29 Sgt. Warren: We're going to give you one more chance and then we're  
30 going to conclude the interview. We know stuff. We found  
31 different stuff out.  
32  
33 Ofc. Sylvia: I know, but I'm trying to think of what else there could be.  
34  
35 Sgt. Scott: Were you in his car that night?  
36  
37 Ofc. Sylvia: No. I was not.  
38  
39 Sgt. Scott: Was he in your car that night?  
40  
41 Ofc. Sylvia: No.  
42  
43 Sgt. Scott: Was he in your car any other night?

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1  
2 Ofc. Sylvia: No.  
3  
4 Sgt. Scott: Were you in his car any other night?  
5  
6 Ofc. Sylvia: No. I have never been in his car to do anything special at  
7 all.  
8  
9 Sgt. Warren: What about outside his car?  
10  
11 Ofc. Sylvia: Outside his car. We stood outside his car before, but I  
12 mean.  
13  
14 Sgt. Warren: What have you done outside of his car?  
15  
16 Ofc. Sylvia: I know what you're talking about now.  
17  
18 Sgt. Scott: Just tell us. Like honestly. You need to stop.  
19  
20 Sgt. Warren: We're just going to go to the chief right now and say we've  
21 tried. We've given her a chance and we're done.  
22  
23 Sgt. Scott: Talk to me.  
24  
25 Ofc. Sylvia: One night at Tiffany Loop and Twin Peaks.  
26  
27 Sgt. Scott: Okay.  
28  
29 Ofc. Sylvia: That we were having a sexual conversation. I don't  
30 remember how it started. I don't remember how it came to  
31 be. I had showed him a couple pictures on my phone. I  
32 didn't send them to him. I showed him a couple pictures on  
33 my phone of me and he had gotten out of his car. We'd  
34 gotten out of my car and I did touch him inappropriately.  
35  
36 Sgt. Scott: Explain.  
37  
38 Ofc. Sylvia: I touched his dick.  
39  
40 Sgt. Scott: Outside the clothing or inside the clothing.  
41  
42 Ofc. Sylvia: I believe it was outside the clothing.  
43



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1 Sgt. Scott: And when was that in relation to July 28<sup>th</sup>?  
2  
3 Ofc. Sylvia: Before I think. Again, I don't remember.  
4  
5 Sgt. Scott: And what else happened?  
6  
7 Ofc. Sylvia: And what else happened?  
8  
9 Sgt. Scott: Ah hum.  
10  
11 Ofc. Sylvia: Um, I sent pictures to him, but most of that was off duty.  
12  
13 Sgt. Scott: Right now I'm specifically talking about this.  
14  
15 Ofc. Sylvia: That specific night.  
16  
17 Sgt. Scott: That specific night.  
18  
19 Ofc. Sylvia: All I did was grab it. That's all I did. I don't remember  
20 doing anything else, but.  
21  
22 Sgt. Scott: Okay. And what were the pictures that you were showing  
23 him of yourself?  
24  
25 Ofc. Sylvia: They were naked pictures of me.  
26  
27 Sgt. Scott: Okay. Do we pay you to show other officers naked pictures  
28 of you on duty?  
29  
30 Ofc. Sylvia: No.  
31  
32 Sgt. Scott: Is that what providing unparalleled service and unwavering  
33 protection is about?  
34  
35 Ofc. Sylvia: No.  
36  
37 Sgt. Scott: Could that have waited until you were off duty?  
38  
39 Ofc. Sylvia: Yes.  
40  
41 Sgt. Scott: Are we paying you to grab other officers' genitals?  
42  
43 Ofc. Sylvia: No.

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1  
2 Sgt. Warren: What else happened outside the car? There's more to it.  
3 You're asking us to believe you.  
4  
5 Ofc. Sylvia: I know. I know. I'm honestly trying to think. I know that  
6 happened. That's all I remember doing with him that night.  
7  
8 Sgt. Warren: What about any night you may have had sex on duty?  
9  
10 Ofc. Sylvia: I did not have sex with him on duty.  
11  
12 Sgt. Warren: What about oral sex on duty?  
13  
14 Ofc. Sylvia: No. I have never.  
15  
16 Sgt. Scott: And I'm not referring specifically just Officer Storms, any  
17 officer on duty?  
18  
19 Ofc. Sylvia: I've never done anything sexual on duty. I have never done  
20 anything sexual on duty.  
21  
22 Sgt. Scott: What about grabbing other officer's genitals on duty?  
23  
24 Ofc. Sylvia: No.  
25  
26 Sgt. Scott: No one else?  
27  
28 Ofc. Sylvia: Officer Nicholas was on duty.  
29  
30 Sgt. Scott: When? Are we talking about the prior, what you and I  
31 talked about a few weeks ago or are we talking about  
32 another time?  
33  
34 Ofc. Sylvia: Another time. No. He was on duty. I was not on duty.  
35  
36 Sgt. Scott: Okay. That's what I'm talking about. So that prior talk that  
37 you and I had like three, four weeks ago when you were in  
38 my office, are you referring to that night?  
39  
40 Ofc. Sylvia: No.  
41  
42 Sgt. Scott: When he was up in district one or are you referring to  
43 another?

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1  
2 Ofc. Sylvia: Another night.  
3  
4 Sgt. Scott: Okay. And talk to me about that.  
5  
6 Ofc. Sylvia: I had met up with him. I was off duty and I met up with  
7 him.  
8  
9 Sgt. Scott: Where?  
10  
11 Ofc. Sylvia: Coachline and Silverbell. That same area. And again, like I  
12 told you before. I have a liking for Nicholas. I liked him.  
13  
14 Sgt. Scott: And when was this?  
15  
16 Ofc. Sylvia: This was before I moved up to Gladden Farms that first  
17 time.  
18  
19 Sgt. Scott: So you were still at your house outside of jurisdiction.  
20  
21 Ofc. Sylvia: Yes.  
22  
23 Sgt. Scott: Okay. So he's on duty. You're off duty. What time are we  
24 talking about?  
25  
26 Ofc. Sylvia: This was about one o'clock in the morning or in that  
27 general time frame.  
28  
29 Sgt. Scott: Okay.  
30  
31 Ofc. Sylvia: Like I had been kissing him and a little more than that, no  
32 sex.  
33  
34 Sgt. Scott: Okay. You're saying more than that doesn't explain  
35 anything to me cuz I can't read your mind.  
36  
37 Sgt. Warren: We know it's uncomfortable, but we just.  
38  
39 Ofc. Sylvia: I'm just uncomfortable and I'm embarrassed and I'm  
40 ashamed and I don't.  
41  
42 Sgt. Warren: And we're not here to judge you.  
43

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1 Ofc. Sylvia: I feel judged honestly.  
2  
3 Sgt. Scott: If you feel judged it's probably because it's me wondering  
4 why you're making me ask you this as opposed to just tell  
5 me and let's move on.  
6  
7 Ofc. Sylvia: Cuz it's embarrassing to me.  
8  
9 Sgt. Scott: Okay.  
10  
11 Ofc. Sylvia: That's ultimately why. It's embarrassing to me.  
12  
13 Sgt. Scott: Okay. So about that night.  
14  
15 Ofc. Sylvia: I gave him oral sex and then I left.  
16  
17 Sgt. Scott: While he was on duty?  
18  
19 Ofc. Sylvia: Yes.  
20  
21 Sgt. Scott: And when was this?  
22  
23 Ofc. Sylvia: I don't remember the night.  
24  
25 Sgt. Scott: And you guys were where?  
26  
27 Ofc. Sylvia: Coachline and Silverbell.  
28  
29 Sgt. Scott: Where?  
30  
31 Ofc. Sylvia: There's the rocks.  
32  
33 Sgt. Scott: The what?  
34  
35 Ofc. Sylvia: There's rocks there. There's the parking lot near the same  
36 area.  
37  
38 Sgt. Scott: Coachline and Silverbell.  
39  
40 Ofc. Sylvia: Yes.  
41  
42 Sgt. Scott: South of?  
43

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1 Ofc. Sylvia: North of. Near that same pond or whatever.  
2  
3 Sgt. Scott: Oh. Up in that area.  
4  
5 Ofc. Sylvia: That area. There's a rock bed place and he had parked in  
6 there and then I had gone in there and parked with him.  
7  
8 Sgt. Scott: Any other officer?  
9  
10 Ofc. Sylvia: No.  
11  
12 Sgt. Scott: So going back to this day, the 28<sup>th</sup>. Okay. Cuz I find it  
13 mighty ironic that in that same area you gave another  
14 officer oral.  
15  
16 Ofc. Sylvia: I understand.  
17  
18 Sgt. Scott: And now we are with a citizen that came forward and  
19 they're telling us this is what we're seeing.  
20  
21 Ofc. Sylvia: Nothing happened that night. Nothing happened that night.  
22  
23 Sgt. Warren: What about outside the car?  
24  
25 Ofc. Sylvia: No. I don't remember anything that happened outside the  
26 car.  
27  
28 Sgt. Scott: You don't remember anything.  
29  
30 Ofc. Sylvia: We didn't do anything. I never touched him outside of the  
31 car. I never did.  
32  
33 Sgt. Scott: Other than you said Tiffany Loop with Storms. It was  
34 Tiffany Loop and where?  
35  
36 Ofc. Sylvia: Tiffany Loop and Twin Peaks.  
37  
38 Sgt. Scott: Okay. So other than one-time, where you grabbed his penis,  
39 are you sure that it was outside the clothing?  
40  
41 Ofc. Sylvia: Yes.  
42  
43 Sgt. Scott: You're positive?

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1  
2 Ofc. Sylvia: Pretty damn positive.  
3  
4 Sgt. Scott: Well it takes a lot to get a duty belt off and get some pants  
5 down so.  
6  
7 Ofc. Sylvia: He didn't pull his duty belt off.  
8  
9 Sgt. Scott: Okay. Did he do something else?  
10  
11 Ofc. Sylvia: No.  
12  
13 Sgt. Warren: Did he unzip his pants?  
14  
15 Ofc. Sylvia: He unzipped. He just unzipped.  
16  
17 Sgt. Scott: So why would he unzip if you're outside the clothing?  
18  
19 Ofc. Sylvia: What do you mean?  
20  
21 Sgt. Scott: Why would he unzip his pants if you're only going to grab  
22 his junk outside of his pants or was it inside?  
23  
24 Ofc. Sylvia: So that way he could pull his dick out of his pants so that  
25 way.  
26  
27 Sgt. Scott: Did he do that?  
28  
29 Ofc. Sylvia: From my knowledge.  
30  
31 Sgt. Scott: Huh?  
32  
33 Ofc. Sylvia: From my knowledge, I believe he did.  
34  
35 Sgt. Scott: Okay. So when he pulled his penis out of his pants, did you  
36 at that point grab it?  
37  
38 Ofc. Sylvia: Yes.  
39  
40 Sgt. Scott: Okay. At that point, did you also give him oral sex?  
41  
42 Ofc. Sylvia: No.  
43

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1 Sgt. Scott: Okay.  
2  
3 Ofc. Sylvia: Not to my knowledge. I don't remember if I did or not, but  
4 I don't think I did. I don't remember doing it.  
5  
6 Sgt. Scott: You don't recall if you gave him oral sex or not?  
7  
8 Ofc. Sylvia: No.  
9  
10 Sgt. Warren: Did you do anything that's sexual in nature?  
11  
12 Ofc. Sylvia: I just grabbed it. That's all I did.  
13  
14 Sgt. Warren: For him to finish or to get some enjoyment out of it?  
15  
16 Ofc. Sylvia: He got some enjoyment out of it. Yes.  
17  
18 Sgt. Warren: You're making us ask questions.  
19  
20 Ofc. Sylvia: I know and (inaudible) told him not to.  
21  
22 Sgt. Warren: That's why you just say. Hey, I gave him a hand job and  
23 that's the end of it.  
24  
25 Ofc. Sylvia: Yes. I gave him a hand job.  
26  
27 Sgt. Warren: Okay.  
28  
29 Sgt. Scott: To conclusion?  
30  
31 Ofc. Sylvia: I don't think it was cuz I think it was more of like a quick  
32 tease, I guess if you want to put it that way because it was. I  
33 knew it was wrong. I shouldn't have done it.  
34  
35 Sgt. Scott: Did you guys make a pack that you'd never discuss that?  
36  
37 Ofc. Sylvia: We didn't talk about that. No. Just about the sex up in  
38 Gladden Farms.  
39  
40 Sgt. Scott: And you're sticking with the story that happened one-time  
41 and only one-time?  
42  
43 Ofc. Sylvia: We've only had sex once.

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**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Sgt. Scott: Okay.  
3  
4 Ofc. Sylvia: If it is I have no idea where we would have done it cuz I  
5 haven't done anything with him.  
6  
7 Sgt. Scott: When you gave oral sex to Nicholas in the area of  
8 Coachline and Silverbell, up in the same area by the pond.  
9 You say you were off duty. He was on duty. Okay. But do  
10 you know exactly when this was?  
11  
12 Ofc. Sylvia: I don't remember the date.  
13  
14 Sgt. Scott: Was it before the prior IA that I just talked to you about  
15 four, five weeks ago?  
16  
17 Ofc. Sylvia: Yes.  
18  
19 Sgt. Scott: It was before that. And did you give him oral sex to  
20 conclusion?  
21  
22 Ofc. Sylvia: Yes.  
23  
24 Sgt. Scott: Okay.  
25  
26 Ofc. Sylvia: I'm so embarrassed. Like I feel like I should just quit to be  
27 honest with you.  
28  
29 Sgt. Scott: Who else Sylvia?  
30  
31 Ofc. Sylvia: Nobody else.  
32  
33 Sgt. Scott: What other officers?  
34  
35 Ofc. Sylvia: Nobody else.  
36  
37 Sgt. Scott: The reason why I'm asking you is cuz like 45 minutes ago  
38 when we concluded our first interview it was just like no,  
39 never had sex with him, no nothing. Don't know what you  
40 guys are talking about. I would never do that and you sat  
41 here and you cried and this whole thing. And I'm telling  
42 you. I've been doing this for a minute. Okay. He's been  
43 doing this for even longer than a minute. All right. And you



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1 have to know that before we pull you in we talk to people.  
2 We run your unit histories. We talk to the citizens. Okay.  
3 And I want to know on the 28<sup>th</sup> why is that we're here  
4 where there is this allegation. You gave a blow job to this  
5 one officer over here. You gave a hand job to another  
6 officer over here. The blow job that you gave an officer  
7 prior to was in the exact same location or in the same  
8 general vicinity as this day.  
9  
10 Ofc. Sylvia: I understand how that looks bad.  
11  
12 Sgt. Scott: And you're telling me that this citizen came forward and  
13 that did not happen?  
14  
15 Ofc. Sylvia: It did not happen.  
16  
17 Sgt. Scott: But you were in that same general location at another time  
18 giving a blow job to an officer, but not this time.  
19  
20 Ofc. Sylvia: But not that time. I was not in Officer Storm's car that  
21 night.  
22  
23 Sgt. Warren: Which night was it then?  
24  
25 Ofc. Sylvia: I was not in his car. The only time I have ever sat in his car  
26 is to see how it felt in the Tahoe. That's it and that was at  
27 outlet mall, but nothing happened. Officer Rizzi was there.  
28 I have never done anything in Officer Storms' car.  
29  
30 Sgt. Warren: Why don't we just go talk to the chief in a second?  
31  
32 Ofc. Sylvia: Can you tell me what, can you please give me more  
33 information please?  
34  
35 Sgt. Scott: Sylvia, I told you everything. Sylvia, the allegation is that  
36 you were there and you and Storms were engaged in  
37 inappropriate sexual activity. Now I shouldn't have to tell  
38 you.  
39  
40 Ofc. Sylvia: I did not do anything with Officer Storms that night.  
41  
42 Sgt. Scott: That night.  
43

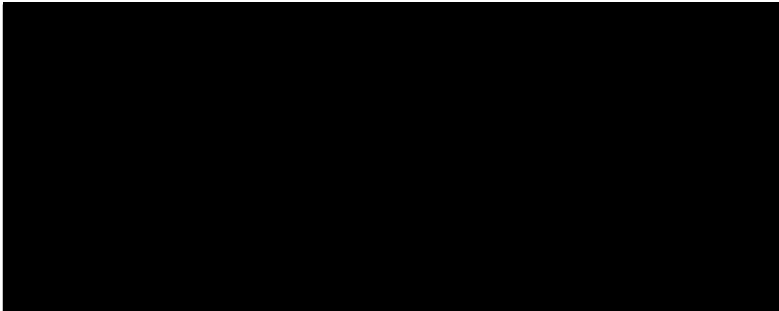
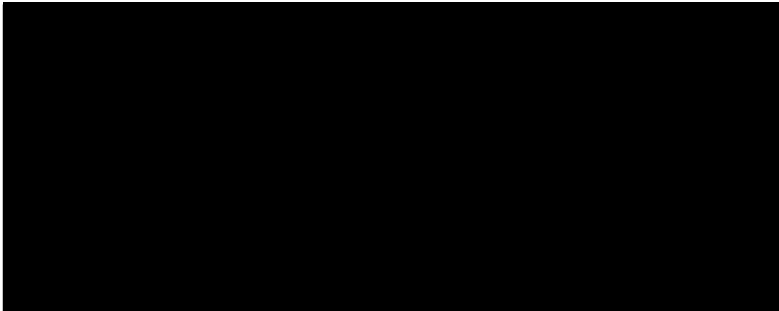
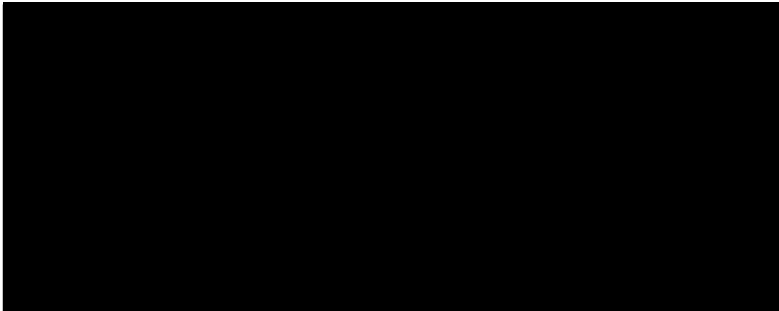
**CASE REPORT NUMBER:** MPD 2017-IA-016  
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**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Ofc. Sylvia: That night. And I told you the other time.  
2  
3 Sgt. Scott: So was there another night when you were with Officer  
4 Storms at that location when you were doing something  
5 you weren't supposed to be doing?  
6  
7 Ofc. Sylvia: No.  
8  
9 Sgt. Scott: Then why are people coming forward and saying.  
10  
11 Ofc. Sylvia: I don't know. I have not done anything with Officer Storms  
12 in that location.  
13  
14 Sgt. Scott: But you have a pattern of doing these types of things on  
15 duty.  
16  
17 Ofc. Sylvia: I see that.  
18  
19 Sgt. Scott: You've done that with Officer Nicholas. You've done it  
20 with Officer Storms on another night. It may be with a hand  
21 job instead of a blow job. What makes me think that this  
22 citizen who doesn't know you from anyone. It's not [REDACTED]  
23 [REDACTED] so it's not someone that's trying to hit on you or  
24 maybe trying to start some drama in your life. This person  
25 doesn't know you.  
26  
27 Ofc. Sylvia: I understand, but.  
28  
29 Sgt. Scott: Okay. So why would they come to us and tell us this just  
30 out of the blue? When the officer that you were there with  
31 that night you have previously had sex with off duty and  
32 given a hand job to on duty.  
33  
34 Ofc. Sylvia: I did not do anything with Officer Storms that night. I did  
35 not. I typed my report. I talked to him. I 45'd him. I didn't  
36 get out of my car and get in his car. I did not do it. I did not.  
37 I don't know how somebody is saying that I did because I  
38 did not.  
39  
40 Sgt. Scott: Was there any other time that you gave Officer Storms a  
41 blow job on duty?  
42

