PSB Investigation IA No: PSB21-0078 Received: Aug 04, 2021

Flagged incident:

• Class I Suspension

15 Digit IR#:

PUBLIC RECORDS
Released pursuant to
A.R.S. 39-121, Et. Seq.

# Classification/Sub-classification: Personal Conduct / Inappropriate Remarks

# **Employees involved:**

## Jantra A Palmer [06142]

## **Employee current info:**

Division: Patrol Division

Bureau: Work Unit:

### **Snapshot - employee information at time of incident:**

Network User Name: 06142 Body worn camera: Not Activated

Division: Technical and Support Services Division

Bureau: Centralized Booking Detail

Work Unit: W9 Squad: W30 Rank/title: Sgt

Age: 53 Years of employment: 26 Years with unit: 2

Off duty: No Off duty employed: No

#### Allegations:

Conduct Unbecoming - Handed out challenge coins - 3.13.2.D Ops 06/14 General Rules Sep 18, 2021 - Sustained

Other Misconduct - Inappropriate use of City resources - 3.13.2.D Ops 06/14 General Rules Sep 18, 2021 - Sustained

#### Actions taken:

May 17, 2021 - NOI Served Days/hrs suspended/assessed: 0

Aug 17, 2021 - Draft Completed Days/hrs suspended/assessed: 0

Aug 17, 2021 - Draft to Employee Days/hrs suspended/assessed: 0

Sep 18, 2021 - NOF Signed Days/hrs suspended/assessed: 0

Sep 22, 2021 - EXO Determination - Class I Days/hrs suspended/assessed: 8

Sep 30, 2022 - Suspension Days/hrs suspended/assessed: 8

# **Tobi R Myers [06451]**

# **Employee current info:**

Division: Investigations Division

Bureau:

#### Work Unit:

### **Snapshot - employee information at time of incident:**

Network User Name: 06451 Body worn camera: Not Activated Division: Investigations Division Bureau: Violent Crimes Bureau

Work Unit: C13 Squad: C35 Rank/title: Off

Age: 51 Years of employment: 24 Years with unit: 2

Off duty: No Off duty employed: No

### Allegations:

Other Misconduct - Inappropriate use of City resources - 3.13.5.O.(2) Ops 06/14 City and Personally Owned Equipment Sep 14, 2021 - Sustained

#### Actions taken:

May 05, 2021 - NOI Served Days/hrs suspended/assessed: 0

Jul 27, 2021 - 2nd NOI Served Days/hrs suspended/assessed: 0

Aug 17, 2021 - Draft Completed Days/hrs suspended/assessed: 0

Aug 17, 2021 - Draft to Employee Days/hrs suspended/assessed: 0

Sep 14, 2021 - NOF Signed Days/hrs suspended/assessed: 0

Sep 14, 2021 - Written Reprimand Days/hrs suspended/assessed: 0

#### Sergeant Steven P Mcclellan [06305]

# **Employee current info:**

Division: Patrol Division Bureau: Cactus Park Precinct

Work Unit: P91

### **Snapshot - employee information at time of incident:**

Network User Name: 06305 Body worn camera: Not Activated Division: Patrol Operations Division Bureau: Cactus Park Precinct

Work Unit: P91 Squad: 91A Rank/title: Sgt

Age: 48 Years of employment: 25 Years with unit: 1

Off duty: Yes Off duty employed: Yes

# Allegations:

Other Misconduct - Discussed a challenge coin with the public - 3.13.2.D Ops 06/14 General Rules Sep 30, 2021 - Sustained

### Actions taken:

May 10, 2021 - NOI Served Days/hrs suspended/assessed: 0

Jul 26, 2021 - 2nd NOI Served Days/hrs suspended/assessed: 0

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Aug 17, 2021 - Draft Completed Days/hrs suspended/assessed: 0
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Aug 17, 2021 - Draft to Employee Days/hrs suspended/assessed: 0

Sep 30, 2021 - NOF Signed Days/hrs suspended/assessed: 0

Feb 25, 2022 - EXO Review - Class I Days/hrs suspended/assessed: 0

Jun 09, 2022 - Suspension Days/hrs suspended/assessed: 8

Jun 10, 2022 - Appeal Filed Days/hrs suspended/assessed: 0

### **Summary:**

On August 22, 2017, during a protest in Downtown Phoenix, Mr. Josh Cobin was struck in the lower abdomen by a nonlethal munition during a confrontation with police. The incident was captured on video and received widespread and international news coverage.

In February 2021, several news articles were published about a challenge coin possessed by City of Phoenix Employees that depicted a protestor, identified as Mr. Cobin, being struck in the lower abdomen. The coin was in reference to a protest on August 22, 2017, where Mr. Cobin was struck in the lower abdomen by a nonlethal munition. The coin contained additional language which stated, "Good Night Left Nut," and "Making America Great Again One Nut At A Time."

Additionally, one news agency opined the slogan, "Good Night Left Nut," was similar to a neo-Nazi slogan, "Good Night Left Side."

The City of Phoenix hired an outside law firm, Ballard Spahr, to investigate the creation, distribution, and possession of the coin and any connection to hate speech.

