

City of Phoenix

# OFFICE OF ACCOUNTABILITY AND TRANSPARENCY

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## Annual Report

Jan. 1 - Dec. 31, 2023



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## LETTER FROM THE DIRECTOR

The year 2023 saw remarkable growth and development for OAT's mission and team. OAT's staffing grew by nearly 200%, starting the year with four staff and ending the year with 11. OAT's monitoring caseload rose from less than ten to more than 40. The Community Engagement team spread awareness of OAT and how it serves the Phoenix community through dozens of events and dozens more outreach contacts. And OAT's Director of Mediation built the foundations and created the framework to launch OAT's mediation program. This exponential growth has kept the OAT team active and engaged in seeing OAT's mission come off the page and into reality.

During 2023, the monitoring team worked diligently to build processes and protocols to begin actively monitoring Police Department administrative investigations. The team coordinated information sharing between OAT and the Department, held monthly coordination meetings with Professional Standards Bureau (PSB) leadership and officers, and began reviewing evidentiary disclosures from the Department to determine if each monitored PSB investigation was thorough and complete and identify areas for improvement in future investigations.

The Community Engagement team made more than 85 new community outreach contacts and presented, tabled, or participated in over 30 events in the community to spread awareness of OAT and engage constituents in OAT's work to advance police reform in Phoenix. OAT's mediation program established its footing, began conversations with the Police Department about both Department and individual officer mediations and started the process of developing an experienced pool of mediators to facilitate the conversations between complainants and the Department.

On behalf of the entire OAT team, we are honored to advance this important, critical work on behalf of the residents of Phoenix. We are confident that 2023's demonstrated growth will continue in earnest as we move into 2024 and work diligently to bring accountability and transparency to the Phoenix Police Department.

Sincerely,

*Shannon Johanni*

Interim Director, Office of Accountability and Transparency

The City of Phoenix created the Office of Accountability and Transparency (OAT) in 2021 to perform independent civilian oversight of the Phoenix Police Department. OAT monitors Department administrative investigations of critical incidents involving sworn personnel and provides community members a way to freely communicate complaints, commendations, and concerns about officers and the Department without fear of retaliation.

Phoenix City Code (P.C.C.) § 20-1(C) requires OAT to:

- Take community complaints or commendations.
- Establish procedures for receiving anonymous complaints.
- Conduct outreach within the community.
- Support services to community members impacted by the Department.
- Monitor Department investigations.
- Make recommendations to the Police Chief regarding administrative action, including possible discipline for the Department.
- Make recommendations regarding policy issues.
- Assist with mediation to resolve disputes.
- Address other issues of concern to the community.

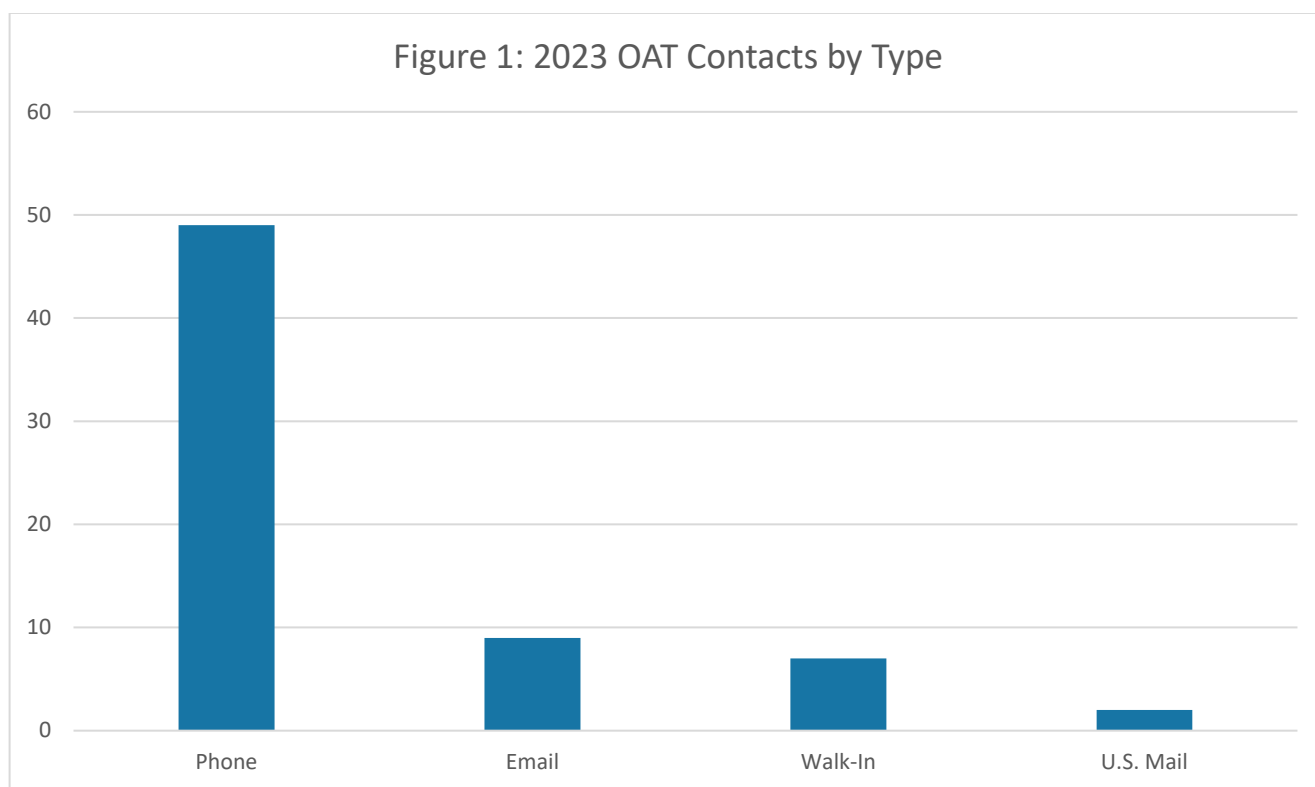
See P.C.C. §§ 20-4 through 20-13 for additional information about OAT's responsibilities and operations. This report satisfies OAT's obligation under P.C.C. § 20-8(C) to publish a quarterly status report that includes, "among other things, patterns relating to complaints and recommendations regarding the sufficiency of investigations and determinations as to whether Department rules and policies have been violated." [P.C.C. Chapter 20 can be found here.](#)