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1 Ofc. Sylvia: No. I have not. The only time that I did anything like that  
2 was at Twin Peaks and Tiffany Loop. That was it.  
3  
4 Sgt. Scott: With who?  
5  
6 Ofc. Sylvia: With Storms.  
7  
8 Sgt. Scott: And that was the hand job.  
9  
10 Ofc. Sylvia: Yes.  
11  
12 Sgt. Scott: While you both were on duty.  
13  
14 Ofc. Sylvia: Yes.  
15  
16 Sgt. Scott: When was this?  
17  
18 Ofc. Sylvia: I don't remember the date and I wish I did.  
19  
20 Sgt. Scott: Would it be within the last few months?  
21  
22 Ofc. Sylvia: From maybe the last four months. I don't remember the  
23 specific date.  
24  
25 Sgt. Scott: All right. We'll take a break.  
26  
27 Sgt. Warren: Let's just do polygraphs. It's like pulling teeth trying to get  
28 anything out of her right now.  
29  
30 Ofc. Sylvia: I'm being honest.  
31  
32 Sgt. Warren: Well, you said that since the beginning too.  
33  
34 Sgt. Scott: You told us from the very first interview you're being  
35 honest and you failed to disclose that yeah, I didn't give a  
36 blow job to Officer Storms that night, but sometime in the  
37 same general time period I gave a blow job to another  
38 officer in the same general area.  
39  
40 Ofc. Sylvia: I see how.  
41

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1 Sgt. Warren: I'm going to go off tape here in a second. So I'm giving  
2 you one last opportunity. Anything that needs to be  
3 clarified, like I said, what else?  
4  
5 Ofc. Sylvia: I've told you. I've sent him pictures. I did that one thing  
6 that I just disclosed to you about Twin Peaks and Tiffany  
7 Loop. I had sex with him off duty.  
8  
9 Sgt. Scott: Stop thinking about what do we know.  
10  
11 Ofc. Sylvia: No. I'm not thinking about what you know.  
12  
13 Sgt. Scott:   
14  
15  
16 Ofc. Sylvia:   
17  
18 Sgt. Scott:   
19  
20  
21 Ofc. Sylvia: I've told you everything.  
22  
23 Sgt. Scott: Listen to me.  
24  
25 Ofc. Sylvia: Okay.  
26  
27 Sgt. Scott: The thought the goes through people's minds is do they  
28 know what I know. Okay. And you've tried that. It's  
29 obvious that you tried that. That's been your game plan  
30 coming in here. Even though I told you from the get-go I  
31 want complete honesty. Okay. And I'd asked you in a prior  
32 interview on another IA about Officer Nicholas and you  
33 told me that nothing had ever happened while. You  
34 remember that?  
35  
36 Ofc. Sylvia: I remember.  
37  
38 Sgt. Scott: You remember like four, five weeks ago and now four  
39 weeks later, it's like oh, yeah, well, I gave him a blow job  
40 when he was on duty. Okay. So you seem to have this thing  
41 where. My perception is you just don't want to tell the truth  
42 or you just want to see how much I know to determine how

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1 much you want to tell me and I'm telling you that is a  
2 losing game plan with me.  
3  
4 Ofc. Sylvia: I know. I know that.  
5  
6 Sgt. Scott: And he's been doing this way longer than I have. That is a  
7 losing game plan.  
8  
9 Sgt. Warren: Remember about the third rail?  
10  
11 Ofc. Sylvia: I understand.  
12  
13 Sgt. Scott: You are about to lick that third rail right now.  
14  
15 Ofc. Sylvia: I understand.  
16  
17 Sgt. Scott: And I'm telling you you're going to be get electrocuted.  
18  
19 Sgt. Warren: I'm ready to go off tape.  
20  
21 Ofc. Sylvia: I'm telling you everything that I know. I'm really trying to  
22 think of anything else.  
23  
24 Sgt. Warren: So far everything you've known is what we've known and  
25 I'm not going to confront you with anything else we know  
26 right now. I'm done playing that game.  
27  
28 Ofc. Sylvia: Okay.  
29  
30 Sgt. Warren: There's more that we may know.  
31  
32 Ofc. Sylvia: I'm trying to think of what it could be.  
33  
34 Sgt. Warren: Okay.  
35  
36 Ofc. Sylvia: No, please. I'm honestly trying to think.  
37  
38 Sgt. Scott: I'm done.  
39  
40 Sgt. Warren: All right. The time is now 5:52. We'll be concluding the  
41 interview.  
42

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**DATE:** October 19<sup>th</sup>, 2017  
**TIME:** 11:51 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: It's October 19<sup>th</sup>, 2017. The time is now 11:51. This is  
2 Sergeant Scott, badge #407. We're in the second floor  
3 interview room at the 103. I have with me Officer Kyla  
4 Sylvia. This is actually going to be a continuation to one of  
5 our prior interviews. This is still going to be reference IA  
6 number 2017-IA-016. You and I had spoken on the 13<sup>th</sup> in  
7 the afternoon and you had been served with a NOI detailing  
8 that you're a focus officer reference this investigation.  
9 You're still going to be under that same NOI. I have to ask  
10 you some additional questions so we can get some  
11 clarification on a few things. You're entitled to have a rep  
12 present with you if you like and that's completely up to  
13 you. Would you like to have a rep present?  
14  
15 Ofc. Sylvia: It won't do really any good right now so no.  
16  
17 Sgt. Scott: No. Okay. All right. So I want to talk to you about is we  
18 initially talked about the whole Marana Lake allegation.  
19 Okay. And then later on in the interview you mentioned the  
20 Twin Peaks and Tiffany Loop incident between yourself  
21 and Keith Storms. Since our interview on the 13<sup>th</sup>, have you  
22 spoken with Keith at all?  
23  
24 Ofc. Sylvia: The 13<sup>th</sup>.  
25  
26 Sgt. Scott: Which is the day you and I initially talked.  
27  
28 Ofc. Sylvia: No, I have not. Talk about the.  
29  
30 Sgt. Scott: At all. Have you spoken to him?  
31  
32 Ofc. Sylvia: No, I have not.  
33  
34 Sgt. Scott: Okay. Have you texted him at all?  
35  
36 Ofc. Sylvia: Nah ah.  
37  
38 Sgt. Scott: No social media? No nothing?  
39  
40 Ofc. Sylvia: Nothing.  
41  
42 Sgt. Scott: Okay. No communication at all with Keith?  
43

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1 Ofc. Sylvia: No. None what-so-ever.  
2  
3 Sgt. Scott: Okay. What I want to know is basically I just want you to  
4 go through that entire incident again with me. What  
5 happened at Twin Peaks and Tiffany Loop? Just start from  
6 the beginning and work your way down.  
7  
8 Ofc. Sylvia: Okay. From what I remember, we had finished our debrief  
9 which is where our squad three usually debriefs at that  
10 location.  
11  
12 Sgt. Scott: Okay.  
13  
14 Ofc. Sylvia: Everyone else had driven away. We were getting ready to  
15 leave, started talking a little bit.  
16  
17 Sgt. Scott: Do you remember what time debriefing was?  
18  
19 Ofc. Sylvia: It usually starts about 11:15.  
20  
21 Sgt. Scott: 11:15.  
22  
23 Ofc. Sylvia: Ah hum.  
24  
25 Sgt. Scott: Okay.  
26  
27 Ofc. Sylvia: And then we usually all slow roll, whatever about five  
28 minutes till midnight.  
29  
30 Sgt. Scott: Till midnight. Okay.  
31  
32 Ofc. Sylvia: And so this was after. I don't remember the exact time, but  
33 everyone else had already left. I don't remember if it was  
34 after midnight or not or whether it just right before. We  
35 started talking a little bit. It became more of a flirtatious  
36 conversation.  
37  
38 Sgt. Scott: Were you guys inside your cars at this point, outside your  
39 cars?  
40  
41 Ofc. Sylvia: We were inside our own separate cars at this point cuz we  
42 were getting ready to leave.  
43

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1 Sgt. Scott: And where were your cars in position to each other?  
2  
3 Ofc. Sylvia: They were far enough away where we could open doors,  
4 but still in the 45 position.  
5  
6 Sgt. Scott: Okay. So driver door to driver door.  
7  
8 Ofc. Sylvia: Yeah.  
9  
10 Sgt. Scott: Okay.  
11  
12 Ofc. Sylvia: And I don't remember what the conversation started to get  
13 out of the car, but it was more of a flirtatious conversation.  
14 I don't remember what kind of things were said specifically  
15 and.  
16  
17 Sgt. Scott: And at this point you're both still sitting in your cars?  
18  
19 Ofc. Sylvia: Yes.  
20  
21 Sgt. Scott: Okay.  
22  
23 Ofc. Sylvia: And then he got out of his vehicle. I don't remember why.  
24 From what I remember, I remained staying in my vehicle.  
25  
26 Sgt. Scott: Okay.  
27  
28 Ofc. Sylvia: And I'm trying to recall everything so bear with me.  
29 Conversation continued to stay flirtatious of some sort of  
30 way. I think something came up about the size, what size  
31 he was.  
32  
33 Sgt. Scott: When you're referring to size, what do you mean?  
34  
35 Ofc. Sylvia: Like his penis size.  
36  
37 Sgt. Scott: Okay.  
38  
39 Ofc. Sylvia: He brought that up or I brought that up. I can't remember  
40 which one brought it up. I was in the conversation.  
41  
42 Sgt. Scott: Okay.  
43



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1 Ofc. Sylvia: He pulled it out and then I actually just grabbed a hold of it.  
2 I didn't do anything else with it. I just kind of teased him a  
3 little bit with it and then we stopped.  
4  
5 Sgt. Scott: Okay. When you and I talked earlier you had mentioned  
6 something about your cell phone.  
7  
8 Ofc. Sylvia: Ah hum.  
9  
10 Sgt. Scott: Where does that fit into any of this?  
11  
12 Ofc. Sylvia: Oh. That was before he got out of his car.  
13  
14 Sgt. Scott: Tell me about that. So he's sitting in his car. You're sitting  
15 in your car. And then what about the cell phone?  
16  
17 Ofc. Sylvia: The cell phone. I had my cell phone on me and I was  
18 looking at my cell phone and during the flirtatious  
19 conversation, I didn't send anything to him, but I showed  
20 him a picture of me on my cell phone.  
21  
22 Sgt. Scott: Okay. Was it just kind of like you just pointed your phone  
23 out the window or something?  
24  
25 Ofc. Sylvia: Yeah.  
26  
27 Sgt. Scott: Okay. Did he ever get out of the car and look at the  
28 pictures?  
29  
30 Ofc. Sylvia: He might have. He might have gotten out of his vehicle and  
31 like leaned into my car, but didn't do anything. He just  
32 leaned over into the vehicle and looked at the picture on my  
33 phone.  
34  
35 Sgt. Scott: Okay. Do you recall that clearly or not really?  
36  
37 Ofc. Sylvia: Not really. I don't remember a lot of how everything  
38 happened or what progressed into what, but I remember  
39 just basic things.  
40  
41 Sgt. Scott: Okay. But you remember there were pictures on the cell  
42 phone that were shared that night and when I say shared I  
43 mean like he viewed at least one picture.

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1  
2 Ofc. Sylvia: He viewed. Yes.  
3  
4 Sgt. Scott: Okay. After this whole thing is done and you guys go your  
5 separate ways cuz at this point you guys are still at Twin  
6 Peaks and Tiffany Loop. You're still in your police car, still  
7 in uniform, all that jazz, yeah?  
8  
9 Ofc. Sylvia: Yes.  
10  
11 Sgt. Scott: Okay. So at some point you guys leave and go home,  
12 correct?  
13  
14 Ofc. Sylvia: Ah hum.  
15  
16 Sgt. Scott: But you guys go to your own separate places?  
17  
18 Ofc. Sylvia: Correct.  
19  
20 Sgt. Scott: Okay. Do you remember sending him any pictures later that  
21 night?  
22  
23 Ofc. Sylvia: I don't remember sending any to him at all.  
24  
25 Sgt. Scott: Okay. All right.  
26  
27 Ofc. Sylvia: Whether I did or not, I don't remember.  
28  
29 Sgt. Scott: Okay. Do you remember which date this was?  
30  
31 Ofc. Sylvia: Nah ah.  
32  
33 Sgt. Scott: Do you remember if this incident was prior to the Marana  
34 Lake incident that you and I talked about on?  
35  
36 Ofc. Sylvia: It was.  
37  
38 Sgt. Scott: It was prior to that incident. Okay.  
39  
40 Ofc. Sylvia: I don't remember how far ahead.  
41  
42 Sgt. Scott: But you're positive that this incident, the Twin Peaks and  
43 Tiffany Loop incident was before the Marana Lake.

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1  
2 Ofc. Sylvia: Yes.  
3  
4 Sgt. Scott: You told me prior that you had sex with Keith Storms once  
5 off duty.  
6  
7 Ofc. Sylvia: Yes.  
8  
9 Sgt. Scott: Do you remember if you had sex with Keith Storms prior to  
10 this incident or after this incident?  
11  
12 Ofc. Sylvia: It had to have been after. It had to have been after cuz. That  
13 was the first time I had ever seen him in that way.  
14  
15 Sgt. Scott: What do you mean?  
16  
17 Ofc. Sylvia: Like seeing him or like his penis basically.  
18  
19 Sgt. Scott: Was at the.  
20  
21 Ofc. Sylvia: At that Twin Peaks.  
22  
23 Sgt. Scott: Okay. You remember that there was a conversation about  
24 his penis size.  
25  
26 Ofc. Sylvia: I believe so.  
27  
28 Sgt. Scott: Okay.  
29  
30 Ofc. Sylvia: I think that would be the only way it would have shown up  
31 or would have come up.  
32  
33 Sgt. Scott: Okay. Do you actually recall having that conversation with  
34 him?  
35  
36 Ofc. Sylvia: I remember something about that conversation. I don't  
37 remember exactly what was said.  
38  
39 Sgt. Scott: Okay. Do you remember his penis actually being out of his  
40 pants?  
41  
42 Ofc. Sylvia: As I far as I remember, it was.  
43

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**DATE:** October 19<sup>th</sup>, 2017

**TIME:** 11:51 p.m.

**LOCATION:** MPD, 11555 W. Civic Center Dr.

**PRESENT:** Ofc. Kyla Sylvia #469

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: Okay. Do you remember his penis being out of his pants or  
2 do you not remember his penis being out of his pants?  
3  
4 Ofc. Sylvia: I remember grabbing at that area, but I don't honestly  
5 remember whether it was out or whether it was just inside. I  
6 believe it was out.  
7  
8 Sgt. Scott: Okay. Remember the last time we talked you said that it  
9 was basically a hand job, but not to completion.  
10  
11 Ofc. Sylvia: Ah hum.  
12  
13 Sgt. Scott: Okay. So are you telling me now that you don't recall  
14 whether or not?  
15  
16 Ofc. Sylvia: I know I didn't do anything to completion with him.  
17  
18 Sgt. Scott: Okay. I guess what I'm having a hard time understanding is  
19 the prior statement you gave on the 13<sup>th</sup> was that his penis  
20 was out of his pants and that you grabbed his penis and  
21 then basically you were jerking it and.  
22  
23 Ofc. Sylvia: Just a little bit like when I say teasing that's what I mean  
24 like in that way. It wasn't to completion and it wasn't to  
25 anything with any intention of taking it to completion. It  
26 was more of just I guess playing with it in that sort of way  
27 just to tease him in that way.  
28  
29 Sgt. Scott: Okay. So are you telling me now that you don't recall if his  
30 penis was even out?  
31  
32 Ofc. Sylvia: When you asked me and you're trying to make it seem like  
33 are you sure like.  
34  
35 Sgt. Scott: I'm asking. I mean you should be sure whether or not.  
36  
37 Ofc. Sylvia: And that's the thing is like.  
38  
39 Sgt. Scott: I would think you would be sure whether or not.  
40  
41 Ofc. Sylvia: It's what I remember was being out. I remember it being  
42 out.  
43

**CASE REPORT NUMBER:** MPD 2017-IA-016

**OFFICER:** Sgt. Scott #407

**DATE:** October 19<sup>th</sup>, 2017

**TIME:** 11:51 p.m.

**LOCATION:** MPD, 11555 W. Civic Center Dr.

**PRESENT:** Ofc. Kyla Sylvia #469

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: You remember actually seeing his penis?  
2  
3 Ofc. Sylvia: Yes, I do.  
4  
5 Sgt. Scott: Okay. Not just the bulge under his clothing. You remember  
6 actually seeing his penis?  
7  
8 Ofc. Sylvia: Yes. But like I said before, I don't recall like everything  
9 about what specifically happened that night and that's what  
10 I remember to the best of my ability that happened.  
11  
12 Sgt. Scott: Okay.  
13  
14 Ofc. Sylvia: And I have a really bad way of explaining things so it  
15 sounds really bad, but I've had that problem all my life.  
16  
17 Sgt. Scott: Okay. I'm showing that night you went 10-42 at basically  
18 12:19 in the morning.  
19  
20 Ofc. Sylvia: Okay.  
21  
22 Sgt. Scott: Do you remember where you were at when you went  
23 10-42?  
24  
25 Ofc. Sylvia: It would have been at home, but as far as which home, I  
26 don't remember.  
27  
28 Sgt. Scott: What I'm referring to is the night of the Twin Peaks,  
29 Tiffany Loop incident.  
30  
31 Ofc. Sylvia: Ah hum.  
32  
33 Sgt. Scott: So at that point, you were still 10-8.  
34  
35 Ofc. Sylvia: Yes. And it depends on where I was living at that time cuz  
36 it would have taken me 10 minutes either way.  
37  
38 Sgt. Scott: Okay. Cuz I'm showing you 10-8 at 23:58.  
39  
40 Ofc. Sylvia: Okay.  
41  
42 Sgt. Scott: That morning and then you went 10-42 at 12:19.  
43

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**PRESENT:** Ofc. Kyla Sylvia #469  
**TRANSCRIBED BY:** C. Gilbert #333

1 Ofc. Sylvia: Did I ever go 76 or no?  
2  
3 Sgt. Scott: No. There's no 76.  
4  
5 Ofc. Sylvia: But either direction whether it was [REDACTED]  
6 [REDACTED] It would have taken about  
7 10 minutes each direction.  
8  
9 Sgt. Scott: Okay. I'm going to pause this for a second. I'm going to let  
10 you think for a second and then I'll be right back. Okay.  
11  
12 Ofc. Sylvia: Okay.  
13  
14 Sgt. Scott: So the time is now 12:03 p.m.  
15  
16 Sgt. Scott: All right. We'll continue on. It's now 12:07 p.m. Same  
17 players are in the room. All right. So here's kind of where  
18 I'm at. Okay. You know, I told you before like in our first  
19 interviews that my job is that of a fact finder. Okay. So I'm  
20 just here to get to the bottom of it and make sure, you know  
21 it's the correct version of the story.  
22  
23 Ofc. Sylvia: That's understandable.  
24  
25 Sgt. Scott: The version of this incident that I'm getting from Keith is a  
26 little bit different than what you're giving me.  
27  
28 Ofc. Sylvia: Okay.  
29  
30 Sgt. Scott: Okay. What he's telling me is that the two of you, the  
31 whole squad was there. The rest of the squad left. He's  
32 saying that after the squad left you're both in your cars.  
33 There's some flirtatiousness going on if that's even the  
34 correct word and he gets out of his car and you're basically  
35 scrolling through some pics on your cell phone. There are a  
36 couple of naked pictures of yourself. He makes a comment  
37 to you like, you know don't get me hard or something like  
38 that and then says something about you're getting me hard  
39 or I'm hard and then he takes your hand. He puts your hand  
40 on top of his crouch.  
41  
42 Ofc. Sylvia: Okay.  
43

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**PRESENT:** Ofc. Kyla Sylvia #469

**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: And after he did that then you basically patted his penis, his  
2 erect penis outside of the clothing.