Ballard Spahr was unable to identify who created the coin but did identify several individuals who purchased and distributed the coins. In addition, the Ballard Spahr investigation uncovered that those employees who possessed the coin did not have any knowledge of a tie between hate speech and the wording on the coin.

After the Ballard Spahr investigation, PSB investigators confirmed much of the information contained in the Ballard Spahr report. PSB investigators learned Sergeant Jantra Palmer #6142 received coins from her husband, now retired Detective Sam Palmer, who purchased the coins online from an unknown source. Sergeant Palmer gave the coins to her subordinates as Christmas presents while on duty during briefing.

Therefore, the allegation that Sergeant Palmer was unprofessional in her conduct when she distributed coins depicting a civilian being injured to her subordinates while on duty is sustained.

Additionally, Sergeant Palmer sold a coin to an officer in the Maryvale precinct and utilized the interoffice mail system to send the coin to the officer.

Therefore, the allegation that Sergeant Palmer inappropriately used City resources to send a personal item through the interoffice mail system is sustained.

PSB investigators learned Detective Tobi Myers purchased several medallions/coasters that contained the image of Mr. Cobin being injured along with the words, "Good Night Left Nut." She utilized the interoffice mail system to send these items to other City employees.

Therefore the allegation that Detective Myers inappropriately used City resources to send personal items through the interoffice mail system is sustained.

Lastly, Sergeant McClellan, while in full uniform working an off-duty event, told members of the public he possessed a challenge coin stemming from the protest that contained the phrase, "Good Night Left Nut." Due to the international news coverage of Mr. Cobin being struck in the abdomen, it was apparent the citizens knew what Sergeant McClellan was referring to.

Therefore the allegation that Sergeant McClellan was unprofessional when he discussed a challenge coin with members of the public that depicted a citizen being injured during a police confrontation is sustained.

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Jantra Palmer: Class I Violation

EXO Review: 09/22/2021

EXO Determination: Sustained x2

Discipline Served: 8 hour suspension 09/30/2021

Steven Mcclellan Class I Violation

EXO Review: 02/25/2022 EXO Determination: Sustained

Discipline Served: 8 hour suspension 06/09/2022

Tobi Myers

Finding: Sustained

Discipline Served: Written Reprimand 09/14/2021

# **Investigative tasks:**

Due dt Done dt Type

< N/A > Oct 26, 2022 PSB Note

Assigned To: Administrative Assistant I Sarah Goldberg

10/26 - Donna Rossi called to ask for the discipline for Myers and Palmer. She then emailed for copies of the discipline sheets and stated the information was NOT for release.

# When/where:

Date/time occurred: Jan 01, 2017

Location of Occurrence: 620 W. Washington Street Phoenix AZ 85281 Precinct: Central City Precinct

County: Maricopa

# **Linked files:**

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code of ethics training completed (pdf)
4 Employee(s) (pdf)
5 Civilian(s) (pdf)
6 Attachments (pdf)
Comp Discipline Memo - Palmer (pdf)
Signed EXO Review McClellan (pdf)
Signed EXO Review Palmer (pdf)
Comparable Discipline PSB21-0078 - 3.13.2.D - McClellan (pdf)
1 Cover Page (pdf)
2 Internal Investigation Report (pdf)
3 Administrative Paperwork (pdf)
Myers_Written (pdf)
12news (pdf)
abc15 (mp4)
abc15 1 (mp4)
abc15_3 (mp4)
abc15_bryce (pdf)
abc15 bryce (mp4)
abc15_callforinvest (pdf)
abc15_hategroup (pdf)
```

abc15\_mayor\_outsideinvest (pdf)
abc15\_phxpd\_trophy (pdf)
ABC15\_SergeantVideo (m3u8)
azfamily (pdf)
ktar (pdf)
lawofficer (pdf)
Mcbride\_Tobi\_Email (pdf)
McClellan PSB Int (WMA)
Myers\_PSB\_Int (WMA)
Protester hit in groin with pepper ball speaks out about \_challenge coin\_ (mp4)
Sgt. McClellan NOI service - May 10, 2021 (MP3)
SgtPalmer\_PSB\_Int1 (WMA)
SgtPalmer\_PSB\_Int2 (WMA)
'This is unacceptable' Phoenix police chief won't tolerate offensive coin, questions linger (mp4)

# Associated 15 Digit IR#s:

INQ21-0105 Related Administrative Inquiry PHN21-0055 Related Phone Log

# **Status/assignment information:**

Status: Completed Priority: High

Opened: 02/06/2021 Assigned: 02/06/2021 Due: 09/07/2022 Completed: 12/08/2022

Disposition: Case Closed

Unit assigned: Professional Standards

Handled at field/unit level: No

Investigator assign: Lieutenant Ryan Junas Supervisor assign: Commander Dennis Orender

Source of information: Media

#### Organizational component(s):

Division: Technical and Support Services Division

Bureau: Centralized Booking Detail

Work Unit: W9 Squad: W30

Entered by: Lieutenant Ryan Junas on Aug 04, 2021 at 13:53