



City of Phoenix

To: Daniel V. Garcia
Police Chief

Date: February 5, 2013

From: Ed Zuercher 
Assistant City Manager

Subject: LETTER OF CONCERN REGARDING PRESIDENTIAL INAUGURAL DETAIL SELECTION

I have reviewed the Equal Opportunity Department cause finding and supporting information concerning the complaint filed about the highly-coveted assignment of Police personnel to work at the Presidential Inauguration in Washington, DC. I have had extensive conversations with you, the Human Resources Director and Equal Opportunity Director about the circumstances surrounding the assignment, the resulting grievance process, the investigation itself, and the cause finding.

Last fall, you gave direction to Assistant Chief Tracy Montgomery and Commander Geary Brase to assign an Inauguration detail that embodied the diversity of the Phoenix Police Department and the entire community. As noted by EO Director Lyons, this executive direction is in line with the City's core visions and values, which state on a corporate level "we value diversity."

However, the method chosen was flawed and did not follow the administrative regulations. Complainants filed grievances about the assignment, as is their right, and the department followed the standard grievance process. At your level of the grievance process, you discarded the flawed method and directed assignments conform to administrative regulations. Future processes for Inaugural details will also conform to administrative regulations.

You followed the grievance process to resolve the issue and restored the grievants to their full rights. Your actions fulfilled the purpose of the grievance process. The error in method was corrected before any harm was done to any individual, so no one was prevented from an assignment to the inaugural detail based on a flawed method. The ultimate process reordered the list based on appropriate criteria in conformance with administrative regulations.

The EO finding very narrowly found one step in the Inaugural detail assignment process was in error. It did not find fault with the intent or ultimate outcome of the process. Additionally, in recognition of the error, Assistant Chief Montgomery and Commander Brase consulted with you and removed themselves from assignment to the detail and did not go to Washington, DC, as originally planned.

Chief, in our conversations about this situation, you have accepted responsibility for your staff's actions. While Director Lyons made clear that you were not a respondent to

the investigation of the officers' specific complaint, you have independently accepted ultimate responsibility. Although you didn't specifically dictate the manner in which your staff should implement your direction, you acknowledge you could have more closely monitored their processes and consulted with Human Resources and Equal Opportunity earlier to prevent the error.

Given the narrowly-defined cause finding, your appropriate resolution of the grievance to eliminate any harm to individuals, and the collective decision to remove Assistant Chief Montgomery and Commander Brase from the Inaugural assignment, the appropriate resolution is to document this letter of concern. This letter shall be placed in your file, as well as in the file of Assistant Chief Montgomery and Commander Brase as a conclusion to this matter.

I appreciate your appropriate resolution of the grievance to correct the mistakes made in the selection process. I appreciate you ensuring that future processes will conform to administrative regulations. I also appreciate Assistant Chief Montgomery and Commander Brase removing themselves from the detail. Thank you for your leadership of the Phoenix Police Department with your concrete example of a commitment to accountability.

c: Tracy Montgomery
Geary Brase