3  
4 Ofc. Sylvia: Okay.

5  
6 Sgt. Scott: Okay. That his penis was never exposed at any point. He  
7 never pulled his penis out. There was a comment, you  
8 know like I'll get with you later or I'll meet up with you  
9 later or something like that and that you guys go your  
10 separate ways.

11  
12 Ofc. Sylvia: Okay.

13  
14 Sgt. Scott: So I'm basically trying to.

15  
16 Ofc. Sylvia: Combine those stories.

17  
18 Sgt. Scott: You know, match these stories up and as you can see.  
19 They're different stories.

20  
21 Ofc. Sylvia: Yeah. But I mean like I said before. I'm not trying to admit  
22 anything. I'm really not. I'm trying to. A lot of times when  
23 something happens like so far away or like in the past like I  
24 tend to forget how things actually went so I do remember.  
25 Like I said before, I remember putting my hand towards his  
26 crouch which would be accurate with, you know putting it  
27 either on the bulge or like him taking it out or anything like  
28 that, but like you just said before. Like are you positive if it  
29 was out or not and I remember my hand being there, but I  
30 don't remember exactly whether it was just there or  
31 whether he actually pulled it out and that's what I've been  
32 trying to remember is like what actually happened.

33  
34 Sgt. Scott: You understand how it's concerning to me that you can't  
35 remember if his penis was out.

36  
37 Ofc. Sylvia: I understand that. And it doesn't make sense. I get that. But  
38 a lot of times it's just like I kind of push things away from  
39 mind and I don't really think about them. So when I have to  
40 actually think about. I'm like well, did I and I question  
41 myself. I'm like did I actually do that or did I not and it's  
42 not that I'm not trying to remember or like I'm trying to  
43 admit anything or say anything falsely. It's like I

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**PRESENT:** Ofc. Kyla Sylvia #469

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1 legitimately don't remember what specifically actually  
2 occurred. Like I remember the basics of like my hand went  
3 there, but I don't remember what actually happened at that  
4 point.  
5  
6 Sgt. Scott: Okay. Is there a possibility that Keith's account of this  
7 incident is the accurate account?  
8  
9 Ofc. Sylvia: It is.  
10  
11 Sgt. Scott: Okay. That is a possibility you're telling me.  
12  
13 Ofc. Sylvia: Yes. Because taking from what I know of Keith's  
14 character, when I think about it now, I don't think he would  
15 have actually pulled it out because again, he is in uniform  
16 and he has a very professional way of dealing with things  
17 so like based off of his character and what I know of him, I  
18 don't think he actually would. It's just my memory kind of  
19 leans towards that and it's not that I'm trying to omit  
20 anything or hide that or anything. It's just I'm trying to  
21 remember exactly what happened.  
22  
23 Sgt. Scott: Was there another officer that you may be thinking of?  
24  
25 Ofc. Sylvia: No.  
26  
27 Sgt. Scott: Instead of him why you thought that?  
28  
29 Ofc. Sylvia: No. Absolutely not.  
30  
31 Sgt. Scott: Okay. And the reason why I'm asking you is because  
32 obviously there was another officer that you were involved  
33 with, you know.  
34  
35 Ofc. Sylvia: Yes.  
36  
37 Sgt. Scott: At one point, he was on duty even if you were off.  
38  
39 Ofc. Sylvia: Yes.  
40  
41 Sgt. Scott: So you're sure that it's not another time or something like  
42 that?  
43



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1 Ofc. Sylvia: Negative.  
2  
3 Sgt. Scott: Okay. Is there anything that I need to know about this  
4 incident that hasn't been disclosed at this point by you that  
5 I need to know?  
6  
7 Ofc. Sylvia: I've told you everything that I have like even the pictures  
8 and everything. Over the last week, I've been trying to  
9 think if there's anything else, but there's not. I can't think  
10 of anything else that there would be at all.  
11  
12 Sgt. Scott: Okay. All right. We'll conclude the interview then. The  
13 time is now 12:12 p.m.  
14

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 3:55 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Keith Storms #430  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: All right. My name is Sergeant Chris Warren, Marana  
2 Police Department. This will be an Internal Affairs  
3 interview reference IA 2017-IA-016. The time is now 3:55  
4 p.m. It is October 13<sup>th</sup>, 2017. We're at the main station in  
5 Marana. With me as a co-investigator is Sergeant Chriswell  
6 Scott. Sergeant Scott, spell and say your first and last name.  
7  
8 Sgt. Scott: First name is Chriswell, C h r i s w e l l. Last name Scott,  
9 S c o t t.  
10  
11 Sgt. Warren: Also present in the room is Officer Keith Storms who is  
12 going to be the focus of the investigation. Keith, if you can  
13 spell and say your first and last name for me.  
14  
15 Ofc. Storms: Keith Storms, K e i t h, last name S t o r m s.  
16  
17 Sgt. Warren: Okay. Keith, right before we went on tape, we gave you a  
18 form that's the Marana Police Department Employee  
19 Administrative Interview, Advice of Rights, Notice of  
20 Investigation. It identifies that you're being questioned as  
21 part of a Marana Police Department administrative  
22 investigation regarding a citizen that's come forward with  
23 information reference an allegation of potential misconduct  
24 involving you and another officer that occurred on duty on  
25 or about July 28<sup>th</sup>, 2017. You're the focus reference this  
26 investigation. It also goes on to outline the different rights  
27 that you have. One of them being, having a representative  
28 with you. You're going to be asked questions specifically  
29 about this incident and you're also being compelled that  
30 you have to answer the questions and be completely  
31 truthful. The form specifically outlines that if you're not  
32 truthful that you could be subject to disciplinary action up  
33 to, including termination just for that. Do you understand  
34 that?  
35  
36 Ofc. Storms: Yes.  
37  
38 Sgt. Warren: Okay. And also that once this investigation is done you're  
39 being told not to talk to anybody about it unless they're an  
40 authorized person. Any questions on that or anything? Does  
41 the form make sense? Is there anything we can help  
42 elaborate on?  
43

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1 Ofc. Storms: So just quick question. You give me the option to call a rep.  
2 I was unable to get a hold of him. So if I have questions. He  
3 can't make it here. Right. So if I just questions for him am I  
4 able to call him? Is he an authorized person at that point?  
5  
6 Sgt. Scott: You mean during the interview?  
7  
8 Ofc. Storms: No. No. After.  
9  
10 Sgt. Scott: After the interview.  
11  
12 Ofc. Storms: So I just have a question, you know cuz I'm sure he has a  
13 little bit more experience on how ...  
14  
15 Sgt. Scott: Your union rep.  
16  
17 Ofc. Storms: My union rep. Yeah.  
18  
19 Sgt. Scott: Yeah. You're allowed to talk to a union rep about this  
20 investigation.  
21  
22 Ofc. Storms: Okay.  
23  
24 Sgt. Warren: Do you know who that might be? Just that way we know  
25 moving forward that if you talk to that person that you've  
26 already made that known to us.  
27  
28 Ofc. Storms: T.J., the dispatcher.  
29  
30 Sgt. Warren: Okay. That should be fine.  
31  
32 Ofc. Storms: Okay.  
33  
34 Sgt. Warren: Whenever something comes forward we have a job to look  
35 into it.  
36  
37 Ofc. Storms: Absolutely.  
38  
39 Sgt. Warren: Part of that is, of course, we hold our officers to very high  
40 standards and so does the community.  
41  
42 Ofc. Storms: Right.  
43

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**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: We also want to make sure that if there are certain things  
2 that are being alleged, whether true or untrue, that we can  
3 show, you know what, we looked into it. It was  
4 investigated and we did an impartial independent  
5 investigation as to what actually really happened. Okay.  
6  
7 Ofc. Storms: Okay.  
8  
9 Sgt. Warren: So that's why we're here. So there was a citizen that's  
10 come forward that made this allegation. We'll get into more  
11 of those details here in a little bit. We've already spoken  
12 with another officer.  
13  
14 Ofc. Storms: Okay.  
15  
16 Sgt. Warren: And what we're going to do is just kind of go through that  
17 day that we're talking about.  
18  
19 Ofc. Storms: Okay.  
20  
21 Sgt. Warren: If you have questions or anything like that at any point just  
22 let us know and we'll do our best, what we can say at that  
23 point.  
24  
25 Ofc. Storms: Sure.  
26  
27 Sgt. Scott: Okay. So let's get started here. So like it says on your NOI,  
28 what we're here to talk to you about today is something  
29 that's alleged to have happened on July 28<sup>th</sup>, 2017. I know  
30 that was a few months ago so I have the shift summary here  
31 that day so you can kind of see what everyone's status was.  
32 Do you see your name on there?  
33  
34 Ofc. Storms: Yeah.  
35  
36 Sgt. Scott: Okay. And where does it show that you were assigned that  
37 day?  
38  
39 Ofc. Storms: District two.  
40  
41 Sgt. Scott: Okay. All right. And just for the record, what squad are you  
42 assigned to right now?  
43

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1 Ofc. Storms: Squad three.  
2  
3 Sgt. Scott: Okay. And at the time of this, on July 28<sup>th</sup>, who was your  
4 supervisor at that point?  
5  
6 Ofc. Storms: That was right after shift change. So that'd be Neuman. Oh,  
7 yeah. Or Evans, but he was [REDACTED] so it would have been  
8 Neuman.  
9  
10 Sgt. Scott: Okay. All right. So you were assigned to district two,  
11 according to the shift summary. Do you recall if that's  
12 where you actually worked that day?  
13  
14 Ofc. Storms: Yeah. If I'm assigned to it I would have worked that area.  
15  
16 Sgt. Scott: Was there any expectations that were given to you either by  
17 LPO Neuman or by your previous supervisor, who would  
18 have been me, when I was supervising squad three, about  
19 what we expect of you when you are assigned to a  
20 particular district?  
21  
22 Ofc. Storms: Just that we take our calls in our district. I know there is  
23 some leniency with you, the same with Neuman, as far as if  
24 we're done south we can go to district two, district three,  
25 but the expectation is if a call comes out in our district we  
26 got to be available and at least in the area.  
27  
28 Sgt. Scott: Okay. Was there direction that was given to you prior to  
29 rush hour traffic dying down you probably should stay in  
30 your district because of the extended ETA to get to the  
31 other side? Remember. Remember that happening?  
32  
33 Ofc. Storms: Yeah.  
34  
35 Sgt. Scott: Okay. All right. Was there any discussion that you  
36 remember from either me or LPO Neuman about self-  
37 initiated activity when there's no calls for service? What  
38 the expectation is from your supervisor.  
39  
40 Ofc. Storms: Mainly just kind of be in the hot spots or being, you know.  
41 He wants us driving around every once in a while, hitting  
42 our hot spots. There's really no expectation of I guess like  
43 he doesn't say we need to go out there and do ten traffic

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1 stops per day, but the expectation is, you know if we're not  
2 available we just need to kind of fill our time with hot  
3 spots, traffic stops, whatever the case may be.  
4  
5 Sgt. Scott: And just prior to this shift cuz I know this was July 28<sup>th</sup> and  
6 we had shift change at I believe July 8<sup>th</sup> or 9<sup>th</sup>, one of those  
7 two days and you were working with me.  
8  
9 Ofc. Storms: Right.  
10  
11 Sgt. Scott: Would it be safe to say that my expectation was that if  
12 you're not assigned to a call that you're proactive, you're  
13 visible, you're doing traffic stops, no quota on tickets or  
14 anything like that, but I want you to be highly visible.  
15  
16 Ofc. Storms: Right. Okay.  
17  
18 Sgt. Scott: All right.  
19  
20 Sgt. Warren: And you understand why they give you those expectations?  
21  
22 Ofc. Storms: Yeah. Absolutely. We have a job to do, you know. For the  
23 most part, I would say I'm proactive, you know. Even if,  
24 you know you pulled our logs for. Last rotation I was  
25 always at the top for self-initiated activity arrests.  
26  
27 Sgt. Scott: Right behind me.  
28  
29 Ofc. Storms: Yeah. That kind of thing so yeah, absolutely and you know,  
30 I go out there and I do the best I can with as far as self-  
31 initiated activity and hitting my hot spots and things like  
32 that.  
33  
34 Sgt. Scott: Okay. With looking at this and looking at the calls for  
35 service and this is just a typical shift summary, does this  
36 shift particularly stand out in your mind?  
37  
38 Ofc. Storms: No. I mean nothing really stands out. I don't know what  
39 you kind of mean by that.  
40  
41 Sgt. Scott: Do you in particular remember this day?  
42  
43 Ofc. Storms: What day was it? The 28<sup>th</sup> was what day of the week?

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1  
2 Sgt. Scott: Friday.  
3  
4 Ofc. Storms: Friday. I mean just kind of like talking right now in this  
5 very moment, I don't have like an independent recollection.  
6 What did I respond to? A check welfare. What is that  
7 address? 7875. I mean I don't have it right now. I don't  
8 have an independent, you know recall on it.  
9  
10 Sgt. Scott: Okay. That's fair enough. Okay.  
11  
12 Ofc. Storms: Like if you asked me what I had for lunch that day I  
13 probably wouldn't be able tell you.  
14  
15 Sgt. Scott: That's a little bit easier to read.  
16  
17 Ofc. Storms: Okay.  
18  
19 Sgt. Scott: Still nothing?  
20  
21 Sgt. Warren: Have you heard any rumors or ideas as to why we might be  
22 asking about this particular day? Has anybody approached  
23 you about anything?  
24  
25 Ofc. Storms: I'm just trying to figure out what day it is.  
26  
27 Sgt. Scott: It's Friday which is July 28<sup>th</sup>, 2017. That's the day.  
28  
29 Sgt. Warren: To kind of help lead you in the right direction. Like I said,  
30 so the citizen saw two officers that were mostly engaged in  
31 some type of inappropriate behavior.  
32  
33 Ofc. Storms: Okay. Yeah. I know what you're talking about.  
34  
35 Sgt. Warren: Okay.  
36  
37 Ofc. Storms: The only thing that would come to mind initially was  
38 Sylvia and I when we were 45.  
39  
40 Sgt. Warren: Was it on this day or a different day?  
41  
42 Ofc. Storms: I don't know. Like the 28<sup>th</sup> of July that doesn't really stick  
43 out in my mind, you know. I work 40 hours a week. A lot

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1 of times the days just kind of like go together, but when  
2 you tell me there were allegations of sexual misconduct.  
3 LPO Neuman had mentioned that to me. He's like hey, it  
4 doesn't look good that you guys are 45.  
5  
6 Sgt. Scott: Did you say sexual misconduct?  
7  
8 Sgt. Warren: Nah ah.  
9  
10 Sgt. Scott: That's weird.  
11  
12 Sgt. Warren: Go ahead though.  
13  
14 Ofc. Storms: Well, that's what he had told me. Neuman, he said it  
15 doesn't look good cuz it looks like you guys could be doing  
16 something out here that is sexual in nature and I kind of  
17 brought it to his attention like why would that look that  
18 way. You know what I mean.  
19  
20 Sgt. Warren: When did he have this conversation with you?  
21  
22 Ofc. Storms: It was that night when we were 45. If that's what this, I'm  
23 assuming that's what this is about, that we were 45.  
24  
25 Sgt. Warren: Okay. Keep going.  
26  
27 Ofc. Storms: So what happened was we went to it's like the dirt area of  
28 the Marana Lake and I believe initially she was doing  
29 paperwork in like the paved area.  
30  
31 Sgt. Scott: She who?  
32  
33 Ofc. Storms: Sylvia. Officer Sylvia.  
34  
35 Sgt. Scott: Okay.  
36  
37 Ofc. Storms: So she was doing paperwork and I was roaming around. I  
38 had saw her and at this time I believe it was almost sunset  
39 so I saw her doing paperwork there. I drove up and we 45  
40 there where it's paved so we were there for a little bit. She  
41 was doing some paperwork at the time and there was a lot  
42 of people on the bike path so we got out. We went and  
43 spoke to some people out there about like the birds and the



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**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 3:55 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Keith Storms #430  
**TRANSCRIBED BY:** C. Gilbert #333

1 Marana Lake. At that time, it was still daylight. She got  
2 back into her car. I got back into my car and we 45'd right  
3 in the dirt area by the Marana Lake. At that time, it was still  
4 daylight out. She was doing paperwork. I was doing  
5 paperwork and then we just got lost in conversation.  
6 Neuman rolled up and said hey, you guys should split up. It  
7 doesn't look good that you're out here. You guys could be  
8 doing something and I said Neuman, what do you mean  
9 we're doing something. If this was a male officer there  
10 would absolutely be no allegation that we would be doing  
11 something. He just kind of like brought that up out of  
12 nowhere and I kind of mentioned to him. I'm like. It kind  
13 of like I wouldn't say offended me, but it's like why would  
14 you just make those allegations and I told him that night.  
15 Quan and Chavez always 45. They're always together.  
16 They're not riding together, but they're following each  
17 other. There have been no allegations with them so he said  
18 that it just looked like, you know, not doing, there was a  
19 potential. He's like if someone saw you out here there'd be  
20 a potential that somebody could have those ideas so at that  
21 time then we just, today and that's the only time that I  
22 would be thinking that. I don't know the exact date. If it  
23 was the 28<sup>th</sup> of July, but it was right about that area of the  
24 28<sup>th</sup> that he had pulled up to me.  
25  
26 Sgt. Scott: Who was there first?  
27  
28 Ofc. Storms: Sylvia was there first.  
29  
30 Sgt. Scott: Okay. How did you end up there?  
31  
32 Ofc. Storms: I was just roaming and I saw an officer there. I didn't know  
33 who it was and a lot of times if I'm roaming or I mean not  
34 just me, but anybody. If we're roaming and there's really  
35 not a whole lot of calls going to, you know I'll stop by and  
36 see how that officer, the officer is doing or and talk.  
37  
38 Sgt. Scott: So you just ended up off the beaten path by the Marana  
39 Lake just roaming.  
40  
41 Ofc. Storms: So that was my district that night.  
42  
43 Sgt. Scott: I understand, but you've got all of district two, right?