OAT and the Department entered into a [Memorandum of Understanding \(MOU\)](#) on April 3, 2023. The MOU further clarifies how and when information sharing occurs between OAT and the Department; what information/evidence the Department shall make available to OAT in individual cases; and regular updates on the Professional Standards Bureau's total active caseload. [The full MOU can be found here.](#)

## MONITORING

Currently, OAT receives notice of potential monitoring incidents—under both mandatory and discretionary authority—through complaints directly to OAT, media reports, and Department notification processes for certain classes of incidents (e.g. officer involved shootings). The MOU requires the Department to provide OAT a bi-weekly list of active PSB investigations; however, OAT did not receive any of these lists in 2023.

Between October 1 and December 31, 2023, OAT received 16 unique contacts via hotline (11), walk-in (1), and email (4). Figure 1 below details total contacts OAT received to date. In 2023, OAT received 67 unique contacts, 49 by hotline, 7 by walk-in, and 11 by email/mail.



During the final quarter of 2023, OAT added 15 cases to its monitoring caseload, bringing the total to 53. In 2024, as OAT begins to receive the bi-weekly active case reports as afforded in the MOU, we anticipate not only an increase in monitored incidents, but also adding new categories of incidents that fall under OAT's jurisdiction. OAT was working on finalizing its first two monitoring reports for incidents that occurred on November 23, 2022, and December 4, 2022. Both

monitoring incidents involve investigations the Department has closed, one involves an allegation of excessive force and the other involves an allegation of racial bias. All other cases listed as report pending indicate that OAT received the final PSB report and is finalizing the monitoring report.

The graphs below detail the number of incidents by incident date, year, and quarter (see Figure 2, p. 6), and total number of monitoring incidents by type of complaint (OIS, in-custody death, other death/serious injury during a duty-related incident, and excessive force; see Figure 3, p. 7). See pages 8-10 for the full list of monitoring incidents including location, type, and date (Table 1), and Figure 4 (p. 11) for a map by precinct of where monitored incidents occurred.

