

# Community Update

# Department of Justice Investigation

January 2024





# Agenda

**Patterns or Practice Investigation Overview**

**When Will the Investigation End**

**Five Areas of Investigation**

**Summary of Investigation to Date**

**Continuous Improvements Efforts**

**Next Steps**

**Questions**



# Pattern or Practice Investigation Overview

## Background

- Following the law enforcement attack on Rodney King in 1991, Congress authorized the US Attorney General to conduct pattern-or-practice investigations.
- Intended to ensure lawful and fair policing by identifying if persistent patterns of misconduct and systemic deficiencies exist.

**Study Officer Trainings**

**Review Department Policies**

**Assess Day-to-Day Practices**

**Identify Accountability Systems**

**Evaluate Data Collection Methods**

**Interview Officers and Officials**

**Observe Officer Conduct**

**Receive Community Feedback**



# Five Areas of Investigation

1

Excessive  
force in  
violation of  
the Fourth  
Amendment



# Five Areas of Investigation

①

Excessive  
force in  
violation of  
the Fourth  
Amendment

②

Discriminatory  
policing that  
violates the  
Constitution  
and Federal  
law



# Five Areas of Investigation

①

Excessive force in violation of the Fourth Amendment

②

Discriminatory policing that violates the Constitution and Federal law

③

Retaliation against those engaged in First Amendment-protected activities



# Five Areas of Investigation

1

Excessive force in violation of the Fourth Amendment

2

Discriminatory policing that violates the Constitution and Federal law

3

Retaliation against those engaged in First Amendment-protected activities

4

Violations of the ADA related to behavioral health disabilities





# Five Areas of Investigation

1

Excessive force in violation of the Fourth Amendment

2

Discriminatory policing that violates the Constitution and Federal law

3

Retaliation against those engaged in First Amendment-protected activities

4

Violations of the ADA related to behavioral health disabilities

5

Violations of the rights of individuals experiencing homelessness with regards to the disposal of their property





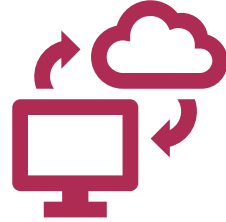
# Message from Interim Police Chief Sullivan