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1  
2 Ofc. Storms: Yeah.  
3  
4 Sgt. Scott: And it's you and another officer assigned to that district.  
5  
6 Ofc. Storms: Yes.  
7  
8 Sgt. Scott: Okay.  
9  
10 Ofc. Storms: So I was just roaming, happened to see her there.  
11  
12 Sgt. Scott: Okay. There was no communication, no message, no text  
13 message, no MDC message? You didn't look on the map  
14 and see her there?  
15  
16 Ofc. Storms: Not that I recall.  
17  
18 Sgt. Scott: Okay.  
19  
20 Ofc. Storms: It wasn't like hey, let's meet up here. I was just driving  
21 around, happened to see an officer there, stopped by. Like I  
22 said, initially we 45'd, from what I recall, she was backed  
23 in doing paperwork and I came up and we started just  
24 talking.  
25  
26 Sgt. Scott: So when you say you came up so.  
27  
28 Ofc. Storms: I came up. She was in a parking spot backed in, I believe.  
29 Yeah. She was backed in.  
30  
31 Sgt. Scott: And then how was your car positioned?  
32  
33 Ofc. Storms: Just right next to hers in the space next to it, just close how  
34 we normally would talk like side to side.  
35  
36 Sgt. Scott: Driver door to driver door.  
37  
38 Ofc. Storms: Correct.  
39  
40 Sgt. Scott: Okay.  
41  
42 Ofc. Storms: So I know that she was doing some paperwork and I don't  
43 remember at that time if I began my paperwork, but we just

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1 started talking and initially about the Marana Lake. I think  
2 she didn't believe or know the Marana Lake existed and I  
3 was telling her about how Marana was going to try to  
4 preserve it and make it, you know a big lake so she's like  
5 oh, you know, yeah, I didn't know that so I was like yeah,  
6 take a look. There's a big area of water so at that point we  
7 got out of our cars and we went up the little dirt. There's  
8 like a little area where you have to kind of climb up a little  
9 bit and there's a walking path so we get up to that walking  
10 path and there's people walking up and down, moms with  
11 their strollers, people, you know rollerblading, doing  
12 whatever and we stopped right there at the bike path and  
13 I'm telling her about the lake. Some citizen, in fact we  
14 spoke to a few citizens there and he was specifically asking  
15 us about some birds. He's like yeah, I come out here and  
16 bird watch all the time. There's some pelicans or something  
17 so we were right in our spot looking for pelicans. We kind  
18 of went our separate ways with that citizen. Sylvia and I  
19 went back to our cars and then from that time we were  
20 going to leave, but I forget whatever the case may be. We  
21 swung around and 45'd again, but it was just to the dirt area  
22 of where our initial 45 was and again, it was driver door to  
23 driver door and we started talking. We just talked about a  
24 lot of different things, about, you know work, you know  
25 different training. I know she wanted to go back to school. I  
26 think we talked about that. And this was like going into  
27 sunset at that time. Well, initially it was still daylight. So  
28 when we 45'd it was still light out.

29  
30 Sgt. Scott: What time do you think that was?

31  
32 Ofc. Storms: Sunset. It was around sunset. I would say 7:00 maybe, 6:30,  
33 7:00 o'clock. That's just a guess. Obviously that's a guess.  
34 So when we 45'd it's still light out and we just sat there and  
35 spoke. Nobody got out of the car. We didn't get out of the  
36 car. We stayed in that exact same spot and that night I  
37 remember it was relatively slow on the call screen and  
38 before we knew it we just got in conversation and it started  
39 getting dark. Shortly after it got dark, LPO Neuman came  
40 around and he came up to us in the dirt and he's like hey,  
41 you guys need to split up.

42  
43 Sgt. Scott: Was it dark at that point?

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1  
2 Ofc. Storms: When he came up, yeah, it was dark.  
3  
4 Sgt. Scott: Okay. Were there still citizens around at that point?  
5  
6 Ofc. Storms: At that point, I don't know cuz I was facing.  
7  
8 Sgt. Scott: Is it common to see citizens walking in that area at  
9 nighttime, near the Marana pond? By Marana pond, we're  
10 talking about Coachline, north of Twin Peaks.  
11  
12 Ofc. Storms: Right.  
13  
14 Sgt. Scott: Up in that area right there.  
15  
16 Ofc. Storms: I would say it's not common.  
17  
18 Sgt. Scott: Okay.  
19  
20 Ofc. Storms: You know, there's not a whole lot of foot traffic at night.  
21  
22 Sgt. Scott: Okay.  
23  
24 Ofc. Storms: But I remember when the sun was going down there was a  
25 lot of foot traffic on the pathway.  
26  
27 Sgt. Scott: Okay.  
28  
29 Ofc. Storms: So like I said, LPO Neuman came up said hey, you guys  
30 need to split up and I said not a problem, you know. He  
31 wanted us, you know to split up.  
32  
33 Sgt. Scott: What time was that?  
34  
35 Ofc. Storms: I'll give you a guess. It'd be a guess, a total guess.  
36  
37 Sgt. Scott: Yeah.  
38  
39 Ofc. Storms: 8:30, 9:00 o'clock.  
40  
41 Sgt. Scott: Okay.  
42

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1 Ofc. Storms: So we were out there roughly two hours talking I would say  
2 give or take, but like I said, that was just a guess. Okay. So  
3 LPO Neuman came up. He said hey, split up. You guys  
4 have been here a couple hours and to be quite honest with  
5 you. It's not uncommon for officers to 45 for an hour or  
6 two and you know, I'm not saying I do that all the time.  
7  
8 Sgt. Scott: What do you mean it's not uncommon for officers to 45 for  
9 an hour or two?  
10  
11 Ofc. Storms: When it's not busy and you know things aren't going on. A  
12 lot of times officers will get together and meet. When I say  
13 45 I say meet, whatever the case may be, talk, whatever and  
14 the time goes by, an hour, two hours.  
15  
16 Sgt. Scott: Where do you typically see that happening at? What  
17 location?  
18  
19 Ofc. Storms: All over the place. All over the Town of Marana.  
20  
21 Sgt. Scott: Have you ever seen it at that location, by the pond?  
22  
23 Ofc. Storms: I don't know. I haven't seen it specifically.  
24  
25 Sgt. Scott: Okay.  
26  
27 Ofc. Storms: I've been out to the pond many times. I've talked to a lot of  
28 officers out there. When I was on squad four or was it  
29 squad four. Yeah. Squad four with Kluczek, we would 45  
30 out there. So it's not and I would often see cars out there  
31 too that I would check on, you know suspicious vehicles,  
32 people just hanging out. There's a pond. People want to see  
33 it. So I have 45'd out there in the past. I don't know if other  
34 officers sit there all the time, but I have like with Kluczek,  
35 other officers have 45'd out there. So yeah, I went after he  
36 split us up I went my way and he said that it wouldn't look  
37 right, you know. He's like it doesn't really look right for  
38 you guys to be out here and I told him. I said Neuman,  
39 what do you mean it doesn't look right. We're just two  
40 officers 45 out here and he goes well, it's dark out here.  
41 There's not a whole lot of lighting. And I understand. I get  
42 it. You know what I mean. I'm going to go my way. And  
43 then after that I told Sylvia. I said look, if he's saying

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1 already that it doesn't look bad. I said next time we want to  
2 45 make sure there's a lot of other people around. She said  
3 cool, not an issue. So and I told him. I said Neuman, if it  
4 was two male officers there'd be absolutely no allegation or  
5 you saying that it would look funny. Just because we're a  
6 male and a female, you know. I didn't want to make it to  
7 big of an issue, but I told him. I said what gives you any  
8 indication that we're doing anything wrong out here, other  
9 than you just thinking that.  
10  
11 Sgt. Scott: So I guess what I'm thinking is this. From what you're  
12 telling me, it's not that he accused you of doing anything.  
13 He's saying that it's the optics of it.  
14  
15 Ofc. Storms: Right. And absolutely. And I told him. I said I get that.  
16  
17 Sgt. Scott: You seem like a perceptive officer to me so I'm not really  
18 sure how you don't really see the optics of that.  
19  
20 Ofc. Storms: No. And I told him. Absolutely. I told him. I said Neuman,  
21 I get it, you know. You're the supervisor. You want to  
22 make sure where everyone is at.  
23  
24 Sgt. Scott: Well, that's not what I'm talking about. It has nothing to do  
25 with him being the supervisor. Because in my opinion, with  
26 what you just told me, it seems to me that you don't really  
27 understand the optics of how that is perceived when you're  
28 at the Marana pond where there's no one around when it's  
29 dark out.  
30  
31 Ofc. Storms: No. Absolutely. I get that.  
32  
33 Sgt. Scott: You do understand that.  
34  
35 Ofc. Storms: Absolutely. And I told Neuman at that time cuz he was  
36 kind of bringing that to my attention.  
37  
38 Sgt. Scott: So is there a reason for you to be offended about the fact  
39 that he brought that to your attention? Cuz earlier you said  
40 you were offended by it.  
41  
42 Ofc. Storms: No. I said I wouldn't say I was offended. It just kind of  
43 caught me off guard. You know what I mean. If I roll up to

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1 some officers and I say are you guys doing anything that's  
2 inappropriate out here. They would look at me and be like  
3 what would give you that indication.  
4  
5 Sgt. Scott: But that's not what he asked you though. He said that the  
6 perception is that you could be doing something  
7 inappropriate out here.  
8  
9 Ofc. Storms: Absolutely.  
10  
11 Sgt. Scott: And that's absolutely the right call as a supervisor because  
12 part of what we do is we need to protect ourselves from not  
13 only what we actually are doing, but the perception of what  
14 we may be doing from the public. Do you get what I'm  
15 saying?  
16  
17 Ofc. Storms: Absolutely. Yeah. And I told LPO Neuman that.  
18  
19 Sgt. Scott: Okay. And as unfair as it is, the perception is often is not  
20 there when it's two male officers somewhere in the dark  
21 and we may not like it, but at the end of the day who do we  
22 work for.  
23  
24 Ofc. Storms: We work for the Town of Marana, the citizens.  
25  
26 Sgt. Scott: We work with the citizens of Marana.  
27  
28 Ofc. Storms: Absolutely.  
29  
30 Sgt. Scott: And I think we as two intelligent men, can say that  
31 generally speaking, the citizens of Marana don't expect that  
32 you're going to be with Officer Sylvia after dark, just the  
33 two of you, at the lake.  
34  
35 Ofc. Storms: Right. No. And I absolutely understand how that can be,  
36 you know, skewed or someone could think that.  
37  
38 Sgt. Warren: A minute ago, you mentioned Chavez and Quan, that they  
39 go everywhere together and no one said anything about  
40 them.  
41  
42 Ofc. Storms: Right.  
43

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1 Sgt. Warren: Have you seen them in secluded areas, out by a lake and  
2 parked in dark areas for a couple hours at a time? Is that  
3 something that they do?  
4  
5 Ofc. Storms: I don't follow exactly where they go. I know they like to  
6 hangout on duty, but I don't follow exactly.  
7  
8 Sgt. Scott: Have you ever seen them 45 in a secluded area or are they  
9 45-ing somewhere a little bit more lit and where there's  
10 people around like say a Walmart parking lot?  
11  
12 Ofc. Storms: Like I said, I haven't followed them around so I don't know  
13 exactly where they 45. And like I told Neuman when he  
14 kind of split us up, I said look Neuman, this wasn't  
15 intentional. We didn't say we want to go 45 out in the  
16 middle of nowhere. We didn't want to go 45 out where it  
17 was dark. It just happened. You know what I mean. It was  
18 just, you know we were talking. We were doing reports and  
19 I believe you'd be able to look up the reports and know  
20 exactly when they were sent cuz we were sending reports to  
21 our supervisor. It just happened. We didn't intentionally go  
22 out there. I understand when he broke us up. Absolutely it  
23 would look bad in the eyes of a citizen. If I was a citizen  
24 and I saw two cops, you know.  
25  
26 Sgt. Warren: We'll get to that in a minute. Well, I had talked to a citizen  
27 so, but go ahead.  
28  
29 Ofc. Storms: I would see where that would be, you know that would look  
30 bad.  
31  
32 Sgt. Scott: Have you heard anybody talk about this night in particular,  
33 prior to this?  
34  
35 Ofc. Storms: Just with Neuman.  
36  
37 Sgt. Warren: Was there a rumor going around that something may or  
38 may not have more happened that night?  
39  
40 Ofc. Storms: You know, I've heard a lot of rumors. Nothing.  
41  
42 Sgt. Scott: What about that night in particular?  
43



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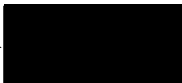
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1 Ofc. Storms: No. I'm trying to think. No. Just with Officer Neuman.  
2 What he had told me.  
3  
4 Sgt. Scott: Did Sylvia ever approach you and tell you that she had  
5 heard rumor from someone else?  
6  
7 Ofc. Storms: Yes, she did. Sorry.  
8  
9 Sgt. Scott: That's what I'm talking about.  
10  
11 Ofc. Storms: Okay. Yes.  
12  
13 Sgt. Warren: So how come you only remember that when he asked you  
14 that question?  
15  
16 Ofc. Storms: Cuz I'm trying to figure out what he's asking.  
17  
18 Sgt. Warren: Well, he asked you a very open question and we expect the  
19 truth.  
20  
21 Ofc. Storms: No. Absolutely.  
22  
23 Sgt. Scott: Let me just stop right now.  
24  
25 Ofc. Storms: Yeah.  
26  
27 Sgt. Scott: Okay. And I usually give this speech at the beginning of the  
28 interview.  
29  
30 Ofc. Storms: Absolutely.  
31  
32 Sgt. Scott: But I didn't do it with you cuz I didn't think I needed to.  
33 Okay. But I'm going to give it to you now.  
34  
35 Ofc. Storms: Okay.  
36  
37 Sgt. Scott: Okay. The purpose of this interview is for us to gather  
38 facts. We're fact gathers.  
39  
40 Ofc. Storms: Absolutely.  
41  
42 Sgt. Scott: Fact gathers. Okay. And what I expect from you is  
43 complete honesty.

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1  
2 Ofc. Storms: Right.  
3  
4 Sgt. Scott: Complete honesty. Okay.  
5  
6 Ofc. Storms: Absolutely.  
7  
8 Sgt. Scott: Okay. And what you can expect from me is that I'm going  
9 to treat you with respect. I'm going to ask you questions  
10 that have something to do with this investigation. I'm not  
11 asking you about, you know some girl from high school.  
12 Okay. I'm asking about stuff that is focused on this  
13 investigation.  
14  
15 Ofc. Storms: Absolutely.  
16  
17 Sgt. Scott: So when I ask you a question. Okay. This is not a game of  
18 did I ask you the right question. If there's information that  
19 needs to be given, you need to give me that information.  
20  
21 Ofc. Storms: Okay. Absolutely.  
22  
23 Sgt. Scott: Okay. And that means that there's things that we can do  
24 like lying by omission and then you can come back later  
25 and say well, you didn't say that Officer Sylvia was the one  
26 who said it. You need to knock that off right now dude.  
27  
28 Ofc. Storms: Absolutely.  
29  
30 Sgt. Scott: Okay. So if I ask you have you heard anybody talking  
31 about that night in particular? The answer to that is yes.  
32  
33 Ofc. Storms: Yes.  
34  
35 Sgt. Scott: Officer Sylvia came and told me that she heard a rumor.  
36  
37 Ofc. Storms: Okay. Yes.  
38  
39 Sgt. Scott: Would that be the correct answer?  
40  
41 Ofc. Storms: Yes.  
42

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1 Sgt. Scott: Okay. And I shouldn't have to prompt you because  
2 hopefully you're not hearing those types of rumors about  
3 yourself that often and if you are offended by the fact that  
4 Brian Neuman came and told you that there's the potential  
5 that a citizen could think that you're doing something  
6 inappropriate and you could remember that you were  
7 heated by that. You would be equally as heated when  
8 Sylvia came and told you hey, listen, I'm hearing a rumor  
9 around the station that we were doing something we  
10 weren't supposed to be doing. Am I correct?  
11  
12 Ofc. Storms: Correct.  
13  
14 Sgt. Scott: Okay. So are we on the same page now?  
15  
16 Ofc. Storms: Yes.  
17  
18 Sgt. Scott: Okay.  
19  
20 Sgt. Warren: And everything you just said, we already know a lot of the  
21 answers, if not all the answers to everything that we're  
22 asking you.  
23  
24 Ofc. Storms: Absolutely.  
25  
26 Sgt. Warren: We've already done our investigation. We've already  
27 talked to other people. We've already got statements from  
28 other people. All we're looking for right now is keep being  
29 honest in giving your version of the story.  
30  
31 Ofc. Storms: Absolutely. And you know, I want to be and I am a  
32 hundred percent honest, you know so I apologize if I can  
33 off that way. So yes, I did hear a rumor.  
34  
35 Sgt. Scott: Tell me about that rumor that you heard. Who did you hear  
36 it from?  
37  
38 Ofc. Storms: Officer Sylvia.  
39  
40 Sgt. Scott: And what did she tell you?  
41  
42 Ofc. Storms: She told me that she heard a rumor from   
43

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1 Sgt. Scott: Okay.  
2  
3 Ofc. Storms: That we were doing inappropriate things out in the desert.  
4  
5 Sgt. Scott: Inappropriate things like what?  
6  
7 Ofc. Storms: What [REDACTED] told me is that [REDACTED] saw a citizen say that we got  
8 out of our cars. One of the officers got into each other's  
9 cars. [REDACTED] didn't say the specific and then a head  
10 disappeared.  
11  
12 Sgt. Scott: Indicating what?  
13  
14 Ofc. Storms: Just my guess would be a blow job.  
15  
16 Sgt. Scott: Okay.  
17  
18 Ofc. Storms: But that was me coming to a conclusion based off of a head  
19 disappearing.  
20  
21 Sgt. Scott: And [REDACTED] said who told [REDACTED] that?  
22  
23 Ofc. Storms: [REDACTED]  
24  
25 Sgt. Scott: Okay. Did you ever speak with [REDACTED] about that?  
26  
27 Ofc. Storms: Yes, I did.  
28  
29 Sgt. Scott: Okay. And just so that I can kind of know the time line.  
30 How long after this night, the 28<sup>th</sup> of July, did you hear this  
31 rumor?  
32  
33 Ofc. Storms: It wasn't that far after the fact.  
34  
35 Sgt. Scott: So shortly afterwards.  
36  
37 Ofc. Storms: Shortly after. I would say a couple days to a week maybe.  
38  
39 Sgt. Scott: Okay.  
40  
41 Ofc. Storms: So I met with [REDACTED]  
42  
43 Sgt. Scott: You met with who?