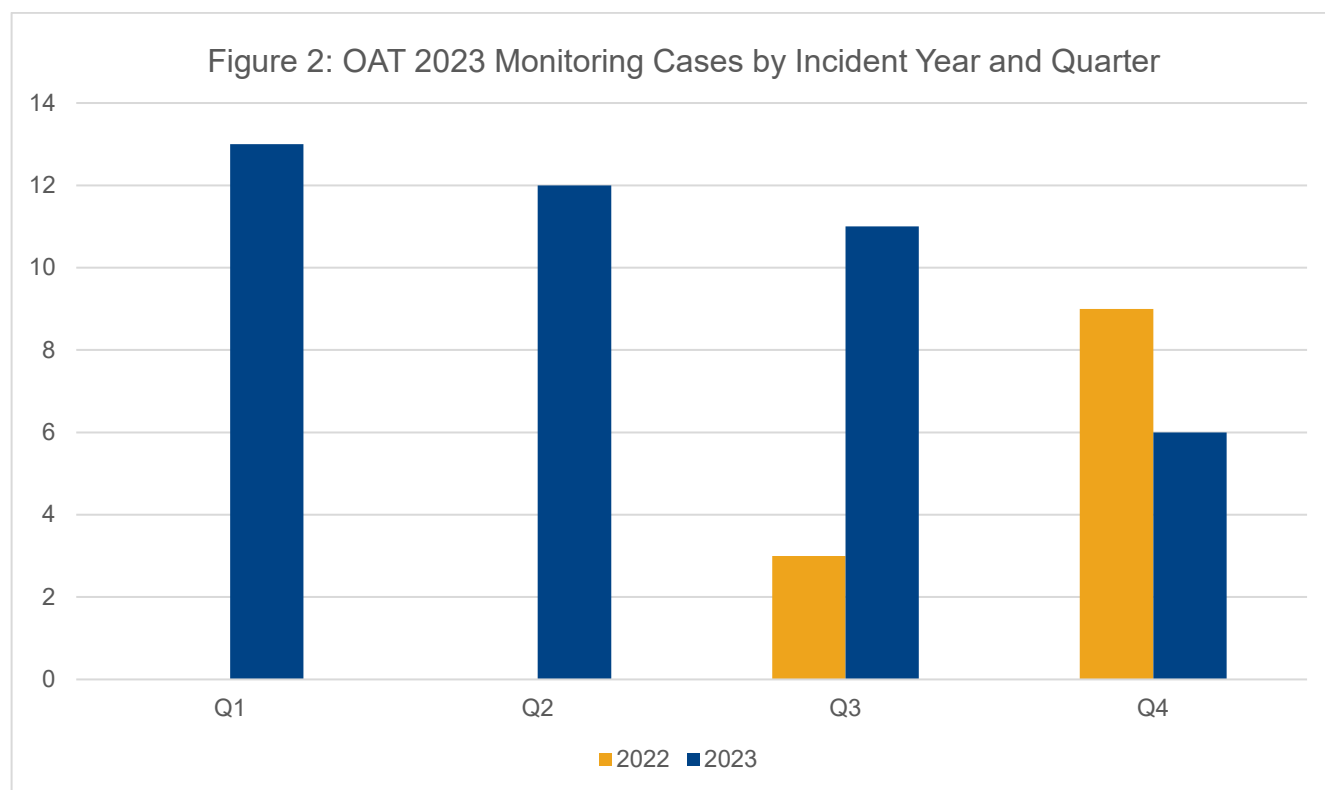


Figure 3: OAT 2023 Monitoring Cases by Incident Year, Quarter, and Type

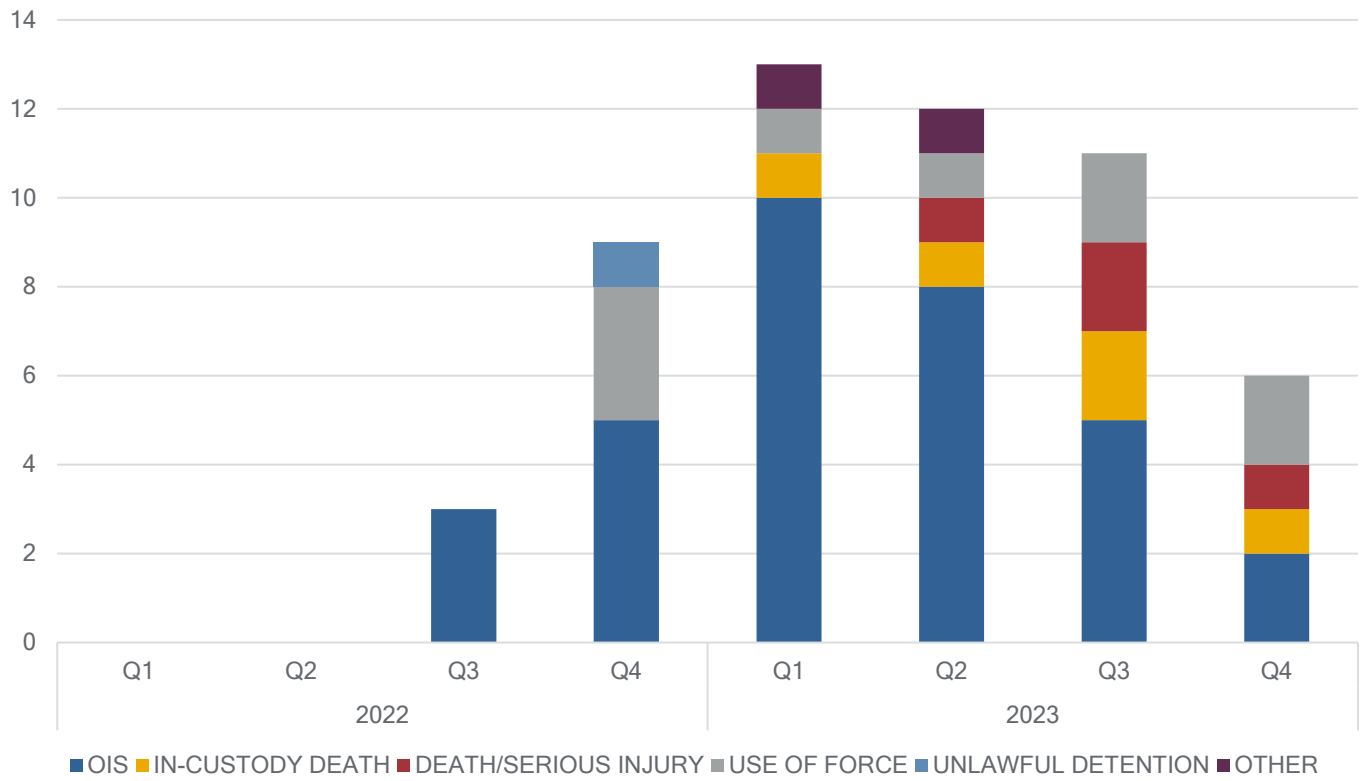


Table 1: Office of Accountability and Transparency Monitoring Cases January 2023 - December 2023 (Incidents with fatalities highlighted in blue.)

No.	Incident Date	Type	Location <sup>1</sup>	Civilian Fatality	Status
1	09/10/2022	OIS <sup>2</sup>	12200 N. 39 <sup>th</sup> Ave.	Yes	Report Pending
2	09/22/2022	OIS	2400 W. Greenway Rd.	No	Open
3	09/24/2022	OIS	6600 N. 19 <sup>th</sup> Ave.	Yes	Report Pending
4	10/27/2022	Use of Force <sup>3</sup>	5900 W. Buckeye Rd.	No	Report Pending
5	11/02/2022	OIS	3700 W. McDowell Rd.	Yes	Report Pending
6	11/06/2022	OIS	4200 N. 21 <sup>st</sup> Ave.	No	Report Pending
7	11/23/2022	Unlawful Detention <sup>3</sup>	12000 N. 32 <sup>nd</sup> St.	No	Published 2/22/24
8	11/29/2022	OIS	1800 E. Southern Ave.	Yes	Report Pending
9	12/03/2022	OIS	2900 W. Thomas Rd.	No	Report Pending
10	12/04/2022	Use of Force <sup>3</sup>	2700 W. Deer Valley Rd.	No	Published 2/22/24
