



City of Phoenix
OFFICE OF THE CITY MANAGER

February 11, 2013

Officer Joe Clure
PLEA President
1102 W. Adams Street
Phoenix, AZ 85007

Dear Joe:

Thank you for your patience regarding the handling of the inaugural detail assignment in Washington, DC. I wanted to reach out to you to further explain the findings regarding the EO investigation.

On November 9, 2012, you sent a letter to the City Manager and copied me regarding your concerns about the situation and the complaint filed with the Equal Opportunity Department. At the time, I communicated the importance of waiting for the results of the EOD investigation before making any judgments. In January, you followed up with a conversation with the Equal Opportunity Director and with me about your thoughts on the EO investigation.

I have thoroughly reviewed the EO investigation and talked extensively with Janet Smith, Lionel Lyons and Chief Garcia about this matter. Director Lyons sent me a follow up memo regarding his findings (attached), including his confirmation that Chief Garcia was appropriately not a respondent to the claim. The EO finding focused on the process that was initially used by Assistant Chief Montgomery and Commander Brase. The department's intent to value diversity is consistent with City values. However, the specific process used initially was at odds with administrative regulations. The complainant officers then appropriately availed themselves of the grievance process, and in that process, Chief Garcia corrected the methodology and restored the original selection process. As a result, the detail was selected by management in a manner that is consistent with city administrative regulations so any harm was mitigated. Further, Assistant Chief Montgomery and Commander Brase consulted with Chief Garcia and withdrew from their planned participation in the inaugural detail. Despite not being a respondent, Chief Garcia accepted ultimate responsibility for the actions of his command staff and committed to ensuring processes in the future comply with City ARs. I have addressed this with him, appropriately, given the circumstances and in turn, with Assistant Chief Montgomery and Commander Brase. This specific matter is now completed.

I know that some of the officers continue to exercise their rights with EOD and/or the EEOC, as is their prerogative. I appreciate you communicating the concerns of your constituents with myself and the City Manager. Be assured, that those concerns are recognized and we are committed to ensuring that all staff members are treated fairly and with respect.

Regards,

A handwritten signature in black ink, appearing to be 'Ed Zuercher'.

Ed Zuercher
Assistant City Manager