# Summary of Investigation to Date



**Over 100,000 Documents**



**Access to PPD Systems**



**20,000 Body Worn Camera Videos**



**Over 200 Recordings of 911 Calls**



**200 Hours of Ride Alongs with PPD**



**Numerous Trainings at Academy**



**Interviewed over 100 City employees**



**\$5.1 Million by end of FY2022-23**

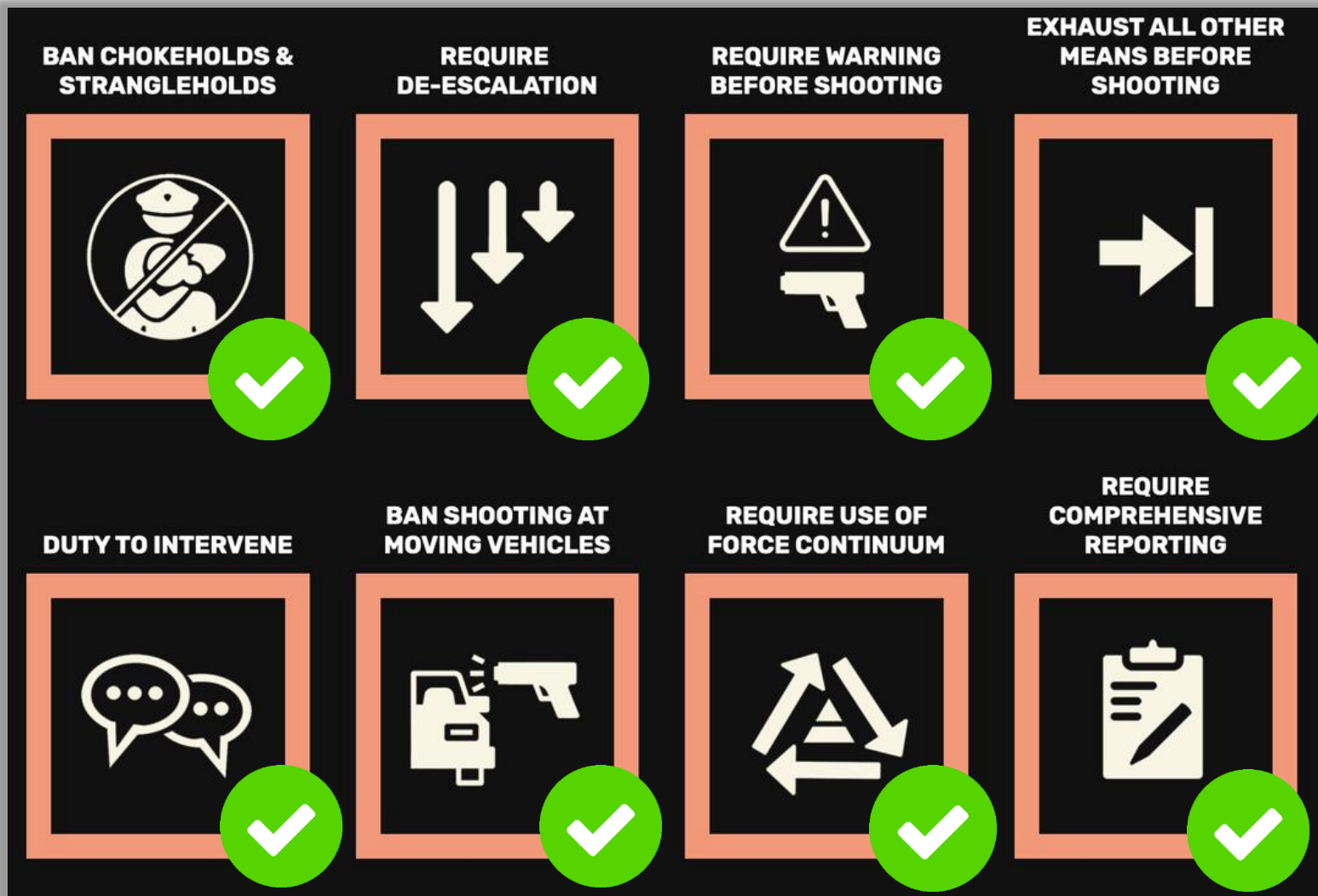


# Summary of Continuous Improvement Efforts

- Implemented all the City Manager's Office 2015 Community and Police Trust Initiative recommendations
- Implemented Crisis Intervention Teams (2015)
- US Attorney General Loretta Lynch visited and spotlighted Phoenix PD for leading the way with law enforcement innovation (2016)
- Full deployment of Body Worn Cameras (2019)
- City Council approved the formation of the Office of Accountability and Transparency (2020)
- Established PD's Center for Continuous Improvement (2020)



# Summary of Continuous Improvement Efforts



## #8CantWait

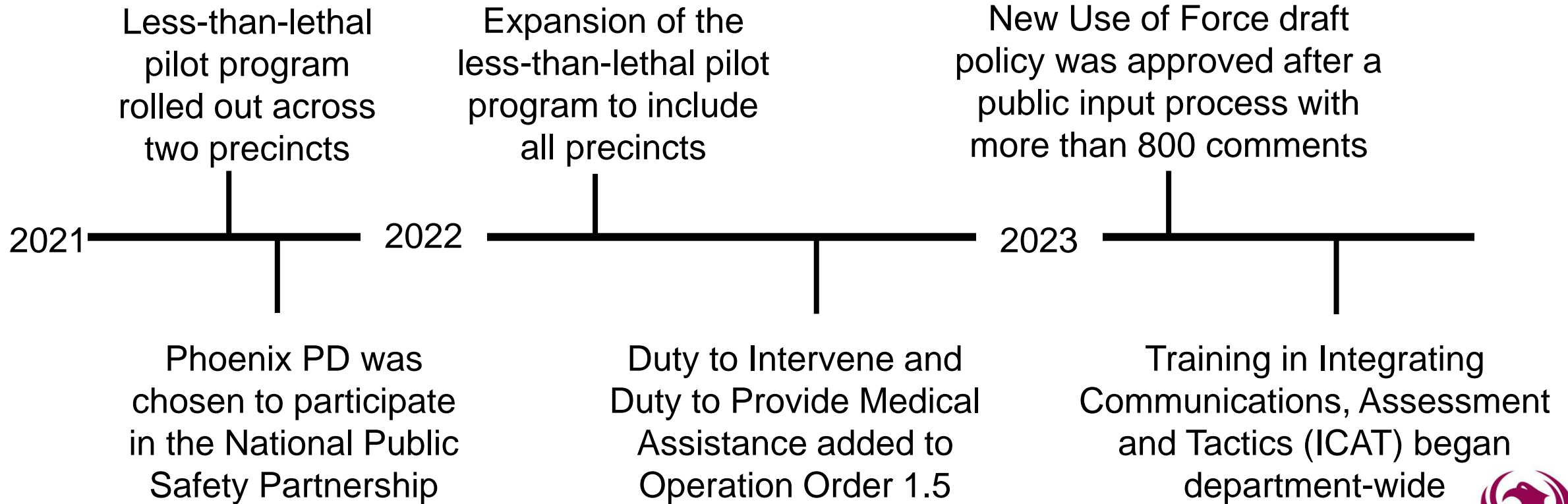
- Created by Campaign Zero
- National change movement for police departments
- June 2020: Phoenix Police began evaluating program
- Feb. 2021: Full Compliance