11	12/11/2022	Use of Force <sup>3</sup>	8900 W. Highland Ave.	No	Report Pending
12	12/21/2022	OIS	4100 W. Lydia Ln.	No	Report Pending
13	01/03/2023	OIS	4400 S. 36 <sup>th</sup> Dr.	Yes	Report Pending
14	01/07/2023	OIS	4600 S. Lakeshore Dr.	Yes	Report Pending
15	01/19/2023	Use of Force <sup>3</sup>	3000 W. Bell Rd.	No	Report Pending
16	02/02/2023	Other <sup>3</sup>	2300 W. McLellan Blvd.	Yes <sup>4</sup>	Report Pending
17	02/11/2023	In-Custody Death	1400 N. 44 <sup>th</sup> St.	Yes	Report Pending
18	02/22/2023	OIS	6800 N. 23 <sup>rd</sup> Ave.	Yes	Report Pending
19	02/22/2023	OIS	100 S. 29 <sup>th</sup> Ave.	Yes	Report Pending
20	02/25/2023	OIS	17600 N. 9 <sup>th</sup> St.	Yes	Report Pending
21	03/04/2023	OIS	6100 S. 35 <sup>th</sup> Ave.	No	Report Pending
22	03/05/2023	OIS	4200 W. Encanto Blvd.	Yes	Open
23	03/06/2023	OIS	4100 W. Alta Vista Rd.	Yes	Report Pending
24	03/08/2023	OIS	1600 N. 27 <sup>th</sup> Ave.	No	Report Pending
25	03/14/2023	OIS	6700 W. Camelback Rd.	No	Open

Table continues on next page.



