

12/07/09

- Closed door one way discussion with Deputy Butts to direct him to keep his mouth shut about family get togethers! This came to head as Butts was discussing to others in squad room at the end of shift how his Uncle Jerry's father went outside and shot the American flag after Obama was elected. Butts said Uncle Jerry was there when this occurred. Butts went on to say how the N word was commonly used when referring to Obama by all members of the his family, including "Uncle Jerry" and other family members who are members of the office!

3/29/10

- While enroute to my home in my POV in the mid afternoon, I pass a two car collision (10-055780) that **Deputy Butts** and Deputy Wells were investigating. This is a call I was on earlier and left to go 10-7 to pick up my daughter for an appointment. As I was passing by, I gave a simple honk on my horn in my pov (Ford Ranger) to wave good bye. It was at this time, Deputy Butts turned standing on the sidewalk and "gave me the bird" while in uniform and in front of other citizens! Needless to say, this was discussed with Deputy Butts. Maturity issue?

4.24.10

- Spoke w/**Deputy Butts** reference him texting me the week prior stating he was not coming to work even if I "yellow sheeted him or fired him." Long counseling session that ultimately revealed his wife is pressuring him to try to get a better weekday assignment so he doesn't have to work weekends. Deputy Butts soon realized he is the low man on the totem pole and it is what it is!!!! Also, discussion on "name dropping" needed to stop! Order of him to concentrate on his job, beat and not to head home without my permission! **See memo in file.**

I reminded Deputy Butts he is still on probation. Deputy Butts recanted by staying his one year probation is up and there is nothing I could do to get him fired. (Come to find out he was correct!)

5.09.10

- C/O without Permission- Deputy Butts- **see memo** in file.
- Later, learned he took dinner home to his family. (See Deputy Campa's DUI Report # 10-)

5.10.10

- Memo from Deputy Butts reference property and accountability. **See memo.**

5.22.10

- Butts moved to 651 Beat. Ordered to stay in beat as primary function and not to go to his house unless permission from me. Butts confirmed when confronted about 5/9 taking home dinner. Once again, Butts was informed if he needed an occasion to head home while on duty, to contact me prior for permission.

6/13/10

- Deputy Butts reading a "mystery novel" during briefing. Told to put it away, Butts responds "Hold on, Let me finish this chapter." In front of others, I responded, this is not Book of the Month club, put it away. At this time, a hot tone kicked out. Further was discussed in the cul de sac off of Empire Blvd. telling him "perception is reality" about reading the book.

6/14/10

- 904 at Rittenhouse and Combs. Asked **Deputy Butts** about his whereabouts and why he wasn't enroute to D1 as expected to on his Mondays. Deputy Butts stated he had to go back home to deliver his debit card to his wife so she could pay a utility bill. Further inquiry to come.

6/19/10

- **Deputy Butts** texted in stating he was not coming in due to personnel reasons.
- **Deputy Butts** worked two off duty jobs the week prior. Told to have them turned in prior to working. This morning, no o/d permits turned in!

- 1823 hours- Made contact with Butts via telephone. Asked if everything was alright. He stated yes. He elaborated by stating he had to take his kids to **dental appointments and he had a doctor's** appointment (Saturday). I asked if he would be in tomorrow, he stated he would. (When questioned on this issue of dental appointments and doctor appointment on a Saturday, Deputy Butts admitted it was not the truth as he did not want to say he was having marital issues with his wife in front of his kids he claims that were in the car during the conversation.)