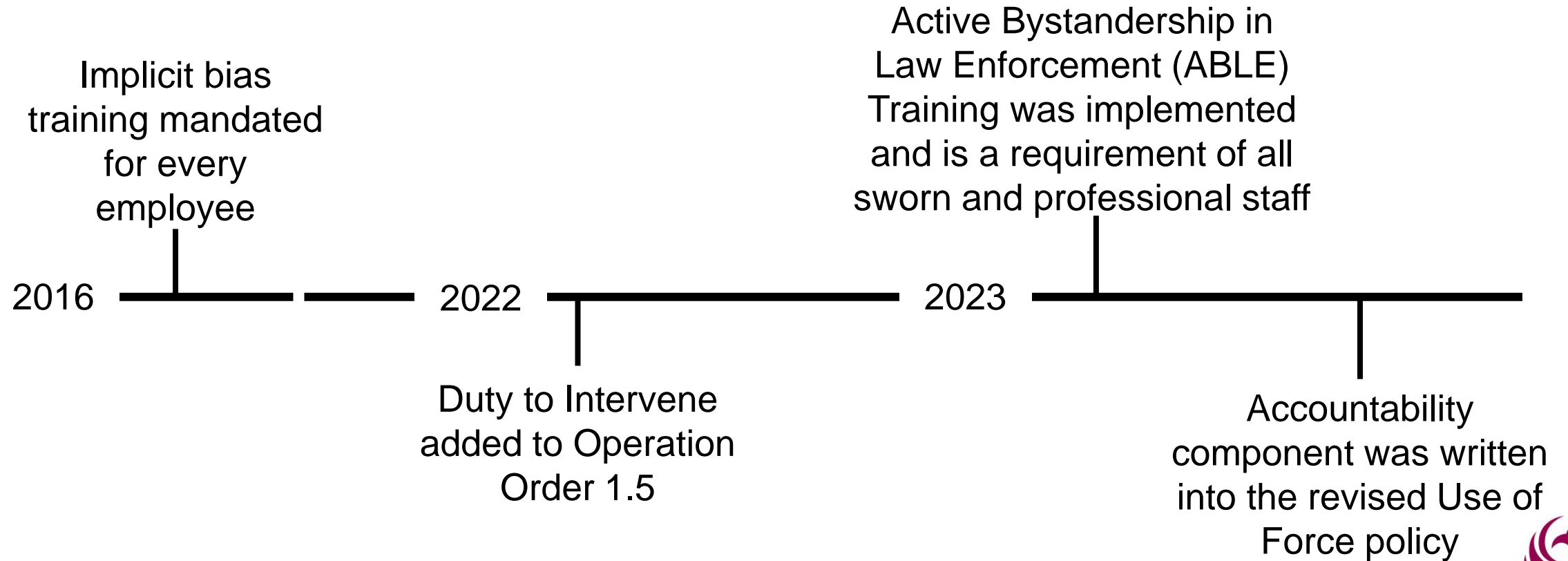
# Five Areas of Investigation

## 1 Use of Force



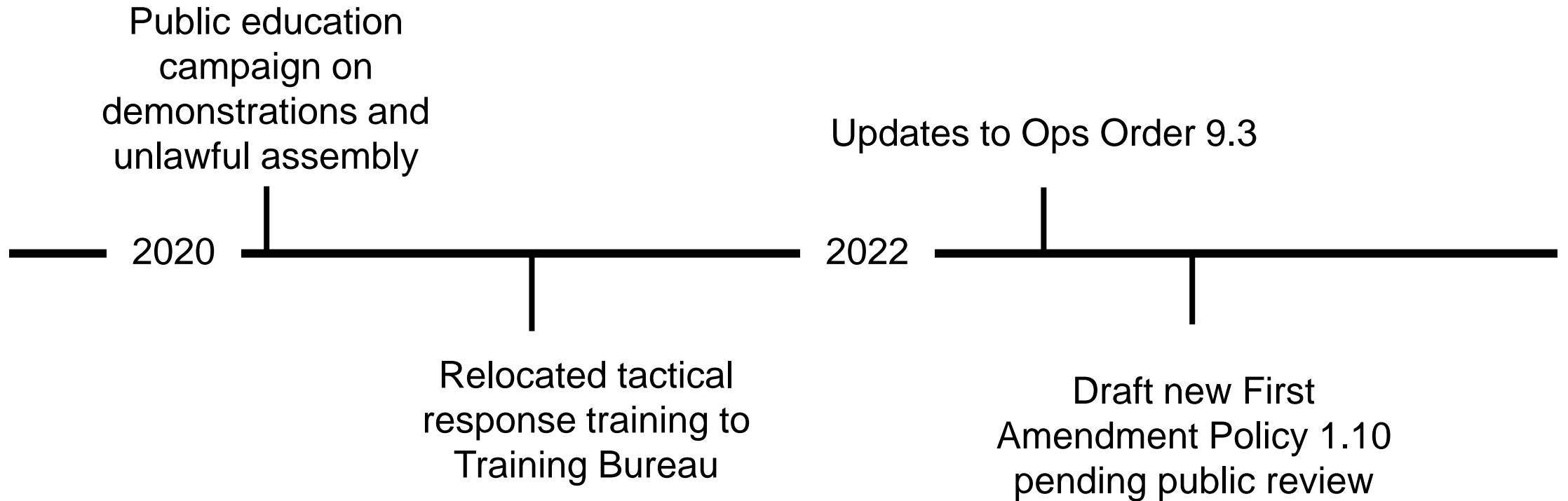
# Five Areas of Investigation

## ② Anti-Discriminatory Policing Practices and Initiatives



# Five Areas of Investigation

## ③ First Amendment-Protected Activities



# Five Areas of Investigation

## ④ Mental and Behavioral Health

Creation of first  
dedicated Crisis  
Intervention Team  
(CIT) squad

2015

2019

Communications  
Bureau staff trained  
on CIT, mental  
health assistance  
and call diversion

Began staffing a mental  
health clinician to assist  
and advise with call  
diversion

2020

2021

The City made a \$15  
million investment in  
expanding the  
