

News analysis

***New Times'* Review of Phoenix Kidnapping Stats Reveals Most Not Linked to Border-Related Crimes as Phoenix Officials Reported**

By [Monica Alonzo](#), Mon., Feb. 7 2011 @ 10:15AM



Phoenix police reported that there were 358 kidnapping calls in their community during 2008, and that a majority of them were linked to drug and human smuggling across the Arizona-Mexico border.

In recent months, Phoenix police union leaders have raised questions about the veracity of those statistics. And while they promulgate doubt, City Manager David Cavazos, Police Chief Jack Harris and Mayor Phil Gordon continue to dismiss concerns that kidnapping statistics are inaccurate or intentionally inflated.

A *New Times* analysis of 264 of the 358 reported kidnappings shows that only about one out of every four incidents labeled as kidnappings in 2008 appeared connected to border-related crimes.

Chief Harris had agreed to discuss the kidnapping statistics with *New Times*, but a few days later, a police spokesman said that Harris was going to pass on the interview.

Police officials say they aren't commenting because of an ongoing audit of those statistics by the Department of Justice's Office of Inspector General.

New Times reviewed 264 police reports on a list of 2008 kidnappings -- a list generated and released by the Phoenix Police Department. While all 358 reports on that list are titled "Kidnapping," at least 53 of the actual police reports do not have the same title.

For instance, 24 of the police reports were titled armed robberies or extortions, 7 were listed as aggravated assaults and 8 were classified as possible violations of federal immigration laws. The labels on 14 other reports included a suspicious person, non-aggravated assault and robbery without a weapon.

Police have said that those cases are correctly classified as kidnappings based on Arizona's kidnapping laws, which state that those types of crimes -- robberies and aggravated assaults -- include an element of kidnapping, that is a person is being restrained against their will.

If that's the case, why then aren't all the robberies, carjacking or aggravated assaults that took place in Phoenix in 2008 listed on the kidnapping list?

It remains unclear, and police officials aren't making themselves available to clarify.

Phoenix officials released those kidnapping statistics to media outlets across the country, shared them with federal lawmakers and cited them in grant applications to depict the rising levels of border-related violence Phoenix police grappled with daily.

But, of the 264 available police reports reviewed by *New Times*, only 64 incidents had discernible ties to human smuggling and kidnapping. That means that Phoenix was dealing with Mexican-style kidnap-for-ransom cases an average of once a week, not daily.

That is not, however, the picture that Mayor Gordon painted for a Congressional committee in March 2009.

"Almost every night, Phoenix police will get one or more calls" about an immigrant who was smuggled into the country now being held for ransom and tortured. And for each one of those calls, Gordon said, the police department has to immediately divert "as many as 60 officers -- to find, rescue and protect those kidnap victims."

The other 200 police reports don't support those claims.

On May 13, 2008, a 20-year-old man attacked his ex-girlfriend after she drove to his apartment complex to pick up money that he owed her. When she arrived, he got into her truck and they spoke for a few minutes.

He asked her for a kiss, and she said no. Her refusal angered him, and he grabbed a fistful of her hair, and then her throat when she started screaming. She tried to get herself and her child out of the car, but he got a hold of her shirt, ripped it along with the purse she was holding. He forced her to stay inside the car for more than half an hour before she eventually escaped.

She reported the crime to police the following day. Cops drove to his apartment, he admitted the attack on his ex and was arrested.

The single-day investigation did not require intensive resources and the nonstop involvement of 60 specially-trained police officers and detectives, but it is among those 358 kidnapping cases purportedly assigned to specially-trained police squads.

Another report, this one dated March 21, 2008, notes an early morning call from the Blessed Sacrament Church to Phoenix police. A priest told police he received an e-mail from someone threatening to kill him if he didn't pay \$15,000. He said he had no idea who sent it.

Cops went to the church, picked up the e-mail and logged the incident as DR 2008-80486550, a five-sentence departmental report labeled, "Extortion."

The single-page report from 2008 makes no mention of any harm coming to the priest, or of anyone being kidnapped. Nevertheless, it ended up on the list of kidnappings in that year.

That shouldn't have happened, according to an August 2010 memo written by Chief Harris to City Manager David Cavazos.

Harris' memo notes that reported kidnapping figures included only finalized incidents, and excluded reports where "the crime was later determined to be unfounded."

He wrote that the kidnapping statistics did not include "information only" incidents -- reports with insufficient evidence to determine whether a crime actually occurred. Kidnappings that were sexually motivated or tied to domestic violence were reported separately, Harris wrote.

Evidently, that wasn't the case.

There are at least 59 "information only" reports lumped in with the 358 kidnapping incidents Phoenix law enforcement officials logged in 2008.

One of those reports was created on January 12, 2008 after a man at a gas station called police and told them he saw what appeared to be a kidnapping. He told cops that a Hispanic man grabbed a woman by the hair, pointed a gun at her and forced her into his car. And he reported it because he thought it might be a "coyote situation," according to the police report.

There are also dozens of reports of men trying to snatch young girls or women off the street, of people being robbed, of drivers being carjacked at gunpoint, forced into the back seat of their own cars and later released.

Some of the kidnapping incidents were counted more than once.