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 3:55 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Keith Storms #430  
**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Ofc. Storms: [REDACTED]  
3  
4 Sgt. Scott: And that was after Sylvia had told you what she heard from  
5 [REDACTED]  
6  
7 Ofc. Storms: Correct.  
8  
9 Sgt. Scott: Okay.  
10  
11 Ofc. Storms: Right. Cuz I wanted to and my attempt was just to squash  
12 whatever rumor was going around.  
13  
14 Sgt. Scott: Okay.  
15  
16 Ofc. Storms: So I met with [REDACTED] That was here at the station.  
17 And I asked [REDACTED] and I said hey, I heard that there was a  
18 rumor going around about Sylvia and I. Do you have any  
19 information about that? Because I don't like hearing the  
20 rumors about and [REDACTED] said it's nothing to worry about. The  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]  
29 know and I reiterated to [REDACTED] I don't like hearing those  
30 things about me, especially that nature. You know what I  
31 mean. Because that's not a rumor anybody wants to have  
32 about them. So we ended our conversation and then I just  
33 went on my day.  
34  
35 Sgt. Scott: Have you heard that rumor from anyone else, other than  
36 [REDACTED]  
37  
38 Ofc. Storms: I'm just thinking before I give you an answer so I just kind  
39 of want to make sure. So [REDACTED] Sylvia was the only  
40 one that told me [REDACTED] I talked to [REDACTED] No. I didn't  
41 talk to anybody else. No. And I thought that was the end of  
42 it.  
43

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**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: So on the heels of what Brian Neuman told you that night  
2 saying that there's the perception, right?  
3  
4 Ofc. Storms: Yeah.  
5  
6 Sgt. Scott: And then later on, a couple days later, up to a week later,  
7 you hear a rumor that [REDACTED]  
8  
9 Ofc. Storms: Oh. Let me. Can I back up real quick?  
10  
11 Sgt. Scott: Sure.  
12  
13 Ofc. Storms: So after I met with [REDACTED] I met with Neuman again  
14 about it.  
15  
16 Sgt. Scott: Okay.  
17  
18 Ofc. Storms: And this was outside of the Chipotle off of Cortaro Farms  
19 or Az Pavilions and I said Neuman, did you hear anything  
20 else about anything other than that night. He's like I didn't  
21 hear anything else. Why? And I said because there's a  
22 rumor going around with [REDACTED] that Sylvia and I  
23 were doing inappropriate things out there and he goes I  
24 didn't hear anything about that and I said okay, well, I just  
25 want to let you know. I don't know, you know who's  
26 making these rumors or you know, where else it had come  
27 from. I don't want cuz I know how, you know people can  
28 talk and rumors can spread within a small agency like this  
29 and I didn't want, you know. I value my reputation and I  
30 didn't want that to be, you know something that people  
31 thought about me.  
32  
33 Sgt. Scott: Do you think that this rumor would have started if you  
34 were doing your code 9 or whatever you were doing at the  
35 Walmart parking lot?  
36  
37 Ofc. Storms: No. I don't think so.  
38  
39 Sgt. Scott: Okay. So you see the optics of this now?  
40  
41 Ofc. Storms: Yes.  
42

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1 Sgt. Scott: Okay. So this rumor here is with Officer Sylvia. Tell me a  
2 little bit about the nature of your relationship with Officer  
3 Sylvia.  
4  
5 Ofc. Storms: We're friends. Well, we're coworkers and we're friends  
6 while we're on duty. We're not in a relationship. We, you  
7 know, it's not like we've gone out in public, you know. The  
8 nature of our relationship is coworkers.  
9  
10 Sgt. Scott: Okay. Has it been anything, other than coworkers?  
11  
12 Ofc. Storms: No. Not on duty. It has not been anything, other than  
13 coworkers.  
14  
15 Sgt. Scott: Do you hang out with her off duty?  
16  
17 Ofc. Storms: I don't. No.  
18  
19 Sgt. Scott: Okay. Have you ever had any sort of romantic relationship  
20 with Sylvia?  
21  
22 Sgt. Warren: We're going to ask you some questions that might be  
23 uncomfortable.  
24  
25 Ofc. Storms: Absolutely.  
26  
27 Sgt. Warren: But we have to do our job.  
28  
29 Ofc. Storms: No. I get it.  
30  
31 Sgt. Warren: Just questions that we have to ask. Okay.  
32  
33 Ofc. Storms: I get it. You know, this is obviously an uncomfortable  
34 situation. I've never been in this situation, you know. I  
35 want to tell a hundred percent the truth to you cuz I know  
36 in my mind absolutely nothing happened. I want to be able  
37 to relay that to you guys. So I'm sorry. Can you ask me the  
38 question again?  
39  
40 Sgt. Scott: So I was asking about the nature of the relationship that  
41 you had with Sylvia and you said that, made mention of  
42 something about on duty. So I'm asking you have you ever  
43 had a romantic relationship with Sylvia?

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1  
2 Ofc. Storms: Off duty. We had. Yes.  
3  
4 Sgt. Scott: Okay. By that you mean you've had a sexual relationship  
5 with her?  
6  
7 Ofc. Storms: Off duty. Yes.  
8  
9 Sgt. Scott: Okay. Was that an ongoing type thing?  
10  
11 Ofc. Storms: No. Just one time.  
12  
13 Sgt. Scott: It was a one-time thing. And when was that in relation to  
14 this date?  
15  
16 Ofc. Storms: I don't recall the actual date.  
17  
18 Sgt. Scott: How long ago are we talking about?  
19  
20 Ofc. Storms: Um, I'm trying to think the exact date cuz.  
21  
22 Sgt. Warren: It doesn't have to be an exact date. Just give us a time  
23 frame. I mean was it July. Was it June. Was it August.  
24  
25 Sgt. Scott: Was it before this date?  
26  
27 Ofc. Storms: That's what I'm trying to gather if it was before or after  
28 that date. I believe it was after this date.  
29  
30 Sgt. Scott: After.  
31  
32 Ofc. Storms: Yes.  
33  
34 Sgt. Scott: Okay. So you're saying that was a one-time thing.  
35  
36 Ofc. Storms: Yes.  
37  
38 Sgt. Scott: And nothing since then?  
39  
40 Ofc. Storms: No.  
41  
42 Sgt. Scott: Okay. Do you have any idea why she would tell something  
43 differently?



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1  
2 Ofc. Storms: She should not have. It was the one time we've ever hung  
3 out off duty. I've never hung out with her off duty ever,  
4 other than that time.  
5  
6 Sgt. Scott: Okay. Was it this night?  
7  
8 Ofc. Storms: No. It was not that night.  
9  
10 Sgt. Scott: It was not that night.  
11  
12 Ofc. Storms: No. I can tell you that for certain.  
13  
14 Sgt. Scott: Okay.  
15  
16 Sgt. Warren: How did she tell you about the rumor that she heard? Did  
17 he call you, text you? Did you see each other at work or  
18 what?  
19  
20 Ofc. Storms: Called.  
21  
22 Sgt. Warren: Called.  
23  
24 Ofc. Storms: Yeah. She just asked me hey, did you hear about any  
25 rumors and I said no. At that point, she told me [REDACTED]  
26 [REDACTED] had told her the rumor.  
27  
28 Sgt. Warren: Do you guys communicate quite a bit off duty, in terms of  
29 or even on duty, by phone, text, that type of thing?  
30  
31 Ofc. Storms: No.  
32  
33 Sgt. Warren: No.  
34  
35 Ofc. Storms: Nah ah. I mean every once in a while we'll text, but it's not  
36 like an ongoing. It's not a regular thing.  
37  
38 Sgt. Scott: Has she texted you today?  
39  
40 Ofc. Storms: No.  
41  
42 Sgt. Scott: Not at all.  
43

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1 Sgt. Warren: If we look at your phone or check your phone records.  
2  
3 Sgt. Scott: Would there be a text message or a call today?  
4  
5 Ofc. Storms: Just let me think before cuz I've talked to her recently. I'm  
6 just trying to think exactly if it was today.  
7  
8 Sgt. Warren: We're talking about today.  
9  
10 Ofc. Storms: Yeah. I'm sorry. Let me just think real quick.  
11  
12 Sgt. Warren: Where is your phone at?  
13  
14 Ofc. Storms: It's in my pocket.  
15  
16 Sgt. Scott: You really can't remember right now if you've talked to  
17 Sylvia today on the phone or texted her today? Is that what  
18 you're telling me?  
19  
20 Ofc. Storms: No, I did not speak to her today. I spoke to her yesterday.  
21  
22 Sgt. Scott: Okay.  
23  
24 Sgt. Warren: Has she texted you today?  
25  
26 Ofc. Storms: No.  
27  
28 Sgt. Scott: You're positive of that?  
29  
30 Ofc. Storms: One hundred percent.  
31  
32 Sgt. Warren: You don't need more time to think about that?  
33  
34 Ofc. Storms: No. No. No. She has not talked to me today.  
35  
36 Sgt. Warren: Did you have any knowledge that she was up here as well?  
37  
38 Ofc. Storms: No.  
39  
40 Sgt. Warren: She didn't let you know hey, I'm getting called in?  
41  
42 Ofc. Storms: No.  
43


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1 Sgt. Scott: Anyone else give you a heads up of why you were here  
2 today?  
3  
4 Ofc. Storms: No. I had no idea.  
5  
6 Sgt. Scott: So before we move on to the next part of this. Would you  
7 agree that I've been a pretty straight shooter with you when  
8 I was your supervisor?  
9  
10 Ofc. Storms: Yeah.  
11  
12 Sgt. Scott: Okay. Do you remember me telling you at some point  
13 while we were working together, okay, that there was  
14 rumor that she was interested in you? Do you remember us  
15 having that conversation?  
16  
17 Ofc. Storms: I remember you mentioning it when we were at Village  
18 Inn.  
19  
20 Sgt. Scott: Okay.  
21  
22 Ofc. Storms: But we never met and you said hey, Sylvia is interested in  
23 you.  
24  
25 Sgt. Scott: Okay. Do you remember me talking to you about how that  
26 would be dramatic? Do you recall that conversation?  
27  
28 Ofc. Storms: Yes.  
29  
30 Sgt. Scott: Do you remember me telling you you've got a girlfriend  
31 that you live with that you're planning to marry and this  
32 will be a train wreck? Do you remember that whole  
33 conversation?  
34  
35 Ofc. Storms: Yeah. Ah hum.  
36  
37 Sgt. Scott: Okay. Is it safe to say you completely disregarded  
38 everything I told you?  
39  
40 Ofc. Storms: What do you mean by that?  
41  
42 Sgt. Scott: Well, cuz I tell you be careful. These are the rumors that  
43 I'm hearing. Okay. You're a grown man.

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1  
2 Ofc. Storms: Right.  
3  
4 Sgt. Scott: So if you want to sleep with another officer here off duty  
5 have at it, but I told you this will lead nowhere good. It is  
6 going to drag you into drama. You got a girl at home. You  
7 need to leave this alone.  
8  
9 Ofc. Storms: Yes.  
10  
11 Sgt. Scott: Right.  
12  
13 Ofc. Storms: Ah hum.  
14  
15 Sgt. Scott: And your response to me is like oh, whatever, right?  
16  
17 Ofc. Storms: Yes.  
18  
19 Sgt. Scott: Okay. And then you proceed and go and do exactly what I  
20 told you not to do.  
21  
22 Ofc. Storms: Correct.  
23  
24 Sgt. Scott: Okay. So talk to me. Do you think I have these  
25 conversations with you just to have these conversations  
26 with you?  
27  
28 Ofc. Storms: No. No. I think you're looking out. You know what I mean.  
29  
30 Sgt. Scott: Yeah. Cuz had you listened to me we probably wouldn't be  
31 having this conversation right now.  
32  
33 Ofc. Storms: Right.  
34  
35 Sgt. Scott: Okay. So if I tell you hey, this is the perception then you  
36 won't be out by the lake at nighttime. Okay. So here's the  
37 deal. If Chavez and Quan want to 45 with each other, they  
38 probably shouldn't be doing it at the lake, if that's what  
39 they're doing, but here's the deal. I've never heard any  
40 rumor about Quan and Chavez. Never. I've never heard it.  
41 But I have heard a rumor about you and I approached you  
42 about it and I told you don't go down that path.  
43

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1 Ofc. Storms: Yes.  
2  
3 Sgt. Scott: Okay. So and not only did I talk to you about it, you know  
4 Neuman talking to you about. So when we're bringing  
5 these things to your attention these aren't things for you to  
6 be offended by.  
7  
8 Ofc. Storms: Yeah.  
9  
10 Sgt. Scott: Cuz at the end of the day you can do whatever you want,  
11 but look where we're at now.  
12  
13 Ofc. Storms: Right.  
14  
15 Sgt. Scott:   
16  
17  
18  
19  
20 Ofc. Storms: I understand.  
21  
22 Sgt. Scott: Okay.  
23  
24 Ofc. Storms: Yeah.  
25  
26 Sgt. Warren: Why did you guys move? If you guys were parked in one  
27 spot why did you guys move to somewhere else?  
28  
29 Ofc. Storms: Like I said, that wasn't the intention. So when we were in  
30 our cars initially we were doing paperwork and we were  
31 talking about the Marana Lake and I said hey, let's go look  
32 at it, you know. I was going to show her so we moved up  
33 then we came back to our cars and at that time we were  
34 going to separate, but we just 45'd again at that time. It  
35 wasn't, you know I didn't tell her hey, let's move over  
36 here. We were just leaving and we just met again.  
37  
38 Sgt. Warren: You guys happen to meet the first time and you happen to  
39 move to another more secluded spot and just happen to  
40 meet there again.  
41

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1 Ofc. Storms: I wouldn't say it's a more secluded spot. It's all in the  
2 general area and right where we are it was kind of right  
3 next to, you know near where we initially were.  
4  
5 Sgt. Warren: And keeping in mind where you guys moved to people can  
6 still see, people walking by can still see what's going on.  
7  
8 Ofc. Storms: Absolutely. Yeah. That was not a concern of ours and  
9 where we were, where we moved to, for quite some time I  
10 remember hearing people walking along the path.  
11  
12 Sgt. Warren: Any reason there'd be any pictures from citizens or  
13 anything like that, that would have anything different?  
14  
15 Ofc. Storms: Pictures of us 45? Cuz that's the only picture they would  
16 ever get. We were never close to each other cuz that picture  
17 would not exist.  
18  
19 Sgt. Warren: Was one of you guys ever in the other person's car at any  
20 point?  
21  
22 Ofc. Storms: No.  
23  
24 Sgt. Scott: So I'm looking at your radio log from that day.  
25  
26 Ofc. Storms: Okay.  
27  
28 Sgt. Scott: And I'm seeing right around 6:00 o'clock you went 10-8.  
29 You had been 76 to a call prior to that so right at 6:00 p.m.  
30 you go 10-8.  
31  
32 Ofc. Storms: Yes.  
33  
34 Sgt. Scott: And you hit 10-8 again at 6:32.  
35  
36 Ofc. Storms: Okay.  
37  
38 Sgt. Scott: You hit 10-8 again at 7:09.  
39  
40 Ofc. Storms: Okay.  
41  
42 Sgt. Scott: You hit 10-8 again at 7:36.  
43

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1 Ofc. Storms: Okay.  
2  
3 Sgt. Scott: You run a 27 at 7:48. You hit 10-8 again at 8:14. You hit  
4 10-8 again at 21:07, 21:15, 21:27 and you just keep hitting  
5 10-8, but you're not doing anything.  
6  
7 Ofc. Storms: Right. That's my normal procedure.  
8  
9 Sgt. Scott: And why is that? Explain that to me.  
10  
11 Ofc. Storms: So they don't code 20 me. It's a habit that I get into.  
12  
13 Sgt. Scott: Do you know what the purpose of a code 20 is?  
14  
15 Ofc. Storms: Yes.  
16  
17 Sgt. Scott: What is that?  
18  
19 Ofc. Storms: Status welfare check.  
20  
21 Sgt. Scott: Okay. And why do we do that?  
22  
23 Ofc. Storms: To make sure we're safe.  
24  
25 Sgt. Scott: Okay. So the reason why that timer is set for every hour is  
26 if there's no activity for an hour then we know that's  
27 something wrong, right?  
28  
29 Ofc. Storms: Correct.  
30  
31 Sgt. Scott: But would it be safe to say that you've hit 10-8 all these  
32 times and have done absolutely nothing. You haven't  
33 pulled any traffic.  
34  
35 Ofc. Storms: Ah hum.  
36  
37 Sgt. Scott: You ran an OLN. That's what you ran and nothing else. I  
38 mean is that what we're paying you to do?  
39  
40 Ofc. Storms: No. But.  
41  
42 Sgt. Scott: Do you get paid to sit down from six-ish to 9:27?  
43

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1 Ofc. Storms: No. No.  
2  
3 Sgt. Scott: And I know it was 9:27 because we know that you didn't  
4 clear until the other squad went 10-8. So from 6:00 to 9:27,  
5 six, seven, eight and nine, three and a half hours, you didn't  
6 do jack shit.  
7  
8 Ofc. Storms: Right. And that's my fault. I should have been out and  
9 about.  
10  
11 Sgt. Warren: And you know that all your GPS logs is exactly where you  
12 were, where you go and what you did is all recorded  
13 correctly.  
14  
15 Ofc. Storms: Absolutely. Yes. I know that.  
16  
17 Sgt. Scott: So what's interesting to me though is that. So was it at the  
18 time that Neuman came to talk to you, is that when you  
19 left?  
20  
21 Ofc. Storms: Yes.  
22  
23 Sgt. Scott: Okay. And it was dark outside at that point?  
24  
25 Ofc. Storms: Yes.  
26  
27 Sgt. Scott: Okay. Do you remember going and doing a code 9 after  
28 that or no?  
29  
30 Ofc. Storms: Yes, I do. Cuz he had mentioned to me. He said we need to  
31 be in our code 9 so I went and did code 9.  
32  
33 Sgt. Scott: Okay. Did you and Sylvia meet up at any other point during  
34 that shift beyond that for the remainder of the night?  
35  
36 Ofc. Storms: No, not that I can recall.  
37  
38 Sgt. Scott: Okay.  
39  
40 Sgt. Warren: Where were you when you ran the 27?  
41  
42 Ofc. Storms: What and can you tell me what time that was? I'm just  
43 trying to recall exactly where I was.