No.	Incident Date	Type	Location <sup>1</sup>	Civilian Fatality	Status
26	04/01/2023	OIS	1400 E. Bell Rd.	Yes	Report Pending
27	04/09/2023	Use of Force <sup>3</sup>	8200 S. 48 <sup>th</sup> Ln.	No	Report Pending
28	04/10/2023	In-Custody Death	6500 W. Cocopah St.	Yes	Open
29	04/20/2023	OIS	11800 N. 28 <sup>th</sup> Dr.	No	Open
30	04/24/2023	OIS	3200 W. Bell Rd.	No	Report Pending
31	05/11/2023	OIS	9100 W. Lower Buckeye Rd.	No	Open
32	05/14/2023	OIS	3900 W. Paradise Dr.	No	Open
33	05/22/2023	OIS	16800 N. 19 <sup>th</sup> Ave.	No	Open
34	05/23/2023	Other <sup>3</sup>	Online	No	Report Pending
35	06/07/2023	Death/Serious Injury <sup>5</sup>	1400 S. 11 <sup>th</sup> Ave.	No	Open
36	06/19/2023	OIS	2100 W. Thomas Rd.	Yes	Report Pending
37	06/28/2023	OIS	1200 S. 20 <sup>th</sup> Ave.	Yes	Open
38	07/01/2023	OIS	3000 E. Washington St.	Yes	Open
39	07/03/2023	Death/Serious Injury <sup>5</sup>	2700 W. Campbell Ave.	No	Open
40	07/15/2023	In-Custody Death	4700 E. McDowell Rd.	Yes	Open
41	07/17/2023	OIS	1700 E. Harrison St.	Yes	Open
42	07/20/2023	In-Custody Death	1900 W. Union Hills Dr.	Yes	Open
43	08/01/2023	OIS	3300 W. Campo Bello Dr.	No	Open
44	08/10/2023	OIS	3500 N SR 51 Freeway	No	Open
45	08/27/2023	Use of Force <sup>3</sup>	5600 S. 11 <sup>th</sup> Pl.	No	Open
46	08/28/2023	Use of Force <sup>3</sup>	3200 E. Greenway Rd.	No	Report Pending
47	09/09/2023	OIS	8700 W. Peppertree Ln.	Yes	Open
48	09/24/2023	Death/Serious Injury <sup>5</sup>	5100 W. Buckeye Rd.	Yes <sup>6</sup>	Report Pending
49	10/11/2023	Use of Force <sup>3</sup>	1200 N. 2 <sup>nd</sup> St.	No	Open

Table continues on next page.

No.	Incident Date	Type	Location <sup>1</sup>	Civilian Fatality	Status
50	11/10/2023	Use of Force <sup>3</sup>	1600 N. 91 <sup>st</sup> Ave.	No	Open
51	11/20/2023	OIS	2500 W. Earll Dr.	No	Open
52	11/29/2023	In-Custody Death	620 W. Washington St.	Yes	Open
53	12/16/2023	OIS	5000 E. McDowell Rd.	Yes	Open
54	12/21/2023	Death/Serious Injury <sup>5</sup>	3500 W. Thunderbird Rd.	Yes	Open

<sup>1</sup> Approximate location. Addresses are updated as new information becomes available and may differ from those included in prior OAT reports.

<sup>2</sup> Officer Involved Shooting (OIS).

