



City of Phoenix

To: Dave Harvey, Lieutenant
Tactical Support Bureau/SAU

Date: August 21, 2006

From: Pete Wechsler, Sergeant
Tactical Support Bureau/SAU

Subject: **PHYSICAL FITNESS RECORDS**

PUBLIC RECORDS

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

To:

On Tuesday, 8-16-06, I was contacted by Officer Brian Howe # 5322 regarding the Special Assignments Unit physical fitness records. As a result of some of the recent events regarding the tracking of our training, Detective Jan Dubina contacted Detective Joni Burgler in the Maryvale Precinct to revamp the physical fitness records tracking system. Once completed, Officer Howe began the process of re-entering our test records into the new system. Howe told me he was concerned with the records submitted by Sgt. Bob Baker for the S-53 squad. He informed me that some of the dates recorded as test dates were on Saturdays and Sundays, and that the ages recorded were inaccurate.

Howe also showed me the records for 2004 that were submitted by Sgt. Baker where the squad was listed as testing in March, June, September and December. The ages for the officers never changed for the entire year, and the weights, number of sit-ups and push-ups, and the bench press and leg press totals were the same for each officer in each month. There was also no run time recorded for June, September or December. Officer Howe said it appeared as if the records were simply transferred from one month to the next. I instructed Officer Howe to complete the transfer of information and to notify me when it was completed so I could review it in its entirety to determine if it warranted further investigation.

On Friday, August 18, I was contacted by Sgt. John Stevens who is Howe's supervisor. Sgt. Stevens informed me that Howe had also contacted him regarding the Sgt. Baker's physical fitness record keeping and that he was concerned the records were falsified. I informed him that I had instructed Howe to complete the data transfer and that I would examine the information when it was completed. He agreed that that would be proper procedure.

On Monday, 8-21-06, I collected the data from Officer Howe and he was of the opinion that the information was not correct. Before drawing any conclusions from the data alone, I contacted Sgt. Mike Giammarino of the Professional Standards Bureau who recently conducted an audit of our records. I asked him if he had reviewed the data yet as I wanted to see if he came to the same conclusion as Officer Howe. I told him of the discrepancies that Howe had discovered and asked if he had the same concerns before I brought it to the attention of my Lieutenant. He said he had to check with Sgt. Jeff Green who had the data and would call back.

PUBLIC RECORDS

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

To:

Sgt. Giammarino called back approximately 15 minutes later and said he never received any physical fitness records from Sgt. Baker. He said he requested them several times as Baker kept his own records, but he never received them. He said he then contacted Lt. Hoover and told him of the problems he was having obtaining the physical fitness records from Sgt. Baker. He said that Lt. Hoover sent an e-mail to Sgt. Baker directing him to send the records to Giammarino. Sgt. Giammarino said he still has not received any records from Sgt. Baker.

I asked Sgt. Giammarino if he wanted the records submitted to us by Sgt. Baker for his audit. Giammarino said he did not at this time that he was just going to indicate that he did not receive the records requested from Sgt. Baker. He informed me that if I believed the records were inaccurate, to notify my chain of command and they could ask for a PSB investigator to review the records.

In light of the recent investigation into the Special Assignments Unit's training records and the ongoing personnel investigation involving several members of the unit, I am submitting this memo and the attached records for your disposition.