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1  
2 Sgt. Scott: It was at 7:48. So like I said, between the hours of 16:00  
3 and 21:27. Yeah. Between the hours of 6:00 p.m. and 9:27,  
4 yeah, 9:27, you did absolutely nothing, but right in the  
5 middle of that you ran a 27 by OLN.  
6  
7 Ofc. Storms: Okay.  
8  
9 Sgt. Scott: I mean what would prompt you to do that?  
10  
11 Ofc. Storms: The only thing that I could recall why I might have done  
12 that is a call popped up and it's normal procedure for me to  
13 run that person. It doesn't matter if the call is up north, just  
14 if I have any information for that officer so that would have  
15 been the only time I ran a 27 that I can remember.  
16  
17 Sgt. Scott: Were you doing any paperwork during this three and a half  
18 hour period?  
19  
20 Ofc. Storms: Yes.  
21  
22 Sgt. Scott: Okay. Would you potentially run an OLN to populate  
23 something there?  
24  
25 Ofc. Storms: That's a potential. Yes, sir.  
26  
27 Sgt. Scott: Okay.  
28  
29 Sgt. Warren: Was there other code 9, boys during that time?  
30  
31 Sgt. Scott: No. There's just that one there, but that one is at 21:45.  
32  
33 Sgt. Warren: Let's make sure there's not another one that's not  
34 highlighted. Part of what we're trying to put together is like  
35 I said, we're asking a lot of questions that we already knew  
36 answers to.  
37  
38 Ofc. Storms: Absolutely.  
39  
40 Sgt. Warren: And we've already talked to other people about and there  
41 was a citizen that doesn't even know you guys, just a  
42 citizen that lives in our community that brought this  
43 forward.

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1  
2 Ofc. Storms: Okay.  
3  
4 Sgt. Warren: It wasn't Officer Neuman that brought this forward. Some  
5 citizen that doesn't even know anything about you guys  
6 that I've personally spoken to.  
7  
8 Ofc. Storms: Okay.  
9  
10 Sgt. Warren: Like I said, we've already talked to the other officers. So  
11 what we're trying to do is put some things together because  
12 there's some bits of stories that just aren't all coming  
13 together.  
14  
15 Ofc. Storms: Okay.  
16  
17 Sgt. Warren: So that's why we need to make sure we're all getting on the  
18 same page.  
19  
20 Ofc. Storms: Absolutely. And I'm more than happy to explain anything  
21 you need to explain.  
22  
23 Sgt. Warren: You get one chance here dude to be honest with us. The  
24 chief has already said there's a high chance, everybody's  
25 stories aren't matching up that they're going to do  
26 polygraphs.  
27  
28 Ofc. Storms: Okay.  
29  
30 Sgt. Warren: Okay. So I'm just throwing that out there right now too. If  
31 there's anything at all so even if it is you know what, I'm  
32 going to throw myself on a sword and I've messed up. Just  
33 let us know man. Okay. Cuz there's other things if we  
34 know it and we're not hearing it from you then we can't do  
35 anything to help you out.  
36  
37 Ofc. Storms: Absolutely. I can one hundred percent say that absolutely  
38 nothing happened on duty of misconduct. I'm just in my  
39 head I'm just like frustrated cuz I'm trying to relay that to  
40 you and I don't know how else to do it. You know what I  
41 mean. And it scared me. Absolutely nothing happened. I  
42 would never jeopardize my job or anything while on duty.  
43

**CASE REPORT NUMBER:** MPD 2017-IA-016  
**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 3:55 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Keith Storms #430  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: But you see how you've already done that.  
2  
3 Ofc. Storms: Absolutely. I do. And I do and I regret, you know. I regret  
4 making those decisions to be in the dark, you know where I  
5 should have been. We should have 45'd in the Walmart  
6 parking lot so I can show the video. You know what I  
7 mean.  
8  
9 Sgt. Scott: And this is after you've already been talked to by a  
10 supervisor.  
11  
12 Ofc. Storms: Absolutely. Yes.  
13  
14 Sgt. Scott: Do you get what I'm saying?  
15  
16 Ofc. Storms: Yes. I do.  
17  
18 Sgt. Scott: So I mean you should know better.  
19  
20 Ofc. Storms: Absolutely. I should. Yes.  
21  
22 Sgt. Warren: So we're trying to understand. Here is a citizen that doesn't  
23 know you guys. Everybody carries cell phones. They all  
24 have cameras in their cell phones. Why would the story just  
25 come out of nowhere?  
26  
27 Ofc. Storms: I have no idea. If they took photos it's not going to show us  
28 doing absolutely anything, other than 45. I can one hundred  
29 percent guarantee that and if they're making something up I  
30 have no idea what the motive would be cuz like I said, I'm  
31 being one hundred percent truthful with you and I  
32 apologize for my little hiccup, but you know. I've never  
33 been in this situation. So like I said, if there's photos it's  
34 not of us doing anything of misconduct. I can one hundred  
35 percent guarantee that. The only thing that I can fault  
36 myself for is not being in my code 9, not going out there  
37 and doing traffic stops when I should be, instead of 45 with  
38 another officer, that's the only thing that I could fault  
39 myself for.  
40  
41 Sgt. Warren: In specifics, but things with your story and Sylvia's story,  
42 why would things potentially be a little bit different?  
43

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1 Ofc. Storms: They shouldn't be. They should be nothing at all. We went  
2 through step by step and I told you the truth of what I can  
3 remember.  
4  
5 Sgt. Warren: Did you guys talk about hey, if we get asked about this, this  
6 is what we're going to say?  
7  
8 Ofc. Storms: No.  
9  
10 Sgt. Warren: You never had that discussion with her?  
11  
12 Ofc. Storms: No. When we spoke on the phone we didn't say hey, this is,  
13 if we get asked this, this is what we say. Absolutely not.  
14 We talked on the phone and said, you know, I don't know  
15 why these rumors are happening. I said and we were kind  
16 of like worried, you know. She was worried. She's like  
17 why and I said Sylvia, don't get worked up about this  
18 because at the end of the day nothing happened and she's  
19 like well, I've never been. I said I haven't either. I said  
20 these rumors are going and I said at the end of the day  
21 nothing happened so don't worry about it. That's our  
22 conversation.  
23  
24 Sgt. Scott: But you don't know at that time when this happened  
25 whether or not you two had already been sexually  
26 involved?  
27  
28 Ofc. Storms: It was after this.  
29  
30 Sgt. Scott: It was after this.  
31  
32 Ofc. Storms: Yes.  
33  
34 Sgt. Scott: So you're saying that definitively now.  
35  
36 Ofc. Storms: I said that before. It happened after.  
37  
38 Sgt. Scott: Okay. It was after.  
39  
40 Ofc. Storms: Yes.  
41  
42 Sgt. Scott: Okay.  
43

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1 Ofc. Storms: You know, I wish I had some, you know independent  
2 evidence to show you, but I don't, you know. You're  
3 saying it's in the secluded area. My bad on that. I should  
4 have been doing my code 9's or traffic stops or something,  
5 but like I said, I can one hundred percent say absolutely no  
6 misconduct happened.  
7  
8 Sgt. Warren: How about any other days?  
9  
10 Ofc. Storms: No.  
11  
12 Sgt. Warren: Nothing on duty?  
13  
14 Ofc. Storms: No.  
15  
16 Sgt. Warren: Want to take a quick break? All right. Hey, deep breath and  
17 relax. Okay.  
18  
19 Ofc. Storms: Yeah.  
20  
21 Sgt. Warren: All right. We're going to take a quick break. The time is  
22 4:48 p.m.  
23  
24 Sgt. Warren: The time is now 5:03 p.m. Sergeant Warren. Sergeant Scott  
25 and Officer Storms. This will be a continuation of our  
26 interview. Officer Storms, any questions or anything that  
27 you have before we get back on in?  
28  
29 Ofc. Storms: No.  
30  
31 Sgt. Warren: Okay. One thing we just want to verify is without getting  
32 into details. Your relationship with Officer Sylvia, you said  
33 it was a one-time thing.  
34  
35 Ofc. Storms: Yes.  
36  
37 Sgt. Warren: You said it was after this date that we've been talking about  
38 today. Without details, can you give me kind of more of a  
39 time frame or anything else like that? Because what we  
40 need to be able to do is if she comes back and says  
41 anything different that hey, I wasn't even in the country at  
42 that time or whatever.  
43

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1 Ofc. Storms: You're saying you want specific and time when our  
2 relationship outside of work. Is that what you're asking?  
3  
4 Sgt. Warren: Just something in general as to where if she comes back  
5 and says something different that we can say what about  
6 this or she can't contradict it to make it look like you're  
7 lying or you're making this up.  
8  
9 Ofc. Storms: Okay. So when we had our one-time thing. I was  
10 downtown and I got an Uber from downtown to her house  
11 and I would be more than happy to download the Uber app,  
12 give you the exact time and date of when I went over her  
13 house.  
14  
15 Sgt. Scott: Her house being where?  
16  
17 Ofc. Storms: Oh, I'm sorry. Not her house. Where she was staying. It's  
18 in Gladden Farms at.  
19  
20 Sgt. Scott: Is that the TPD officer's house?  
21  
22 Ofc. Storms: Yeah.  
23  
24 Sgt. Scott: Okay. [REDACTED]  
25 [REDACTED]  
26 Ofc. Storms: [REDACTED] Yeah.  
27  
28 Sgt. Scott: Okay.  
29  
30 Ofc. Storms: If you'd like I can do that so I can get you an exact date.  
31  
32 Sgt. Scott: Okay.  
33  
34 Sgt. Warren: If we need any more we'll follow up with you on that.  
35 Okay. But we appreciate your honesty. Okay. Right now  
36 like I said, we're asking questions we know are  
37 uncomfortable.  
38  
39 Ofc. Storms: Absolutely.  
40  
41 Sgt. Warren: They're things that we just have to do.  
42  
43 Sgt. Scott: And that's it. That was the only time?

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**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Ofc. Storms: Yes.  
3  
4 Sgt. Scott: Okay.  
5  
6 Sgt. Warren: And still one hundred percent nothing on duty?  
7  
8 Ofc. Storms: One hundred percent.  
9  
10 Sgt. Scott: So on this night here on the 28<sup>th</sup> she wasn't in your car?  
11  
12 Ofc. Storms: No. She'd have no room to be in my car.  
13  
14 Sgt. Scott: You weren't in her car?  
15  
16 Ofc. Storms: No. I was not.  
17  
18 Sgt. Scott: You guys were not engaged in any sort of sexual activity?  
19  
20 Ofc. Storms: No.  
21  
22 Sgt. Scott: Inappropriate activity?  
23  
24 Ofc. Storms: No.  
25  
26 Sgt. Scott: Touching?  
27  
28 Ofc. Storms: No.  
29  
30 Sgt. Scott: Kissing?  
31  
32 Ofc. Storms: No.  
33  
34 Sgt. Scott: Nothing like that?  
35  
36 Ofc. Storms: No.  
37  
38 Sgt. Scott: Holding hands?  
39  
40 Ofc. Storms: No.  
41  
42 Sgt. Scott: Okay. All right. Anything else right now?  
43

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1 Sgt. Warren: I think that's good. That's all, the only questions I have  
2 right now. Anything else you want to add throughout there  
3 or anything like that? Anything that we didn't ask that  
4 might be pertinent to this?  
5  
6 Ofc. Storms: No. I think we covered everything. Like I was saying, you  
7 know it's an uncomfortable situation. I've never been in  
8 this situation. I just wish, you know. It's unfortunate that  
9 another citizen has to make something up like this and it  
10 just, you know. I'm just frustrated. You know what I mean.  
11 And I don't know where they would. It just blows my mind  
12 how someone could make something like this up so.  
13  
14 Sgt. Warren: But again it goes back to as Sergeant Scott has told you in  
15 the past and today is if you don't put yourself in that  
16 position in the first place then it eliminates that whole  
17 perception.  
18  
19 Ofc. Storms: Absolutely. I one hundred percent understand that.  
20  
21 Sgt. Warren: Okay. All right. That's all we have right now. So what  
22 we're going to do is again, I'm going to remind you.  
23 You're not allowed to talk about this. Don't discuss it with  
24 anybody. Don't discuss it with Officer Sylvia, anybody  
25 else.  
26  
27 Ofc. Storms: Except my union rep.  
28  
29 Sgt. Warren: Except for the union rep. If you have questions you can  
30 come talk to us. If you need anything at all come talk to us  
31 at any time. Okay. You can call us. You can meet with us.  
32 Our doors are open for that. Okay.  
33  
34 Ofc. Storms: Okay.  
35  
36 Sgt. Warren: All right. The time is now 5:07. We'll be concluding the  
37 interview.  
38  
39 Sgt. Warren: This is Sergeant Chris Warren, Marana Police Department.  
40 This is going to be a continuation of the original interview  
41 with Officer Keith Storms. The time is 6:03 p.m. October  
42 13<sup>th</sup>. Currently in the office is Sergeant Chriswell Scott and  
43 also Officer Storms. Officer Storms, we have some



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1 questions we need to ask you to get some clarifying things  
2 on some issues that have come up.  
3  
4 Ofc. Storms: Okay.  
5  
6 Sgt. Scott: So we talked about honesty.  
7  
8 Ofc. Storms: Yeah.  
9  
10 Sgt. Scott: Okay. We talked about integrity.  
11  
12 Ofc. Storms: Absolutely.  
13  
14 Sgt. Scott: We've told you that what we want is one hundred percent  
15 truthfulness. Okay. Now I asked you about the nature of  
16 your relationship with Officer Sylvia.  
17  
18 Ofc. Storms: Yeah.  
19  
20 Sgt. Scott: You told me that you two had sex off duty once.  
21  
22 Ofc. Storms: Ah hum.  
23  
24 Sgt. Scott: It was somewhere generally in the time period of July 28<sup>th</sup>,  
25 but we don't have an exact date. Okay. You told me that  
26 you were downtown, correct?  
27  
28 Ofc. Storms: Yes.  
29  
30 Sgt. Scott: You told me you took an Uber to her house in the Gladden  
31 Farms area or the place where she's staying.  
32  
33 Ofc. Storms: Yes.  
34  
35 Sgt. Scott: Okay. Then you told me that other than that, there's been  
36 nothing else sexual in nature with Officer Sylvia.  
37  
38 Ofc. Storms: Correct.  
39  
40 Sgt. Scott: Okay. And you told me there was nothing that happened on  
41 duty with Officer Sylvia.  
42  
43 Ofc. Storms: Correct.

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1  
2 Sgt. Scott: Okay.  
3  
4 Ofc. Storms: Yeah.  
5  
6 Sgt. Scott: So let me ask you something. Have you ever had sexual  
7 intercourse with Officer Sylvia on duty?  
8  
9 Ofc. Storms: No.  
10  
11 Sgt. Scott: Have you ever received a blow job from Officer Sylvia on  
12 duty?  
13  
14 Ofc. Storms: No.  
15  
16 Sgt. Scott: Have you ever received a hand job from Officer Sylvia on  
17 duty?  
18  
19 Ofc. Storms: No.  
20  
21 Sgt. Scott: Specifically reference the hand job, in the area of Tiffany  
22 Loop and Twin Peaks, where potentially maybe she  
23 showed you some nude photos of herself and then you  
24 proceeded to unzip your pants.  
25  
26 Sgt. Warren: Think about this before you answer this seriously.  
27  
28 Sgt. Scott: Before you open your mouth. I need you to think truthful.  
29 Think through this. Okay. Think through it.  
30  
31 Ofc. Storms: Okay.  
32  
33 Sgt. Scott: Before you say something that you wish you hadn't said.  
34  
35 Ofc. Storms: Okay.  
36  
37 Sgt. Scott: Okay. Would there be any reason given those  
38 circumstances that I just told you, so the area of Twin  
39 Peaks, Tiffany Loop, on duty, where Officer Sylvia has  
40 shown you some nude photos. Do you remember that?  
41  
42 Ofc. Storms: Yes.  
43

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1 Sgt. Scott: Okay. And then what happened from there?  
2  
3 Ofc. Storms: She showed me the nude photos and then from there I said  
4 that those were, you know getting me hard or exciting me  
5 or whatever.  
6  
7 Sgt. Scott: And then what happened from there?  
8  
9 Ofc. Storms: From there, well, I got out and I showed her that it was, you  
10 know. I was like don't get me hard.  
11  
12 Sgt. Scott: You showed her what?  
13  
14 Ofc. Storms: I was like don't get me hard on my pants like that.  
15  
16 Sgt. Scott: So you're pulling at your crouch right now.  
17  
18 Ofc. Storms: Yes.  
19  
20 Sgt. Scott: Okay. So you motioned towards your crouch and said  
21 you're getting me hard or don't get me hard.  
22  
23 Ofc. Storms: Yeah.  
24  
25 Sgt. Scott: After you got out of your car.  
26  
27 Ofc. Storms: Correct.  
28  
29 Sgt. Scott: So you were sitting in the car when she showed you the  
30 photos?  
31  
32 Ofc. Storms: No. She was going through the photos and then I got out  
33 and I said what are you doing and then she was going like  
34 flipping through the photos and I said don't, you're going  
35 to get me hard on or get me hard.  
36  
37 Sgt. Scott: Okay. And then what happened then?  
38  
39 Ofc. Storms: And then I never unzipped my pants or.  
40  
41 Sgt. Scott: Did she unzip your pants for you?  
42  
43 Ofc. Storms: My pants never came undone.

