

# TUCSON POLICE DEPARTMENT PERSONNEL REPORT

TO: CHIEF OF POLICE  
VIA: Bureau Commander  
VIA:

NAME OF PERSON ABOUT  
WHOM REPORT IS WRITTEN

Captain John Carlson

PR#: 35644

Div/Sq: ODM/Command

Hours: 0800-1600

D.O.: S/U

## EXECUTIVE REVIEW

DIVISION COMMANDER	CHIEF OF POLICE	BUREAU COMMANDER
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Reference: OPS # 23-0232

Details:

### Synopsis:

On July 2, 2023, an online complaint was received reference an incident that occurred at the Charro Steak & Del Rey on Saturday, July 1, 2023. The initial complaint alleged that Captain John Carlson was at the restaurant with a group of individuals that became disruptive after being cut off from ordering alcoholic beverages. According to the complaint, "Captain Carlson and others of his party began shouting obscenities at the bartender, the manager, and their server, in the middle of the restaurant." While shouting obscenities, Captain Carlson and others from his party also made "...crude gestures..." to members of the staff. The complaint also alleged that the party left the restaurant without paying a bill that was over \$300. During the disturbance, one of the members of the group identified Captain Carlson as a police captain to the staff. After the group left the restaurant, staff from Charro Steak searched Captain Carlson's name on the internet and discovered a LinkedIn social media account identifying him as a captain with the Tucson Police Department.

### Allegations and Findings:

- A) 306 – Unprofessionalism      **Sustained**  
B) 405 – Off Duty Allegations      **Sustained**

### Investigative Methodology:

#### Persons Interviewed:

1. Matthew [REDACTED]
2. Sean [REDACTED]
3. Crystal [REDACTED]
4. Aura [REDACTED]
5. Salvador [REDACTED]
6. Captain John Carlson (OPS Focus Interview)

#### INSTRUCTIONS:

Maker shall sign and date report immediately after last sentence and then draw a line across page below maker's signature. Subsequent endorsements will be made in inverse rank order with each endorser drawing a line across page immediately below the endorser's signature. Back side of page will be used if more space is needed.

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TPD 642 (1-87)

**Investigation:**

On July 3, 2023, Sergeant Schrouder and Sergeant Jahnke responded to the Charro Steak and Del Rey to conduct interviews of the restaurant staff. As a summary, the witness accounts were consistent in describing what was observed during the incident.

The disturbance started when members of the staff refused to serve additional alcohol to members of the party. Once members of the party were told that they could not order more drinks unless it was with their meal, they became upset and started cussing at the staff. During the incident, one of the female members of Captain Carlson's party identified him as a member of the Tucson Police Department while she was speaking with the shift manager. Although he did not specifically identify himself as a member of the Department, it was clear to the witness that Captain Carlson was aware of the comment. Multiple witnesses indicated that Captain Carlson was an active participant in the disturbance at the restaurant, to include cussing and "flipping off" the staff as the group left. After the party left the restaurant, members of Charro Steak and Del Rey searched social media and found a LinkedIn profile for Captain Carlson, which included a picture in his profile.

Regarding the allegation that members of the party walked out on a bill that was over \$300, the staff indicated that one member of the party came back later that night to pay the bill, but the restaurant had already written off the loss and would not accept his payment. Restaurant staff indicated that the bill was for the entire party and could not recall if Captain Carlson ordered any of the food that was later written off. Captain Carlson had placed drink orders while at the bar, but the bar tab was paid in full before going to the party's table for food.

No video footage of the incident was located at the restaurant or in the neighboring area.

On July 10, 2023, Lieutenant Cornia and I conducted an interview of Captain Carlson in the Office of Professional Standards. Captain Carlson has been with the Tucson Police Department since January of 1995 and is currently assigned as the Division Commander for Operations Division Midtown. Captain Carlson confirmed that he was present during the incident at Charro Steak and Del Rey. Captain Carlson advised that he had attended a Sugar Skulls game downtown and was meeting a group of friends at the restaurant after the game. Captain Carlson and [REDACTED] arrived before the group and went to the bar to order a couple of drinks. He paid for the drinks before leaving the bar area to go sit with his friends at the table. Captain Carlson and [REDACTED] did not order any food when they were seated, and he was unaware of any outstanding bill when they left the restaurant.

Captain Carlson confirmed that a disagreement with restaurant staff occurred but did not feel that anyone from his party was overly loud during the incident. During the interview, Captain Carlson admitted that he "...may have said something to the effect of like, this is ridiculous or this is fucking ridiculous at one point as we were walking out, but um, I certainly was not very animated." Captain Carlson admitted that while leaving the restaurant he "...flipped somebody off" but claimed that he was responding to a patron inside that had flipped him off. He recognized that this conduct was unprofessional, but it was not directed at the restaurant staff. Captain Carlson claimed that he never identified himself as a member of the Department, nor did he realize that anyone from his party did, but added, "I mean, obviously somebody did, because I don't know this person..."

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NARRATIVE (Continued)

When asked how much alcohol he had consumed during the day or evening period, Captain Carlson replied “Quite a few” but was uncertain exactly how many. Captain Carlson was not driving that evening but also did not feel that he was intoxicated to the point of being “belligerent or anything like that.” Later in the interview, Captain Carlson provided an approximate total of 6-7 drinks that were consumed from before the game until he left the restaurant.

**Analysis and Conclusions:**

- A) 306 – Unprofessionalism           **Sustained**
- B) 405 – Off Duty Allegations       **Sustained**

The witness accounts of this incident were consistent in describing an atmosphere where Captain Carlson was an active participant in a disturbance at the restaurant. Captain Carlson admitted to drinking 6-7 drinks during the time period leading up to this incident, which would lead one to reasonably believe that his recollection of the events is not as clear as that of the witnesses. Captain Carlson denied being loud during the incident, but admitted to flipping someone off as he left the restaurant. He claimed that the gesture was towards a patron inside the restaurant, but by his own admission, Captain Carlson recognized that flipping off the patron was “unprofessional.” There is no evidence to suggest that Captain Carlson was responsible for any portion of the bill that was written off by the restaurant.

Based on a preponderance of evidence in this investigation, I find the allegations against Captain Carlson to be **Sustained**. It is my determination that Captain Carlson violated the following *General Orders* during this incident:

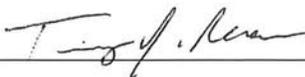
**1330.2 Obedience to *General Orders*, Procedures and Policies Required**

All members shall observe and obey all laws, *City Administrative Directives*, department *General Orders*, department procedures and policies, as well as any procedures and policies established by their commanders.

**1330.7 General Standards of Expected Conduct**

Members shall not engage in any conduct, whether on or off duty, which is unbecoming or detrimental to their duties, position, or the department. All members shall conduct their private and professional lives in such a manner as to avoid adverse reflection upon the department or themselves as members of the department. Members shall treat each other and all persons with whom they have contact with respect and courtesy.

Based on the nature of the allegations and the sustained finding, I find the *General Order* violations fall into the **Yellow – Misconduct** category of the Tucson Police Department Discipline Guide.

 35802

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Captain Tim Reese #35802 August 10, 2023