6/20/10

- 1133 hrs. – met with Deputy Butts at the Franklin School Parking lot. Had him sit inside my cab of my patrol vehicle. I informed him I had some questions related to his "whereabouts" on last Monday (6/14). I informed him a 904 kicked out and he responded and was found to be coming from Gary (n/b) and turned onto Combs. When asking him about this, I told him he was expected to get the mail on Mondays at 0600 hours and directly take it up to D1 and then get back ASAP. However, in this case on the hot tone, he was within 5 minutes of it. I flat out asked him if he was at home. He stated he was not and that he was working his 488 case from Monday going to the local stores to see if the suspects had been there. (I need to mention to him how this most likely was unproductive since the LP people most likely wouldn't be at work at this time.) Butts stated he was coming from south (Pinal County Area) to the 904. I informed him that I expected him to do exactly what was told of him and to run that mail up to D1. Deputy Butts then stated after he cleared this call (0647 hrs), he had to run home to give the one and only debit card with money on it to his wife so she could pay their SRP bill as SRP had **shut off their power**. (Pay as you go meter). When asked if his wife could've merely used the card number over the phone, he stated he had to give it to her. Butts stated he went home, and met his wife in the driveway and passed the card to her. He estimated he was there for less than a minute. When confronted by the fact he was still in the area at Ellsworth and Empire at 0704 hours (confirmed by Sgt. Kratzer who saw him at this time) Butts stated it took him a while to go from his house to that particular location. I informed Chris, I had two issues...One- he wasn't en route to District One as directed on Monday mornings, and two, he didn't follow through with the directive given to him by me stated he need to call me stating he was leaving town and heading home. Deputy Butts informed he would no longer be trusted to do the morning run.
- I then informed Deputy Butts he is on the radar as far as following protocol. I informed Deputy Butts he text me with a request to work an off duty job on Tuesday. I texted him back on 6/15 at 0918 hrs "Get the permit into Sgt. Kratzer to sign before u work it." This was due to the fact that he worked permit and I had to ask him 2 times for the permit and it as six weeks late. I told him the reason I did this was to keep him in line with the requirement for working

o/d. I told him I came to work on Saturday and asked Sgt. Kratzer, whom I informed Deputy Butts would be coming in, if he signed off on his permit. Sgt. Kratzer stated "No." I asked Deputy Butts why he didn't do this as told. Deputy Butts stated he just didn't have time and he thought it was not a big deal. I then explained to him how Lt. Mitchell came down on another deputy for failure to turn in his work permit in a timely fashion. Deputy Butts stated "That is crap. I see permits turned in all the time that are late. I saw one a few weeks ago from January." I asked him whose. Deputy Butts stated he didn't want to say who. I then told him it wasn't one who works for me. He then stated it was Williams. I told him that was between Sgt. Duncanson and Lt. Mitchell. The issue I am concerned with is the permit you were told to put in prior to working. I informed Deputy Butts, it may come down to a turn down on if he can't comply with the simply task of getting the permit in. Deputy Butts stated **"Fuck it. I don't care. Don't sign off on it. It is bullshit how others are treated differently around here."**

I explained to Deputy Butts that we would not be having this conversation, had he simply followed the simply rule of calling me getting the OK prior head home. I flat out asked Deputy Butts, "Since the time I sat down with you and restricted you from heading home, how many times did you disobey that?" Deputy Butts replied "Two times." I asked him what times. He stated **the "most recent with the SRP card and one other time, not a big deal."** I asked him if he could recall what it was for. He stated he "didn't remember, but it wasn't for anything special." I then asked him about Mother's Day on 5/9/10 taking dinner home. He stated "Yes. That time as well." I replied "So three times? Do you see what I am concerned about? You had a simply rule of calling me prior to going home for a reason, and you didn't." I also explained to Deputy Butts how now it is possible yellow sheet for insubordination. Deputy Butts responded **"Go ahead. I don't care! I will tell you this though; I will sue the office if that happens!"** I asked him what he meant by that. Deputy Butts stated his house was "full of 11 kids as his wife does day care with no power. And to think I am going to "get punished" for getting power turned on is ridiculous!" I attempted to explain to Deputy Butts his power going out was not the issue. The issue was this was just one of a few times he has disobeyed the rules set upon him to stay in his beat! Deputy Butts didn't want to listen to any of it. He stated "Go ahead. There are others in the office, outside District 6 that know how ridiculous I am being treated." I asked him what he meant by that. He would not elaborate. I told Deputy Butts he needed to simply follow the rules set by myself and command staff. Deputy Butts stated he doesn't care as he has seven transfer requests in. Deputy Butts was asked "Where?" He stated he "rather would not say." I told him as his "supervisor, I am expected to know that. Now where?" Deputy Butts stated "District 3, 4, 7, 1, LP, Courts." I told him that is six. He replied "District 2 if it means getting out of District 6." I asked him "You put in a memo into Lake Patrol?" He stated "Yes." I told him