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1  
2 Sgt. Warren: Here's the thing. The truth is the only thing that's going to  
3 help you right now.  
4  
5 Ofc. Storms: Absolutely. My pants never came undone. I said don't get  
6 me hard and then she grabbed my leg.  
7  
8 Sgt. Warren: Keith.  
9  
10 Ofc. Storms: What?  
11  
12 Sgt. Warren: We'll bring her in here.  
13  
14 Ofc. Storms: Absolutely.  
15  
16 Sgt. Scott: Keith. Keith. Keith.  
17  
18 Ofc. Storms: Yeah.  
19  
20 Sgt. Scott: Listen to me. I understand what you're feeling right now.  
21 Okay. And I actually truly mean this. Okay. But you need  
22 to look at the big picture and you need to look at the  
23 implications with your integrity and your honesty and just  
24 who you are as a man. Okay.  
25  
26 Ofc. Storms: Yeah.  
27  
28 Sgt. Scott: Okay. So what you're saying right now within your heart  
29 you know it's not true and no matter how you spin that you  
30 can't make a lie the truth.  
31  
32 Ofc. Storms: No. I absolutely understand that.  
33  
34 Sgt. Scott: Okay. So with that being said, I want you to be completely  
35 honest with what happened that night.  
36  
37 Ofc. Storms: So that night like normally we 45 at Twin Peaks and I-10 or  
38 Twin Peaks, Tiffany Loop for our debriefing. All right.  
39 And we debrief everything. It became midnight. Everybody  
40 left. I saw her going through some photos and I said don't  
41 get me hard and then I patted her hand on my crouch area  
42 and I said see, don't do it and then that was it.  
43

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1 Sgt. Scott: Okay. What else happened? Because I know that's not  
2 where it stopped. I am telling you we talked to her. Okay.  
3 And I know that's not where it stopped.  
4  
5 Ofc. Storms: I know one hundred percent that when she showed me the  
6 photos I grabbed her hand and said don't get me hard over  
7 my crouch and that was it.  
8  
9 Sgt. Warren: All right. Let's do a lie detector. Let's get the box. I'm  
10 tired.  
11  
12 Sgt. Scott: We're asking you a very specific location and everything  
13 else that happened. Cuz initially you said it was just some  
14 photos then you said okay, well, then I took her hand and  
15 put it on my crouch.  
16  
17 Sgt. Warren: First it was nothing. Earlier it was nothing. Now it's a little  
18 bit. A little bit and a little bit.  
19  
20 Sgt. Scott: Keith, so you're telling me from now on I can't look you in  
21 the face as a man, even if you've made a mistake and say at  
22 least you're an honest guy. From here on out, I can't look at  
23 you that way.  
24  
25 Ofc. Storms: Okay.  
26  
27 Sgt. Scott: I don't think so. I'm being completely one hundred percent.  
28 I don't think that I can look you in the face the same way  
29 anymore. Not because of what you did, okay, because we  
30 all fall short sometimes. Okay. We all do. The part that  
31 bothers me though, even when confronted with a location,  
32 an officer and all the details, you still won't be truthful  
33 about it.  
34  
35 Ofc. Storms: That's the truth. Nothing else happened from there. Like  
36 you mentioned, my pants never got unzipped.  
37  
38 Sgt. Scott: But earlier you told me that there'd never been anything  
39 sexual on duty.  
40  
41 Ofc. Storms: (Inaudible).  
42

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1 Sgt. Scott: No. You said there's never been anything sexual on duty  
2 with Officer Sylvia. You absolutely told me that in our first  
3 interview. Yes or no?  
4  
5 Ofc. Storms: Yes.  
6  
7 Sgt. Scott: That was not true. Cuz I think her showing you some  
8 photos. You talked about her giving you an erection. You  
9 putting her hand on your crouch is absolutely sexual.  
10  
11 Ofc. Storms: Right. Absolutely.  
12  
13 Sgt. Scott: Okay. So here you are. You're mincing words man.  
14 Because I like you man. I really do, but I told you this  
15 before. You're a little arrogant and you're doing that to me  
16 right now.  
17  
18 Ofc. Storms: Apologize.  
19  
20 Sgt. Scott: Okay. You and I have had that conversation before, right?  
21  
22 Ofc. Storms: Right.  
23  
24 Sgt. Scott: We did and you're doing it right now. At some point you  
25 have to realize that we know.  
26  
27 Ofc. Storms: Absolutely.  
28  
29 Sgt. Warren: In a minute we're going to walk over the chief's office and  
30 he's going to say do you believe him. Do you believe Keith  
31 right now? Or what are we going to do from here. So that's  
32 what he's getting at.  
33  
34 Ofc. Storms: Yeah.  
35  
36 Sgt. Warren: We make mistakes.  
37  
38 Ofc. Storms: Yeah.  
39  
40 Sgt. Warren: Things happen and we make mistakes that we can live, life  
41 goes on, everything goes on. There's certain things that we  
42 do that you can't come back from like dishonest and lying  
43 about it, is that.

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1  
2 Sgt. Scott: And I even understand like you don't want to volunteer  
3 information. I understand why people do that. Cuz the  
4 thought when people come to IA a lot of times is well, you  
5 know, if they don't know then why would I want to bring it  
6 up. We're past that dude.  
7  
8 Ofc. Storms: Absolutely.  
9  
10 Sgt. Scott: We're past that.  
11  
12 Sgt. Warren: There's more stuff we're going to ask you. This is where  
13 we're starting right now though.  
14  
15 Sgt. Scott: Like I'm telling you. I'm giving you a location. I'm giving  
16 you an officer. I'm telling you. I gave you that information  
17 about the photos.  
18  
19 Sgt. Warren: And we've been a hundred percent right with it so far.  
20  
21 Sgt. Scott: I gave you the information about the crouch. Okay. And  
22 I'm telling you that you're being untruthful with me about  
23 what happened after that, one hundred percent.  
24  
25 Ofc. Storms: No, I'm not.  
26  
27 Sgt. Scott: Okay.  
28  
29 Ofc. Storms: And it stopped right when the crouch that was it, one  
30 hundred percent.  
31  
32 Sgt. Scott: So think about this logically. And you're a logical dude.  
33 Okay. Would someone have a reason to just make that  
34 story up? Like why would they make that story up?  
35 Because when we talked to you about the initial allegation  
36 you were like well, if this person isn't telling the truth then  
37 I want to know will they be prosecuted. You took the  
38 morale high road on that like you were offended. Okay.  
39  
40 Ofc. Storms: Right.  
41  
42 Sgt. Scott: Just like you were offended when Neuman told you listen,  
43 it's the perception when you're sitting here in a dark area,

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1 the two of you, especially when you have been warned  
2 before by me, stay away from this and you told me I was  
3 offended and then when I questioned, oh, well, I wasn't  
4 offended. I was just kind of like curious, you know because  
5 you know, if it was two males people wouldn't be thinking  
6 that. You're smart enough to know that there's a difference  
7 between two dudes at Twin Peaks and a male and a female  
8 who people have already been talking about or involved,  
9 being in some dark area. So this thing that we're talking  
10 right here at Twin Peaks and Tiffany Loop, was that before  
11 or after the 28<sup>th</sup>?  
12  
13 Ofc. Storms: I don't recall.  
14  
15 Sgt. Scott: Was it before or after shift change? Were you still working  
16 for me when that happened?  
17  
18 Ofc. Storms: I don't think so.  
19  
20 Sgt. Scott: So it would have been sometime after July 8<sup>th</sup>?  
21  
22 Ofc. Storms: Yes.  
23  
24 Sgt. Scott: Was this before or after you had sex with her?  
25  
26 Ofc. Storms: Before.  
27  
28 Sgt. Scott: Before.  
29  
30 Ofc. Storms: Yeah.  
31  
32 Sgt. Scott: Okay. You're saying all the right things. You're like oh,  
33 well, nothing, that was it. That was a one-time thing. One-  
34 time thing. It wasn't a one-time thing dude. It wasn't.  
35  
36 Ofc. Storms: Outside of duty or.  
37  
38 Sgt. Warren: Think before you talk man.  
39  
40 Ofc. Storms: Yeah. I know.  
41  
42 Sgt. Warren: Cuz you're tripping yourself up and it's embarrassing.  
43



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1 Sgt. Scott: You're tripping yourself up because you know you're  
2 lying. You know you're lying Keith.  
3  
4 Ofc. Storms: Everything that is on the table. That's it. One hundred  
5 percent.  
6  
7 Sgt. Scott: What does that even mean; everything that's on the table?  
8  
9 Ofc. Storms: Everything that we've discussed.  
10  
11 Sgt. Scott: Okay. Well, I said that I believe that you received a hand  
12 job. Are you telling me that happened?  
13  
14 Ofc. Storms: That did absolutely not happen.  
15  
16 Sgt. Scott: Okay. Just like you absolutely had never had any sort of  
17 sexual activity with her while you were on duty.  
18  
19 Ofc. Storms: That's never happened.  
20  
21 Sgt. Scott: You don't think you putting you putting her hand on her  
22 crouch is sexual activity and you saying she's showing you  
23 nude photos of herself and you're saying stop, you're  
24 making me hard and then you taking her hand and putting it  
25 on your erect penis outside of your clothing. You don't  
26 think that's sexual?  
27  
28 Ofc. Storms: Yeah, it is.  
29  
30 Sgt. Scott: Let's look at this another way. If she was a minor, would  
31 you be arrested for a charge, a sexual related charge?  
32  
33 Ofc. Storms: Yeah.  
34  
35 Sgt. Scott: Yes. What do we call that?  
36  
37 Ofc. Storms: I don't know.  
38  
39 Sgt. Scott: Okay. But you know it would be a charge though, right?  
40  
41 Ofc. Storms: Yeah.  
42  
43 Sgt. Scott: A sexual related charge.

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1  
2 Ofc. Storms: Yeah.  
3  
4 Sgt. Scott: Okay. So how do you not think that was a sexual related  
5 activity that was happening on duty?  
6  
7 Ofc. Storms: Yeah. You're right.  
8  
9 Sgt. Scott: Okay. So would you say that your prior statement to me  
10 that you had never had sex, any sort of sexual activity with  
11 her on duty was probably not correct?  
12  
13 Ofc. Storms: Correct.  
14  
15 Sgt. Scott: And so why did you lie to me?  
16  
17 Ofc. Storms: You know, I did, but it wasn't my intention.  
18  
19 Sgt. Scott: You lied, but it wasn't your intention to lie.  
20  
21 Ofc. Storms: Correct.  
22  
23 Sgt. Scott: So you're telling me when I was asking you before have  
24 you ever had any sort of sexual activity with her on duty  
25 you didn't think about the time you were at Twin Peaks and  
26 Tiffany Loop and you put her hand on your crouch after  
27 she was showing you nude photos of herself on duty, that  
28 didn't even cross your mind?  
29  
30 Ofc. Storms: It didn't. I focused on the Marana Lake. But yes.  
31  
32 Sgt. Scott: Are you going to make us put you on the box? Is that what  
33 it is?  
34  
35 Ofc. Storms: No. I understand.  
36  
37 Sgt. Scott: No. I'm asking you're going to make us put you on the box.  
38 Is that what you're going to do for the truth about what  
39 happened that night at Twin Peaks and Tiffany Loop to  
40 come out?  
41  
42 Ofc. Storms: That's all that happened, one hundred percent.  
43

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1 Sgt. Warren: (Inaudible) bring up the other stuff.  
2  
3 Ofc. Storms: That was it at Twin Peaks and Tiffany.  
4  
5 Sgt. Scott: You said that 45 minutes ago, that, that was it. It was a one-  
6 time. You guys had sex off duty. There'd never been  
7 anything other than that. There was no touching, no kissing,  
8 no nothing. It never happened before, anything at any other  
9 time. And then come to find out, you know we get further  
10 information and everything is correct up until that last little  
11 part.  
12  
13 Ofc. Storms: Yeah. I understand that.  
14  
15 Sgt. Warren: Just like at the lake.  
16  
17 Sgt. Scott: You get what I'm saying. And let's just reverse the roles  
18 here. If you were a suspect and we were officers, what  
19 would you think right now?  
20  
21 Ofc. Storms: Yeah. I see what you're saying. Yeah, I would think that  
22 they're not telling the truth.  
23  
24 Sgt. Warren: And we didn't know you guys had some type of whatever it  
25 was, agreement that you guys weren't going to ever talk or  
26 admit this, but obviously you know when people are  
27 worried about themselves they save themselves.  
28  
29 Ofc. Storms: We've never had a discussion.  
30  
31 Sgt. Scott: Yes, you did. You absolutely did. You absolutely had an  
32 agreement that you guys would never discuss your sexual  
33 activity. I'm telling you, you had that conversation.  
34  
35 Ofc. Storms: I told her with my girlfriend.  
36  
37 Sgt. Scott: What about your girlfriend?  
38  
39 Ofc. Storms: I said I don't want it getting back to my girlfriend.  
40  
41 Sgt. Scott: Okay, but you also discussed that if you guys were ever  
42 questioned by the PD about any sort of sexual activity that  
43 you guys would deny it.

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1  
2 Ofc. Storms: No, we did not say that.  
3  
4 Sgt. Scott: Just like you had never had any sort of sexual conduct on  
5 duty.  
6  
7 Ofc. Storms: We did not. Or I'm sorry. When you say that I'm just  
8 thinking of something else, but yes, at Twin Peaks and  
9 Tiffany Loop.  
10  
11 Sgt. Warren: What are you thinking of? Tell us.  
12  
13 Ofc. Storms: When you say that I'm thinking intercourse, hand job, blow  
14 job cuz those were the allegations.  
15  
16 Sgt. Scott: But that's what you did though. You did do that. You did it.  
17  
18 Ofc. Storms: She did not give me a hand job.  
19  
20 Sgt. Scott: So what did she do then? I know you put her hand on her  
21 crouch. What did she do? That's not where that stopped.  
22  
23 Ofc. Storms: It was. It was.  
24  
25 Sgt. Scott: That concerns me man. It does. It concerns me, you know  
26 when we got a young officer, such as yourself, who even  
27 when confronted with the facts. I'm not asking you about  
28 some hypothetical, have you ever. I'm saying at this  
29 location, with this officer, that you would lie right to my  
30 face.  
31  
32 Ofc. Storms: No. I can say one hundred percent she did not give me a  
33 hand job.  
34  
35 Sgt. Scott: Then what'd she do?  
36  
37 Ofc. Storms: She put her hand on my crouch and that was it.  
38  
39 Sgt. Scott: She put her hand on your crouch or you put?  
40  
41 Ofc. Storms: I put her hand after she showed me the photos and that was  
42 it. She didn't give me a hand job. My pants never came  
43 down. My zipper never came down and that's the truth.

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1  
2 Sgt. Scott: That's not the truth bro. That's not the truth. I wish it was  
3 the truth. That's not.  
4  
5 Ofc. Storms: It is the truth.  
6  
7 Sgt. Scott: That's not the truth. It's not the truth.  
8  
9 Ofc. Storms: That is the truth.  
10  
11 Sgt. Scott: Keith, it's not the truth and the fact that you keep saying  
12 it's the truth doesn't make it the truth. That's not how it  
13 works. You can never make a lie the truth. Okay.  
14  
15 Sgt. Warren: Help us out here. We need something to go back and say  
16 you know what. Keith is being forthcoming cuz right now  
17 you lied to us earlier about nothing happening and now we  
18 know that's not true and now you're lying about other  
19 things that you're still denying. So we're going to walk  
20 back to the chief's office and like I said a minute ago, he's  
21 going to ask us, is Keith being honest or not or what's he  
22 doing. Help us. Help us help you Keith.  
23  
24 Ofc. Storms: Absolutely.  
25  
26 Sgt. Warren: Give us something that we can say yes, we believe Keith  
27 one hundred percent or Keith gave us some information  
28 that's going to help with this. That's what we need from  
29 you. We need to stop pushing you trying to get information.  
30 Now it's time for you to come forward.  
31  
32 Sgt. Scott: Keith.  
33  
34 Ofc. Storms: Yeah.  
35  
36 Sgt. Scott: Take a moment. Think about it. I'll give you a couple  
37 minutes. We'll be back. Okay.  
38  
39 Sgt. Warren: The time is 6:21. We'll be going off record for a little bit.  
40  
41 Sgt. Warren: The time is 6:28. This will be another continuation of the  
42 interview with Officer Keith Storms. I'm Sergeant Chris  
43 Warren. Also in the room is Sergeant Chriswell Scott.

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1 Sgt. Scott: Let's go back to I asked you a question about your  
2 communication with Officer Sylvia and you told me that  
3 you had spoken with her yesterday. Is that correct?  
4 Remember you told me that?  
5  
6 Ofc. Storms: Yeah. Yesterday or this morning. It was on the phone.  
7  
8 Sgt. Scott: Was it yesterday or was it this morning? Cuz you seemed  
9 pretty decisive earlier that it was yesterday.  
10  
11 Ofc. Storms: Yeah. I'm just trying to think if it was yesterday or this  
12 morning. It might have been early this morning. I think it  
13 was early this morning.  
14  
15 Sgt. Scott: Okay. So it's today now?  
16  
17 Ofc. Storms: Yes.  
18  
19 Sgt. Scott: Okay.  
20  
21 Sgt. Warren: What changed your mind?  
22  
23 Ofc. Storms: Nothing. I just mixed up my days. Cuz I remember getting  
24 cuz I got home late and I just mixed up my days.  
25  
26 Sgt. Warren: This is another example of things that you're saying that  
27 turn out not to be true that when we confront you and then  
28 it's different. Okay. You need to help us out man. You need  
29 to help out yourself right now. This is huge right now. And  
30 your honesty, your integrity and everything right now  
31 needs to all come out.  
32  
33 Ofc. Storms: Absolutely.  
34  
35 Sgt. Warren: Cuz this is the last time we're going to come back in here  
36 and play this game. We're going above and beyond trying  
37 to give you every opportunity to talk to us, but we're not  
38 getting that and you know, we can't do this all night and  
39 we're not going to keep doing it. I mean it's already 6:30 at  
40 night so this is going to be the last chance that we have to  
41 come back in here to talk to you to get the truth, all of the  
42 truth and even some of the details that might be very  
43 uncomfortable for you.