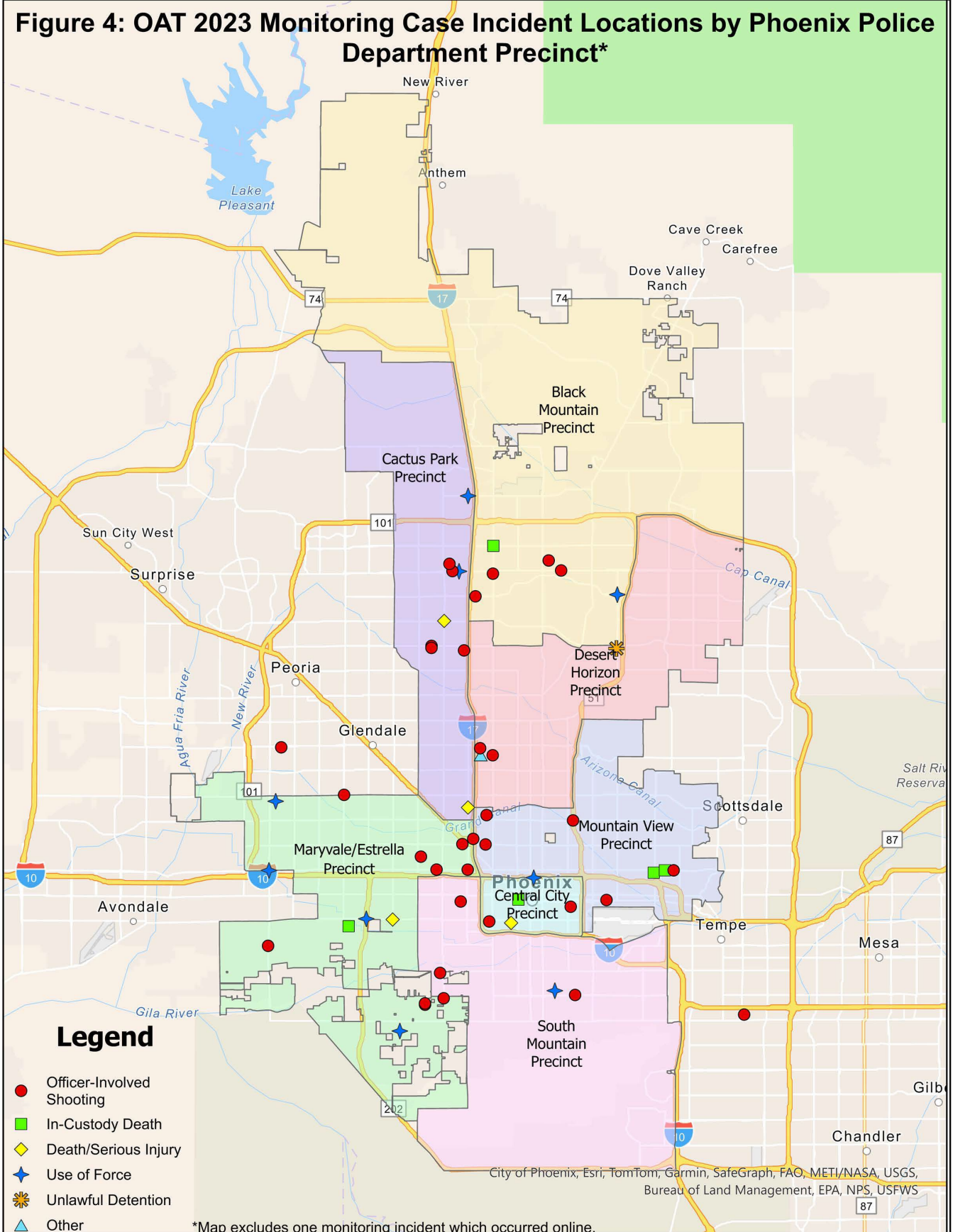
<sup>3</sup> Falls under OAT discretionary jurisdiction per P.C.C. § 20-7.

<sup>4</sup> Maricopa County Medical Examiner's Office determined manner of death was accidental due to multiple drug toxicity.

<sup>5</sup> P.C.C. § 20-6(B)(3) requires OAT to monitor Department investigations of any duty-related incident during which, or as a result of which, anyone dies or suffers serious bodily injury as defined in A.R.S. §13-105(39).

<sup>6</sup> Maricopa County Medical Examiner's Office determined manner of death was suicide.

**Figure 4: OAT 2023 Monitoring Case Incident Locations by Phoenix Police Department Precinct\***



## MEDIATION

The year 2023 saw the foundation and framing of OAT's mediation program. The Director of Mediation developed protocols and finalized the internal review, referral, intake, and mediation process details. Once mediation has been socialized with the Department's unions and appropriate cases have been identified, OAT will facilitate two types of mediation for the community: individual mediation and department mediation.

Department mediations will be a possibility where there is no individual officer identified, it is a larger community concern about police response or involvement, or police policy and practice are implicated. Using the established criteria, OAT identified a potential Department mediation case and referred that to the Department for consideration in September 2023. See page 13 for more details about the OAT Mediation process.

## COMMUNITY ENGAGEMENT

In addition to the events and presentations detailed in previous 2023 quarterly reports, OAT attended the following events and/or gave informational presentations to the following groups between October 1 and December 31, 2023:

- Cesar Chavez Conference
- Presented to Neighborhood Services Phoenix
- Presented Cafecitos - Coffee with the Community, Avondale
- Presented to Black Mothers Forum
- Phoenix Public Library - Burton Barr
- Tomorrow We Vote
- Valley Wise Health - South Phoenix
- MAG - Homeless Services
- Mercy Care - Juvenile Justice Court Liaison
- MAG Human Services Transportation
- Family Involvement Center
- ASU- Social Work Class Presentation
- JAG - Networking Lunch/Overview of OAT

Additionally, OAT made more than 35 new community engagement contacts during the 4<sup>th</sup> quarter of 2023 via phone, email, and in-person meetings. Over the course of 2023, OAT made 86 new community engagement contacts and engaged with, tabled at, or presented to more than 31 community groups or organizations.