"Good luck on that one!" He replied "Don't be surprised if it happens." (I have not seen a transfer request, nor am I not sure he qualifies with the limited amount of time on.) I told Deputy Butts that I wanted to see copies of these transfer memos. Deputy Butts stated he has copies at home. (It should be noted, I have asked for these memos one more time after this conversation, and Deputy Butts could neither provide them. I am having concerns that Deputy Butts has even wrote the memos.)

I asked Deputy Butts if everything was alright at home. Deputy Butts informed me he hasn't slept at home since last Tuesday as he and his wife are once again talking about splitting the sheets. Deputy Butts stated yesterday he needed time to work things out and since he took a personal day, I didn't have the right to inquire about why. (It should be noted, Deputy Butts stated he had dental appointments for his kids on Saturday as well as a dr's appointment for him during my conversation on 6/19). I asked Deputy Butts where he was sleeping at? He stated it was "none of my business." I told him, "Yes it is. You need to keep the district up to date with your new address change." Deputy Butts stated, "If I see Barb, I will do it." I then stated "No. On Monday, you will do it."

I told Deputy Butts no more "simply texting" to call off. I informed him to call myself or the acting if he did not get a response via text within 5 mins. I informed him to call me at home and if I was not there, to leave a message on the machine or with however answers. This goes for o/d as well. I also explained to Deputy Butts if no answer, to contact the current on duty supervisor to pass it on. I asked Deputy Butts "Do you understand this?" Deputy Butts replied "Yes."

I told Deputy Butts I have heard him say he doesn't like patrol. Deputy Butts stated, "I like patrol.....just not in District 6." Deputy Butts stated when he speaks with "others outside the District, they can't believe how strict it is that I can't even go home, a mile outside the district!" I explained to Deputy Butts, I am sure he is painting a rosy picture for his friends, however, if he is going to complain, there are two side to the story. Deputy Butts stated he "hates coming to work. He can trust those he works with" as he feel as though they are "spying" on him. He stated he doesn't like his supervisors including his administrative supervisors. Deputy Butts stated prior to arriving on my squad he asked around about my reputation. He enlightened my by saying there are many who say I am out to ruin a person's career and that I have that reputation of making life hard on a deputy. He went on with some more accusations. I then asked Deputy Butts, "Name me one person whose career I have ruined?" Deputy Butts replied "I rather not say." I told him "Chris, No doubt. I am very strict on how a report is to be written. I do follow directives given by Command Staff and I do what I think is best to run a squad. However, let me tell you

this....if I wanted to be a person who ruins another's career, it would be very easy to do. That is not something I would take pride in. I challenge you to go back to your "sources" and give me a name of whose career I went after. At that point, I will give you the other side of the story. You have no clue as what different life challenging situations other deputies are involved in, nor do you have any clue as to what I do to assist them! Think what you want....bottom line follow the rules set upon you!" Deputy Butts stated I may not need to worry as he is sure one of his transfers will be coming through.

Deputy Butts explained he has been going to counseling with his wife since February once a week. When asked if he wanted assistance from the office, he at first declined, but it should be mentioned he did take up the offer.

At approximately 1213 hours, I directed Deputy Butts to write a memo regarding the three times he went home.

At approximately 1431 hours, Deputy Butts made contact with me reference his memo at the East Building. It was at this time, he informed me he only went home two times (not three) and he only put in four memos (not seven) of transfers. I informed Deputy Butts, I need to see a copy of those memos.

