



PHOENIX LAW ENFORCEMENT ASSOCIATION

Representing Phoenix Police Officers Since 1975

An Open Letter To Mayor Kate Gallego

Mayor Gallego:

On behalf of the members of the Phoenix Law Enforcement Association, United Phoenix Firefighters Local 493, AFSCME 2384, AFSCME 2960 and ASPTEA and especially all the residents who call this great city their home, I want to thank you for your leadership as Mayor throughout the past 27 months (and counting) while the U.S. Department of Justice's Civil Rights Division has conducted its "pattern or practice" investigation of the Phoenix Police Department.

I write to you today on behalf of PLEA, United Phoenix Firefighters Local 493, AFSCME 2384, AFSCME 2960, ASPTEA and neighborhood groups Operation Blue Ribbon, Violence Impact Coalition, and Phoenix Mid-Century Modern Neighborhood Association to express our concerns about the direction of the DOJ investigation and its implications for the future of the City of Phoenix.

Because the city and its police department have nothing to hide, you have cooperated with every aspect of the DOJ's investigation thus far - rightly so, and with our full support. You, along with City Manager Jeff Barton, your colleagues on the City Council, and Interim Police Chief Michael Sullivan, have facilitated every single Request For Process (RFP) made by DOJ for incident reports, raw data, internal affairs documents, body worn camera video and more - a total number of files numbering in the millions.

You have opened the doors of the Phoenix Police Department to DOJ investigators seven different times and have provided them with unlimited access to the places and people they wanted to see.

It was the right thing to do, again, because the City of Phoenix and its police department have nothing to hide, the only pattern and practice we have shown over the past decade as an agency is a commitment to serving this community to the best of our ability and improving the way we do business at every single opportunity.

Currently, the facts as we understand them indicate that the DOJ investigation is in its final phase, or possibly has even concluded.

We believe this to be the case based on the fact that DOJ officials had scheduled formal meetings with city executives, including you, during the week of November 6.

Based on our conversations with city and police officials in other cities where the DOJ has conducted similar investigations, these high-level meetings occur only when the investigative work is finished, and findings have been prepared.

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Although we don't know what was discussed by DOJ officials during those meetings - which included private, closed-door sit-downs with City Manager Barton and Interim Chief Sullivan - we suspect that they wanted to determine the City's willingness to continue its established levels of full cooperation with DOJ demands.

We are respectfully suggesting that it is now time to part ways with the DOJ's unlimited access to the Phoenix Police Department, and officially inform them there will not be a consent decree agreement with the City of Phoenix.

We firmly believe this is the right thing for the city to do. Not just for the police department but Phoenix as a whole.

Of course, this is a decision that can only be made by the full City Council. We believe the time has come for the Council to formally vote and make it official: that police accountability in Phoenix will remain where it belongs, under the stewardship and control of the Council, and not the federal government.

There must not be a DOJ consent decree on the Phoenix Police Department, and it is important now not only to make that decision, but to communicate it for all to hear.

The facts are clear: DOJ consent decrees lead to higher crime rates, tens or even hundreds of millions of dollars in unnecessary spending, and the decimation of police staffing as qualified, experienced officers depart for agencies where they don't need to patrol with one hand needlessly tied behind their backs.

We have seen this very scenario coming to life over the past few years in Baltimore, Chicago, Albuquerque, Seattle, and New Orleans - all places suffocating under the effects of counterproductive DOJ consent decrees.

To see the real-life results of ineffective, burdensome federal police oversight, we don't need to look far away; our friends at the Maricopa County Sheriff's Office, headquartered in downtown Phoenix, have been dealing with the effects of a DOJ-crafted consent decree agreement since 2015.

In announcing his resignation from MCSO last month, Sheriff Paul Penzone cited suffocating federal oversight and an inability to make local decisions as a primary reason for leaving his term a year early and choosing to not run for re-election.

PLEA's position is not that police reform isn't necessary in Phoenix; it is that the Phoenix Police Department is already doing just that and doing it well.

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Better, in fact, than DOJ could ever hope to do, based on its track record.

Phoenix PD already has a number of large-scale, promising continuous improvement projects underway; all being managed by the new Organizational Integrity Bureau.

But even if that bureau is new, the concept of constant organizational improvement isn't - it's really just business as usual for Phoenix PD.

From the Mayor's Review and Implementation Ad Hoc Committee in 2019, to the National Police Foundation study of PPD's use of deadly force in 2019, to the AdvancePHX interdepartmental arrest-to-court process improvement initiative in 2018, to the Community and Police Trust Initiative in 2016, the 2016 ASU-PPD Officer Involved Shooting Review, the Mental Health Solutions Task Force in 2014, the First Responder Traumatic Incident Support and Response Task Force in 2014, the Berkshire Advisors Report in 2011, and to the Police Community Engagement and Outreach Task Force in 2010 - it is clear that the City and Phoenix PD have long been committed to getting better, and working with the community and best-practice experts to do it.

Now, more than ever, your commitment to the City of Phoenix will be tested as the DOJ concludes its investigation and moves toward trying to obtain a consent decree to take control of Phoenix PD - just as it has done in both Louisville and Minneapolis in 2023 alone.

The mayors in those cities quickly relented to DOJ's demands and, against the best interests of the very citizens they represent, each signed Agreements in Principle that legally committed their cities to entering DOJ consent decrees.

I want to acknowledge and appreciate the difficult and impactful decision that you and your fellow Council members have in front of you.

Real and effective leadership must transcend and ignore decisions of convenience. This is an issue that will have a generational effect our city as a whole and will inevitably and negatively impact the people who live, work, and visit here.

Consent decrees aren't good for anyone; not police departments, not city leaders, and not the citizens themselves, who lose their voices in holding their local police department accountable.

I am proud of the positive direction our agency is going. We should continue moving forward with our ongoing and continuous improvement efforts in an aggressive fashion. The Phoenix Police Department has both the expertise and the motivation to do this, and that will only be enhanced by a rejection of unwanted and unnecessary federal government oversight.

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If DOJ does choose to litigate allegations of discriminatory policing against Phoenix, city officials should not panic.

The City and the Police Department must respond line-by-line to any court-filed allegations regarding Phoenix or a publicly released DOJ Findings Report; the truth is a powerful ally and the DOJ's deceptive allegations against Phoenix PD won't hold up under real-time fact-checking.

The Phoenix Police Department should be preparing right now to tell the story about its long-running status as a self-assessing, self-correcting agency, and it should make public all of its current internal improvement and reform efforts along with its comprehensive history of leading similar efforts. Mayor Gallego, if you oppose the signing of a DOJ consent decree, you will have the total and complete support from the majority of the city's employee associations, and more importantly, the majority of Phoenix residents.

DOJ consent decrees do not work as intended, and there is a better way forward.

Together, you and the Council can make it known that the DOJ's time in Phoenix has come to an end. We must send the message that there will not be a consent decree in Phoenix, and revoke DOJ's expensive and unlimited access to Phoenix PD's records unless it wants to partner up for legitimate, cooperative technical assistance.

We and many others stand ready to support you in doing what is best for Phoenix.

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