The Phoenix Office of Accountability and Transparency (OAT) aims to ensure there is a fair, thorough, and objective program for addressing civilian complaints against the Phoenix Police Department (PPD). While OAT monitors PPD internal investigations, such investigations are not the only method by which complaints may be resolved. In many cases, mediation may provide a more satisfactory outcome for the parties. Mediation has been shown to help build police-community relations, reduce costs, improve case completion times and provide community members an opportunity to meet directly with a member of the PPD about the nature of their complaint.

### *Mediations are Confidential*

All discussions during a mediation session are confidential, in accordance with ARS § 12-2238. All parties must agree to this confidentiality before beginning a mediation session. As a result, the participation of other people in the mediation session is very rarely allowed. Unless preapproved to participate in the mediation, anyone who accompanies a complainant or PPD to the mediation session will be asked to wait in the OAT lobby.

### *Mediation is a Voluntary Process*

Participation in mediation is voluntary. Either party may decline the offer to mediate or withdraw from mediation at any point.

### *Mediation Participants*

Both the complainant and the PPD officer must participate in good faith in the mediation process. Neither the complainant nor the PPD officer is required to reach an agreement during mediation. Failure of the complainant to participate in good faith will lead to dismissal of the complaint. Failure of a PPD officer to participate in good faith will likely result in the matter being referred back to investigation, unless otherwise specified in the PPD officer's labor-management agreement.

### *OAT Mediators*

OAT mediations are conducted by well-trained and experienced mediators. The mediator serves as an impartial third party who facilitates a conversation between the parties in a non-threatening environment. Mediators fulfill this role by listening to each party's experiences of circumstances that lead to the complaint. Mediators use active listening to clarify what happened, identify key issues and keep the discussion productive.

### *Mediation Outcomes*

In many cases, once the parties have had a chance to explain their perspectives and hear from the other party, this increased understanding is sufficient to resolve the complaint. Although both parties are expected to participate in good faith in the mediation, any agreements, written or verbal, are voluntary. Failure to reach an agreement has no impact on any later consideration of the complaint. If the parties do not reach agreement, OAT will determine if the complaint warrants referral for investigation.

### *Accessibility*

Upon request, OAT will provide reasonable accommodation or translation services.

### *Mediation Location*

Mediation sessions may be conducted in any of the following locations:

- In-person, at a neutral location within Phoenix, including the OAT office

## WHAT IS OAT MEDIATION?

*Mediation is an efficient and effective alternative dispute resolution process. OAT mediations arise from incidents or interactions reported to OAT involving PPD and members of the community. An OAT mediator serves as an impartial facilitator who guides the parties through a conversation about the circumstances that led to the complaint, with the aim of reaching a mutual understanding. A mediation is typically scheduled for two hours.*

## TRAINING AND HIRING

### Training

In the last quarter of 2023, five OAT team members attended the National Association of Civilian Oversight of Law Enforcement's annual conference hosted in Chicago. Several staff members also attended the following NACOLE hosted virtual webinars:

- Deaths in Custody
- Building Better Oversight: Civilian Oversight of Law Enforcement
- Law Enforcement Robots - When R2-D2 Kills
- Practical Analysis of Body Worn Camera Footage
- Civilian Oversight Mediation Programs
- Setting Community Boards Up For Success or Failure
- Investigating Biased Policing: Early Lessons and Special Topics
- The Standardization of Data in Oversight
- Civilian Oversight's Role in Auditing Public Safety's Response to Those in Mental Health Crisis
- Racial Bias, Vehicular Stops, and the 4<sup>th</sup> Amendment

Additionally, several team members participated in the virtual COPA's Training Academy, which is a six-week condensed version of COPA's Training Academy, held "for the public (civilian or sworn) and organizations around the country interested in learning about Civilian Police Oversight, Investigative and Legal Concepts as well as the role of COPA's Policy, Research and Analyses Division (PRAD)."