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1  
2 Ofc. Storms: Okay.  
3  
4 Sgt. Warren: But as long as it's the true that's what's going to help you.  
5  
6 Ofc. Storms: Okay.  
7  
8 Sgt. Warren: So moving forward right now. Again, I've told you this  
9 before. Dude, we need to hear from you.  
10  
11 Ofc. Storms: Absolutely.  
12  
13 Sgt. Warren: So you didn't talk to her on the phone yesterday. You  
14 talked to her today.  
15  
16 Ofc. Storms: This morning. Yes.  
17  
18 Sgt. Scott: What'd you guys talk about?  
19  
20 Ofc. Storms: I asked her what, if she knew what happened with Dee Dee  
21 cuz I had heard from [REDACTED] that it was computer related and  
22 I just asked her if she knew anything.  
23  
24 Sgt. Scott: Did [REDACTED] tell you who [REDACTED] heard that from?  
25  
26 Ofc. Storms: [REDACTED] did not tell me who [REDACTED] heard that from. [REDACTED] just asked  
27 me did you hear and I said no and [REDACTED] like I guess it was  
28 computer stuff and I was like okay.  
29  
30 Sgt. Scott: Okay.  
31  
32 Ofc. Storms: And then I called her and asked her if she knew anything.  
33  
34 Sgt. Scott: And what'd she tell you?  
35  
36 Ofc. Storms: She told me she didn't know anything.  
37  
38 Sgt. Scott: Okay.  
39  
40 Sgt. Warren: The other thing you talked about earlier was that you guys  
41 really don't text or talk much on the phone.  
42

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1 Ofc. Storms: Normally we do not and it's not a regular thing. We have in  
2 the past text and called each other, but it's not very often.  
3  
4 Sgt. Warren: How about discussions of stuff at work?  
5  
6 Ofc. Storms: Um, as far as. I would say we want to hang out and then,  
7 you know we would tell each other, you know obviously  
8 we're not going to do anything on duty. We need to hang  
9 out outside of work to be able do that.  
10  
11 Sgt. Scott: What about sexually explicit conversations at work?  
12  
13 Ofc. Storms: Um, just trying to think.  
14  
15 Sgt. Scott: You should know whether or not you got a sexually explicit  
16 conversation with Sylvia.  
17  
18 Ofc. Storms: Yeah. I was just trying to think of the details, but yes.  
19  
20 Sgt. Scott: Okay. And was it stuff that stemmed from the time that you  
21 guys had sex or was this prior to or it's just been happening  
22 for a while?  
23  
24 Ofc. Storms: It was prior to.  
25  
26 Sgt. Scott: Prior to.  
27  
28 Ofc. Storms: Yes.  
29  
30 Sgt. Scott: Okay. Sexually explicit things about the two of you?  
31  
32 Ofc. Storms: Yes.  
33  
34 Sgt. Scott: Okay. Conversations on duty that you probably shouldn't  
35 be having?  
36  
37 Ofc. Storms: Yes.  
38  
39 Sgt. Scott: Okay. Let's talk about Tiffany Loop and Twin Peaks again.  
40  
41 Ofc. Storms: Okay.  
42  
43 Sgt. Scott: Okay. When did that happen?



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1  
2 Ofc. Storms: I don't exactly know when it happened.  
3  
4 Sgt. Scott: Okay. Walk me through it again.  
5  
6 Ofc. Storms: Our whole squad met up there for debrief.  
7  
8 Sgt. Scott: Okay. Roughly what time was that?  
9  
10 Ofc. Storms: I'd say quarter till.  
11  
12 Sgt. Scott: Quarter till midnight.  
13  
14 Ofc. Storms: Yeah.  
15  
16 Sgt. Scott: Okay. So after debrief does everyone else leave?  
17  
18 Ofc. Storms: Yes.  
19  
20 Sgt. Scott: So you two were the only two there?  
21  
22 Ofc. Storms: Yes.  
23  
24 Sgt. Scott: And what time was this?  
25  
26 Ofc. Storms: I want to say shortly after midnight.  
27  
28 Sgt. Scott: Okay.  
29  
30 Ofc. Storms: Cuz everybody had left. And then that's when. I remember  
31 it started to rain a little bit or sprinkle and I got out to get  
32 the breeze and I like, you know the rain so I got out and she  
33 was scrolling through some photos.  
34  
35 Sgt. Scott: Did she show you those photos?  
36  
37 Ofc. Storms: Yes.  
38  
39 Sgt. Scott: Okay. How many photos did she show you?  
40  
41 Ofc. Storms: Um, I want to say maybe one or two. It wasn't very many.  
42  
43 Sgt. Scott: Okay. And then what happened?

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1  
2 Ofc. Storms: And then I told her stop, you're getting me hard.  
3  
4 Sgt. Scott: Was she standing outside her car as well?  
5  
6 Ofc. Storms: No. She was sitting the whole time.  
7  
8 Sgt. Scott: Okay.  
9  
10 Ofc. Storms: And then I said something to the effect that you're already  
11 doing it or something and then she patted it and then that  
12 was it and then she put the photos away and I said we'll  
13 hang out off duty.  
14  
15 Sgt. Scott: So she showed you the photos. You said stop, you're  
16 getting me hard and then she patted it.  
17  
18 Ofc. Storms: Well, I grabbed her hand and then or put it there and then  
19 she patted it like that.  
20  
21 Sgt. Scott: And then what happened?  
22  
23 Ofc. Storms: And then it was something to the effect of we'll hang out.  
24  
25 Sgt. Warren: She's trying to safe her career right now.  
26  
27 Ofc. Storms: Absolutely.  
28  
29 Sgt. Warren: So she's coming forth with a lot of information, a lot of  
30 detailed information.  
31  
32 Ofc. Storms: Ah hum.  
33  
34 Sgt. Scott: So what happened?  
35  
36 Ofc. Storms: That is it. After she patted we went our separate ways.  
37  
38 Sgt. Scott: Was there another time when something similar like this  
39 happened as well?  
40  
41 Ofc. Storms: Where she was touching me?  
42  
43 Sgt. Scott: Ah hum.

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1  
2 Ofc. Storms: No.  
3  
4 Sgt. Scott: You and any other officer?  
5  
6 Ofc. Storms: No.  
7  
8 Sgt. Scott: Do you have knowledge of her doing that with any other  
9 officer?  
10  
11 Ofc. Storms: I've heard rumors with her with other officers.  
12  
13 Sgt. Scott: On duty?  
14  
15 Ofc. Storms: Yeah.  
16  
17 Sgt. Scott: Tell me about that.  
18  
19 Ofc. Storms: I don't know many details, but after she had told me the  
20 information about how [REDACTED] knew or a rumor about  
21 us there was a rumor with her and Nicholas.  
22  
23 Sgt. Scott: And what was that? What were you hearing?  
24  
25 Ofc. Storms: Just that they had done something on duty.  
26  
27 Sgt. Scott: Okay. That doesn't tell me anything. What does that mean;  
28 they had done something on duty?  
29  
30 Ofc. Storms: To be honest. I didn't get many details. She said they had  
31 done. They had messed around or something on duty. I'm  
32 not a hundred percent sure.  
33  
34 Sgt. Scott: And who told you that?  
35  
36 Ofc. Storms: I'm trying to remember who told me that cuz it was like I  
37 didn't want to, you know. Sorry. I'm just trying to think. I  
38 just want to make sure it's accurate.  
39  
40 Sgt. Scott: So this Twin Peaks and Tiffany Loop incident. Was that  
41 before or after July 28<sup>th</sup>?  
42  
43 Ofc. Storms: I believe it was before.

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1  
2 Sgt. Scott: Okay.  
3  
4 Ofc. Storms: And who told me.  
5  
6 Sgt. Scott: Did you and her ever discuss that, what happened there that  
7 night, you and Kyla?  
8  
9 Ofc. Storms: I don't recall us ever discussing that.  
10  
11 Sgt. Scott: Did you guys ever text about that?  
12  
13 Ofc. Storms: About the incident?  
14  
15 Sgt. Scott: Ah hum.  
16  
17 Ofc. Storms: Not that I recall. I remember like I said, talking to her about  
18 the Marana Lake incident.  
19  
20 Sgt. Scott: Did you ever text her about the Tiffany Loop and Twin  
21 Peaks incident? See where I'm going here?  
22  
23 Ofc. Storms: No. I'm just trying to think.  
24  
25 Sgt. Scott: Keith. Keith.  
26  
27 Sgt. Warren: Trying to help you out here man.  
28  
29 Ofc. Storms: No. I understand that.  
30  
31 Sgt. Scott: You need to talk to me man.  
32  
33 Ofc. Storms: Right. So I think. I'm trying to just remember. I'm sorry.  
34 When I got home she had sent me more photos from. I  
35 don't know if it was the ones she showed me, but she had  
36 sent me more photos when I got home.  
37  
38 Sgt. Scott: Okay. And was there any discussion between the two of  
39 you about anything that had happened that night, the  
40 patting or anything like that? Potentially?  
41  
42 Ofc. Storms: Potentially. I just can't think of anything specific.  
43

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**OFFICER:** Sgt. Warren #317, Sgt. Scott #407  
**DATE:** October 13<sup>th</sup>, 2017  
**TIME:** 3:55 p.m.  
**LOCATION:** MPD, 11555 W. Civic Center Dr.  
**PRESENT:** Ofc. Keith Storms #430  
**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Scott: Okay. So with that being said, if you're going to tell me  
2 that the only thing that happened that night was you told  
3 her she was getting you hard, that you reached out, put her  
4 hand on your crouch and that she patted it and it stopped  
5 there.  
6  
7 Ofc. Storms: Yes. That's one hundred percent the truth.  
8  
9 Sgt. Scott: Okay. But you've told me that before.  
10  
11 Ofc. Storms: Yeah.  
12  
13 Sgt. Scott: You told me one hundred percent the truth. We've never  
14 had anything sexual outside of that one incident and  
15 definitely nothing at work. You told me that.  
16  
17 Ofc. Storms: Ah hum.  
18  
19 Sgt. Scott: And that wasn't the truth and you told me a hundred  
20 percent the truth, a hundred percent the truth. I'm being  
21 truthful.  
22  
23 Ofc. Storms: Yeah.  
24  
25 Sgt. Scott: And that was a lie.  
26  
27 Ofc. Storms: Yes.  
28  
29 Sgt. Scott: I really just don't understand why you're doing this to  
30 yourself. I really don't. You just have to understand the  
31 way it looks. At this point, it's beyond the optics. At this  
32 point, I just want to see whether or not you'll be a man  
33 about it and just come with it. You know we know.  
34  
35 Ofc. Storms: No. I know.  
36  
37 Sgt. Scott: In your heart right now you know that we know what  
38 happened. It's not even a matter of, you know what do they  
39 know. You know we know.  
40  
41 Ofc. Storms: Absolutely.  
42  
43 Sgt. Scott: Okay. But you just won't tell the truth.

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**TRANSCRIBED BY:** C. Gilbert #333

1  
2 Sgt. Warren: We're not going to put all our cards on the table right now,  
3 but we're expecting you to put your cards out there.  
4  
5 Ofc. Storms: Absolutely.  
6  
7 Sgt. Scott: And I know it's not fair, but this is not a level playing field.  
8 We don't have to tell you everything we know. We don't  
9 have to tell you what witnesses saw. We don't have to tell  
10 you what text messages we looked at. Which text  
11 messages, print outs of text messages we have. We don't  
12 have to do any of that.  
13  
14 Ofc. Storms: Right.  
15  
16 Sgt. Scott: Okay. Because the goal in this is I want to see are you  
17 going to be honest with me.  
18  
19 Ofc. Storms: Right.  
20  
21 Sgt. Scott: Okay. And I gave you enough to let you know that I know.  
22 Like it wasn't even like hey, did something ever happen at  
23 Tiffany Loop and Twin Peaks. I know what I came at you  
24 with, you know, and make you wonder if we know. I told  
25 you. And then I walk you through it man. So you know that  
26 I know.  
27  
28 Ofc. Storms: Yes.  
29  
30 Sgt. Scott: So then I just don't understand how do you just  
31 continuously repeat the same story thinking that at one  
32 point I'm just going to say ah ha, he's telling the truth when  
33 we both know you're not being honest with me.  
34  
35 Ofc. Storms: Everything that I had mentioned, nothing happened after.  
36  
37 Sgt. Scott: Okay.  
38  
39 Ofc. Storms: I don't know if she, something with another officer.  
40  
41 Sgt. Scott: No. I'm going to tell you why, no because.  
42

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**TRANSCRIBED BY:** C. Gilbert #333

1 Sgt. Warren: Her facts have all been. They were spot on. Everything that  
2 we heard from her was spot on with what we knew and it  
3 all matched up.  
4  
5 Sgt. Scott: Along with confirmation of what happened. Confirmation.  
6  
7 Ofc. Storms: Ah hum.  
8  
9 Sgt. Scott: You're the one who's sitting here, you know.  
10  
11 Sgt. Warren: So Keith, you have a choice right now. Okay. I made a  
12 mistake, but I'm going to be honest about it and at least you  
13 know what, I've got that integrity. Okay. Or I'm going to  
14 continue to deny and divert and then there's always going  
15 to be that shadow over your head.  
16  
17 Ofc. Storms: Okay.  
18  
19 Sgt. Warren: Do you want that shadow over your head?  
20  
21 Ofc. Storms: No.  
22  
23 Sgt. Scott: So with that being said, talk to me. Talk to me Keith.  
24  
25 Ofc. Storms: She showed me the photos and then she patted my crouch  
26 area. At no point my.  
27  
28 Sgt. Warren: Is this worth risking your career over right now to try to  
29 hide and protect anything? Is this worth your career right  
30 now to protect one little detail that we're asking you? Are  
31 you willing to put your whole career on the line over it? I  
32 wouldn't. It's not worth it. No. You know what. I messed  
33 up. I made a mistake. I'm going to learn from it. I'm going  
34 to fall on my sword. Sorry chief, I made a mistake or do we  
35 go in there, no, nothing happened? If you say it maybe  
36 you'll feel better. I can see it's sitting on your shoulders.  
37 It's a big weight on your shoulders right now.  
38  
39 Ofc. Storms: That is it.  
40  
41 Sgt. Scott: Keith, I've seen you when we're talking. Your body  
42 language is telling me you're not telling me the truth. You  
43 don't even realize it man, but you really need to listen to

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1 what he's telling you because you got to understand that  
2 this is bigger than just the three of us sitting at this table.  
3  
4 Ofc. Storms: Absolutely.  
5  
6 Sgt. Scott: Okay. So really this is going to be about what do you want  
7 to be written about you.  
8  
9 Ofc. Storms: Ah hum.  
10  
11 Sgt. Scott: Do you want it to be written that you lied to the very end or  
12 do you want to be written that you know what. Dude had  
13 some integrity and just came forward with it. It's up to you  
14 man. It's not my story. It's your story.  
15  
16 Ofc. Storms: Right.  
17  
18 Sgt. Scott: What do you want written about you?  
19  
20 Sgt. Warren: And I hope you don't think that I'm joking about putting  
21 you on a polygraph.  
22  
23 Ofc. Storms: No. I know.  
24  
25 Sgt. Warren: I'm one hundred percent dead serious about that and the  
26 chief has even authorized it. If we need to we will.  
27  
28 Sgt. Scott: What story do you want written about you? What do you  
29 want to be remembered about this talk? Do you want it to  
30 be a lie and an obvious lie? It's not even like a believable  
31 lie. Or do you want it to be written that you know what. I  
32 came with it man. At the end of the day, like he said, I  
33 messed up. I'm going to fall on my sword. I'm going to  
34 take my licks. I'm going to move on.  
35  
36 Sgt. Warren: And we just got a message. We're going to wrap this up so.  
37 We're not going to sit here and play this game all night  
38 man.  
39  
40 Ofc. Storms: Like I said, yes, I will admit, you know I didn't forth come  
41 all the information and you know, obviously we know that.  
42 At Twin Peaks and Tiffany Loop she patted my crouch area  
43 and that was it.



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1  
2 Sgt. Warren: Okay. Then where was it though? The story, the version  
3 that she gave us about a hand job then where was that at,  
4 man?  
5  
6 Ofc. Storms: I never received a hand job on duty ever.  
7  
8 Sgt. Scott: Were you ever off duty and she was on duty and that  
9 happened?  
10  
11 Ofc. Storms: No. No.  
12  
13 Sgt. Warren: Or vice versa?  
14  
15 Ofc. Storms: No.  
16  
17 Sgt. Scott: Okay. Then we're done here.  
18  
19 Sgt. Warren: Anything else Keith? This is the last chance and I'm  
20 turning off and we're going to be done with the interview  
21 and we're not coming back in here to try to give you one  
22 more chance at all.  
23  
24 Ofc. Storms: That was it. Everything.  
25  
26 Sgt. Scott: So that's the story we're going to have written down.  
27  
28 Sgt. Warren: The time is 6:45 p.m. We'll be concluding the interview.  
29

## Chriswell Scott

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**From:** Chriswell Scott  
**Sent:** Friday, October 20, 2017 2:47 PM  
**To:** Brian Neuman  
**Subject:** 2017-IA-016

LPO Neuman-

Please complete a personnel report reference the conversation that Ofc Storms had with you reference rumors he was hearing about the night you approached Ofc Sylvia and him (7/28/17) while they were at the Marana Lake. Specifically, please detail who he stated he heard the rumor from, what the details of the rumor were, and what actions you took after hearing the rumor. Please return the personnel report to me. Thank you

## Chriswell Scott

Sergeant, Office of Internal Affairs  
Marana Police Department  
11555 W. Civic Center Dr. Bldg. B  
Marana, Arizona 85653-7091  
O: 520-382-2027

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F: 520-382-2528

Email: [cscott@maranaaz.gov](mailto:cscott@maranaaz.gov)

NARRATIVE (Continued)

TO: Chief of Police

NAME OF PERSON ABOUT WHOM REPORT IS WRITTEN

VIA: Deputy Chief

NAME: Keith Storms #430 and Kyla Sylvia #469

VIA: Captain

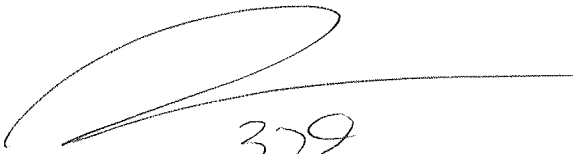
**EXECUTIVE REVIEW**

Captain	Chief of Police	Deputy Chief
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While supervising Squad 3 on July 28, 2017 (Based on the date provided to me by the NOI), I observed Officer Sylvia and Officer Storms meeting in a desert area south of the Marana Lake/Frisbee Golf Course. I was able to see their location by AVL on the MDC. After they were there for an extended period of time, I approached them and instructed them to move on and not stay in one location for an extended period of time. This was said to them together and individually.

A week or so later, based on recollection, Officer Storms met with me. He had inquired if I had mentioned to anyone that Officer Sylvia and Him had met for an extended period of time. I had told him that I had not passed on that information to anyone. When I asked him why he was asking me he informed me that Officer Sylvia was approached by [REDACTED] and [REDACTED] told her that someone (possibly a citizen) had seen them meeting in the area that I observed them in on the evening in question. I believe that Officer Storms met with me after Officer Sylvia informed him that [REDACTED] spoke to her. I do not recall any further information provided by Officer Storms or Sylvia and I assured them I did not pass on the information to fellow officers.

I told Officer Storms that I did not inform anyone of the situation and I would not have told [REDACTED] what I observed. The only action I took after meeting with Officer Storms was to meet with Officer Sylvia and ensure her that I was not spreading information around. I did not hear about this incident again until this IA/Meeting with Sgt. Scott occurred.



B. Neuman #379