Some police reports --at least three -- were created because police impounded vehicles, but those, too, were labeled kidnappings and placed on the 2008 list.

In some cases, even when police noted that the alleged victim was not being truthful, the incidents were still reported as kidnappings.

Consider a police report about a 17-year-old named Kenneth who was missing for three days. When he turned up, he told police that he was attacked after getting into a heated argument with some guys at a party.

Kenneth was calm when he told police that his attackers beat him, shoved him into a black Chevy suburban and forced him to perform sexual acts for them during the three days they held him captive.

He later admitted to police that "he made up the story" and was really out with a friend doing cocaine. The report (DR 2008-80254285) remained on the official list of reported kidnappings.

There is no doubt that individuals in Phoenix with ties to drug and human smuggling are being held for ransom, threatened with death, beaten, tortured, and sometimes murdered. There is no doubt that their friends and family members are being extorted for money, cars or weapons and drugs in exchange for the safe release of their loved ones.

New Times detailed the stories of many kidnapping victims in *Seized*, a feature story published in August. We spoke directly with victims, poured through local and federal court and police records and spent time with the detectives investigating those crimes, rescuing victims and arresting their predators.

They weren't happening daily.

"One a week still indicates a crisis. Those figures didn't need to be inflated," said Mark Spencer, president of the the Phoenix Law Enforcement Association. "Either the police management team was being disingenuous or grossly incompetent. We don't think that taxpayers deserve either."

It is unclear why the kidnapping statistics from 2008 included cases that simply weren't kidnapping cases. And certainly not border-related.

Spencer and others from the union hall believe that the goal was to create hype that would funnel federal dollars to Phoenix.

Like Gordon, Chief Harris also testified before panel of federal lawmakers in 2009 and emphasized that a majority of the 368 kidnappings that took place in Phoenix during 2008 stemmed from drug and human smuggling.

[Phoenix reported conflicting totals, both 368 and 358, for kidnapping incidents. Their finalized list shows 358.]

"This problem has garnered the attention of the world," Harris told members of the United States Senate Committee on Homeland Security and Governmental Affairs in April 2009. "The primary goal for investigators is to rescue the victims. But saving these lives is tremendously resource intensive."

And just as Gordon did when he spoke to members of the U.S. House Subcommittee on Commerce, Justice and Science, Harris pleaded for federal funding to help the city combat the daily kidnappings.

Not long after Harris and Gordon's testimony, the Phoenix police department applied for and received federal grants, in part, to stamp out the increasing number of kidnappings in their community.

One grant, "Project Eagle Eye," brought in nearly \$750,000 to hire another detective, a criminal analyst and buy high-tech surveillance equipment. In their application, police officials said that a majority of the city's kidnappings were "directly connected to border issues of drugs and human smuggling."

In an application for an "Operation Home Defense" grant worth more than \$1.7 million, police officials again described reports of kidnappings averaging more than one a day, and noted that "these numbers demonstrate a significant crime issue unique to Phoenix."

Some of the cases may be unique to Phoenix because it is a popular smuggling route and distribution hub for drugs and immigrants. But, based on the police reports Phoenix officials attribute to kidnapping cases, it is a stretch to say that a majority are linked to border-related crime.

Another report -- this one labeled an aggravated assault -- from December 16 details an incident involving a man name Levy. He told police he was attacked and sexually assaulted by several suspects, including a dancer who "inserted a spoon into [his] rectum."

He said they beat him, shoved a knife into his foot and forced him to steal items to repay a debt his sister allegedly owed them. He refused to give details about the attack. A witness later told police that Levy owed the woman money for dancing for him, and she and boyfriend were trying to collect it.

Whether Levy really had a sister who owed a debt to his attackers or he stiffed a private dancer, it isn't the type of case that is either border related or "unique to Phoenix."

Casting further doubt on Phoenix kidnapping figures is that Levy's case was counted twice. One report was labeled an aggravated assault, but included on the list of kidnappings. A second report, with all but identical information, is labeled a kidnapping and logged as a separate incident.

Similarly, Phoenix police investigated a case on June 18, 2008, involving immigrants being held against their will. The police report (DR 2008-81036059) details how a swat team busted into the house and found 12 illegal immigrants being guarded by men with AK-47 style rifles and other guns. Several suspects were arrested.

While that case more easily falls into the category of a border-related kidnapping, police wrote up a separate report to note that a 15-year-old boy working as a guard in that same house was taken to a juvenile detention center.

Police counted both toward the 358 kidnapping incidents in 2008.

Oversights? Clerical errors?

It doesn't seem likely.

When KPHO, a local news station, also raised questions about Phoenix's kidnapping statistics, Cavazos wrote to the station's general manager:

"It is important to state clearly that we have verified several times the accuracy of the kidnapping statistics generated by the Phoenix Police Department," he wrote on December 15, 2010. "We are available to discuss and review our home invasion and kidnapping statistics, which have been thoroughly reviewed and vetted..."

Cavazos told *New Times* that he has been repeatedly assured by Phoenix police officials that those cases were correctly classified as kidnappings. He said they are now awaiting the outcome of the federal review.

"I have to trust what the experts are telling me," he said.