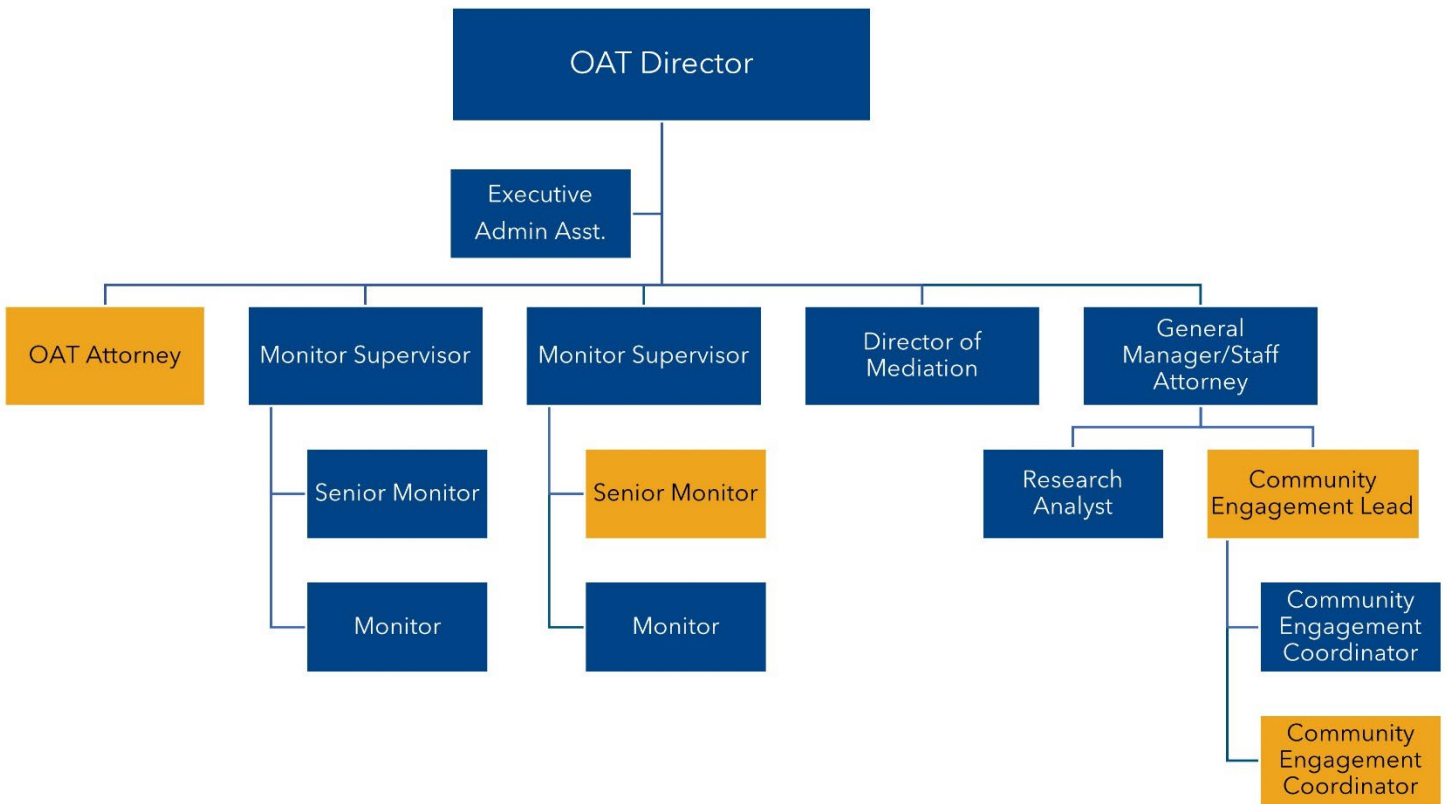
In addition to OAT regular internal and City trainings on various matters related to agency practice, OAT staff attended the following trainings:

- Latino, Latinx, Latine...What's In a Name: Who We Are and Why It Matters
- Webinar: Why are we incarcerating Domestic Violence Survivors?
- International Association of Chiefs of Police Annual Conference:  
Administrative Investigations and Discipline in Use of Force Cases;  
Changing Culture in Police Organizations; Prone Restraint Cardiac Arrest:  
Why Subjects Die in the Prone Position; Another K9 Handler Indicted -  
Best Practices-Based Strategies to Save your K9 Unit; CODE 4 - Handling  
Cop Criticism; Police Jiu Jitsu and Enhanced Decision-Making Scenario  
Training



## Hiring

OAT’s team saw substantial expansion in 2023. At the beginning of the year, OAT had four staff, the Director, Administrative Assistant, Community Engagement Coordinator, and Research Analyst. In early 2023, both the Director of Mediation and an additional Community Engagement Coordinator were on-boarded. In late spring, two Monitor Supervisors, two Senior Monitors, and two Monitors joined the team. Finally, in early September the General Manager/Staff Attorney came on board. At the conclusion of 2023, OAT had four unfilled positions: Community Engagement Coordinator, Community Engagement Lead, Senior Monitor, and OAT Attorney.



	Recruitment in Progress
	Not Posted
	Hired



[www.phoenix.gov/accountability](http://www.phoenix.gov/accountability)



350 W. Jefferson St. Phoenix, AZ 85003



[OAT@phoenix.gov](mailto:OAT@phoenix.gov)



602-262-6287 (OAT7)