June 20th

Capt Proto inquires why Deputy Butts is eating breakfast in Mesa at the airport. At first I thought he was "joking" as I just had a conversation with Deputy Butts yesterday reference not leaving his beat. Upon checking CAD and calling Deputy Butts, not only did he leave his beat, he left his District!! When I confronted Deputy Butts he stated he "we always eat there." When I asked him who was "we" and to define "always" because as long as I have been down in QC, none of my guys have eaten there to my knowledge. Deputy Butts stated he was there the weekend prior with some District One guys.

From the actions/replies and explanations Deputy Butts have given over the past few months, I have my concerns that he lacks the discipline and maturity to be a peace officer. I have huge concerns on his integrity as when he get pressed for more definite answers, he cannot deliver the answer to proof the validity of his statements, etc...doctors' appointments not being true, having memos of transfers sent to other districts he cannot provide, stating a he would have work permits or reports in, that he never follows through.

His judgment lacks. He needs constant supervision.

July 6th

See Admin Inquiry w/ Deputy Butts

August 7th

Deputy Butts requested 8/08/10 off. Denied due to further questions regarding admin inq.

August 9th

From: Allen Romer - SHERIFFX
Sent: Monday, August 09, 2010 6:05 PM
To: Dante Proto - SHERIFFX
Cc: Mike Mitchell - SHERIFFX
Subject: :new revelations

Sirs,

Just so you are all up to date on the Butts Saga...here we go...

Yesterday evening Deputy Butts arrived in my office and ask to speak me. Deputy Butts informed me he is now having an issue with being restricted from doing his job. I asked him to elaborate....Deputy Butts stated he has been posted up on Germann and Rittenhouse doing traffic and he constantly is seeing Ms. Baldwin speeding on the roadway. He stated he clocked her going 53 in a 35, not once but several times. Deputy Butts also stated he was posted at an intersection and the light turned red, yet, Ms. Baldwin failed to stop and went directly through the light and drove away from him. Deputy Butts stated it is very important for his transfer to be expedited as he knows Ms. Baldwin knows he can't contact her and she is "just messing" with him.

Also, yesterday morning, I informed him to answer my email directing him to confirm he has changed his email password so his wife does not have access. After a short discussion in which he informed me his wife needed that password to check out his Peoplesoft program to know what his paycheck was as well as time accrued to take off, I told him I didn't want to hear it, he needed to have it changed. I offered to get with IT to get separate passwords. Within a half an hour, he did send an email back stating it was done.

Finally, this morning, Deputy Butts asked how long the investigation would last. I told him he would be the first to know when it was complete. He then went on to say he is ready for his punishment. He stated, he was told by "some deputies" he was going to get a couple of days off without pay. Kind of taken back by this, I told him that was never discussed, however, it was not to say it could happen. I later informed this to Capt. Proto, just to confirm we were all on the same page...Capt Proto then had me ask him directly who told this to him....At 1700 hours, I made contact with Deputy Butts. I asked him who he was getting his "punishment info" from. Deputy Butts stated he was told by Deputy Ryan Trinkka. Deputy Butts stated he was talking to him the other day telling Deputy Trinkka he was getting transferred to D-1. Deputy Butts stated Deputy Trinkka told him he heard he was getting days off for his punishment. Most likely bsing locker room talk!

That is your update for now.

Romer

August 15th

DR 10-146576- two vehicle collision at Germann and Rittenhouse. Deputy Butts cites a motorist who resides in California. Deputy Butts informs me the motorist complained about getting the citation as he (the motorist) said he had the green arrow. I asked Deputy Butts if he had an independent witness. He stated he did not. I asked if he had any evidence that would back up his cite. Deputy Butts stated, "I am not worried about it. They are from California. They are not going to fight it." I told Deputy Butts he needed to justify why this motorist got the cite and not the other. I also informed him if he can't justify it, he will need to start the process to rescind the citation.

More info for admin inquiry. See Deputy Trinkas and Butts' memos.

At approximately 1800 hours, Deputy Butts asks for the day off. Granted. Deputy Butts stated he would DR 10-146576 turned in tomorrow (8/16) for review. (It should be noted, 8/16 came and gone, no report.) At the end of this conversation, Deputy Butts informs me had I not given him the day off, he would've called his lawyer. I told Deputy Butts, I would deal with that "little comment later" as I was very busy and not in the mood to "babysit" his comments or actions at this time.

At approximately 1950 hours, Dep. Butts counseled on once again leaving his beat and meeting with Deputy Trinkas. Dep. Butts stated he has a lawyer on retainer for the reason of "hostile work conditions!" I asked Deputy Butts if he actually had a lawyer on retainer by putting money down. Deputy Butts replied "Yes. It is something I felt I needed to do." When asked the lawyer's name, Deputy Butts replied "Why do you want to know that?" I explained "in case he calls me telling me he represents you.....what is his name?" Deputy Butts stated he did not want to tell me his name. (Once again, when Deputy Butts is pressed for more definite answers to prove the validity of a statement, he cannot produce. I have my concerns that he is once again making false statements.) Deputy Butts directed not to contact Deputy Trinkas. Per Deputy Trinkas, Deputy Butts attempted to contact him via cell phone around 2100 hours!

8/16

Text message sent to my personal phone on 8/16/10 1833 hours.

Hey sgt. I got some OD tomorow morning i will put the permit in your box on my way in the morning.

--

This mobile text message is brought to you by AT&T

Upon returning to work on 8/21- NO O/D PERMIT from Deputy Butts.

August 21st

Deputy Butts sends text message on 8/20/10 at 2056 hours stating he would not be due to unexplained child care issues. I read this at 0630. Deputy Valles informed at 0631 hours per me. No reply to Deputy Butts text. I waited on him to call, however, he never contacted me or Deputy Valles. Per 6/19/10 conversation, if he did not get a confirmation from me or the acting, he needed to call in person. Deputy Butts never did this.

August 22st

At 2232 hrs Deputy Butts texts again to advise he is calling off. I didn't read this message until 0600 hours. I sent Deputy Butts a message at 0606 to call me at 0645 hours. 0645 time comes....no phone call. I attempted to reach Deputy Butts on his cell and home phone. No answer. I directed Deputy Moore to go to Deputy Butts house to call me. At 0718 hours, Deputy Butts calls. I informed him I tried calling him on his cell and home. Deputy Butts stated he turned his phones off due to his family being sick. Deputy Butts stated his 12 yoa boy has strep throat, his wife has been sick the last two days, his mother in law has fluid leaking from her spinal cord, his oldest daughter has to work, so, he is the only one who can watch the kids.

Deputy Butts informed he has an outstanding report (962 10-146576) to still complete as well as discipline that I needed to serve on him. Deputy Butts stated he would bring that report in today. I told him not to as he stated he has child care issues and I would deal with it tomorrow (8/23).

At approximately 0900 hours, Deputy Butts arrives at work, in plainclothes to turn in the 962 report. Deputy Butts at this time ask for his discipline. I informed Deputy Butts to go home, take care of his family and I will serve his discipline to him tomorrow when he is on duty.

August 23rd

Deputy Butts read his yellow sheet with punishment. Additionally, Deputy Butts called in to the Captain's office to discuss his AWOL on August 21st and 22nd. Capt. Proto asks him the protocol on calling off. Deputy Butts informs that it was to text and if no reply within 10 minutes, to call Sgt. Romer at either of his phones. Capt. Proto asks why he didn't do that. Deputy Butts replies "I just got busy and didn't do it." Capt. Proto asks about his insubordination going to see Deputy Trinkka. Deputy Butts stated he felt as though it wasn't a big deal. Capt. Proto stated he would have to sit and think of his punishment for this. Deputy Butts replies "You do what you think you have to do!"

Capt. Proto replied "I will Chris. I don't need your permission." Deputy Butts replies back "Well then do it!"

Deputy Butts transferred to D1 starting 8/28.

October 25th, 2010

Capt. Proto asks for Deputy Butts' evale to redone.

Done and completed back to the capt.

November 9th

Capt. Proto contacts me via phone, requested Butts' evale to be cleaned up.