Community Assistance  
Program (CAP)

Created the Crisis  
Review Team  
Committee

2022

2023

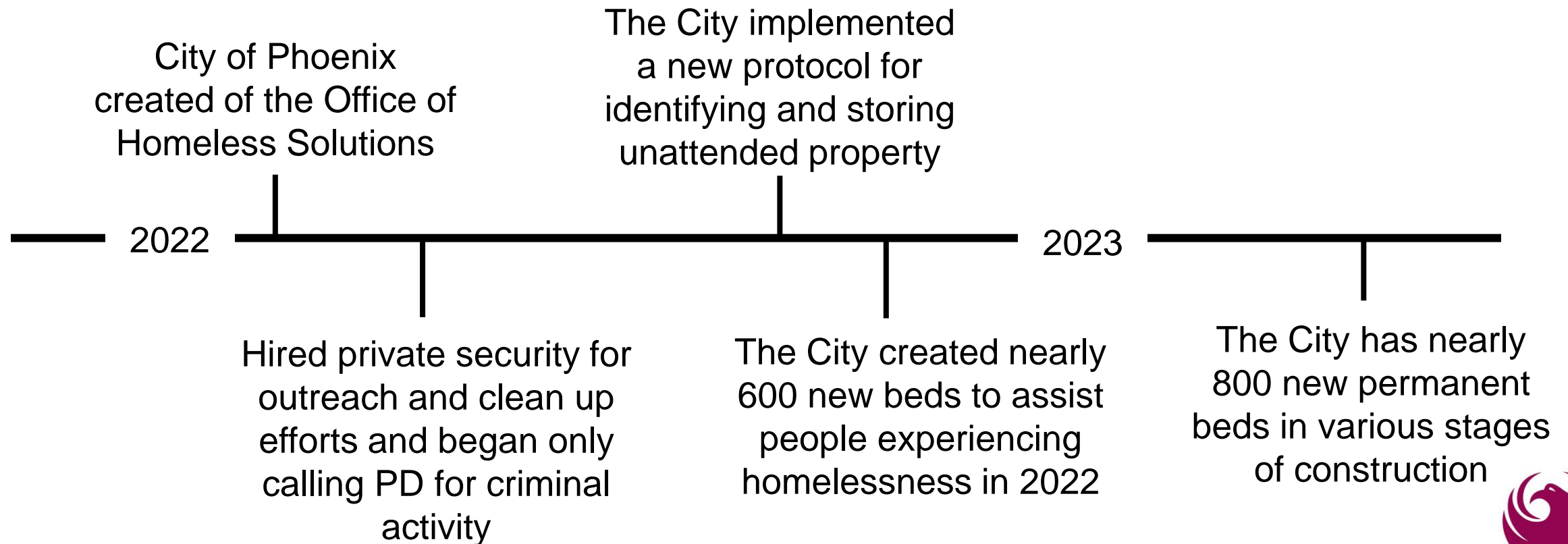
CAP  
expanded  
citywide





# Five Areas of Investigation

## 5 People Experiencing Homelessness



# When Will the Investigation End

The DOJ continues to request information:

- Staff interviews
- Body Worn Camera
- Documents

DOJ declined to provide an estimate on the anticipated conclusion of the investigation





# What's Next Following the Investigation



**No sufficient evidence of pattern or practice, DOJ can provide Technical Assistance Letter to guide continuous improvement.**



**Is sufficient evidence of pattern or practice for the DOJ to issue a Findings Report. Three scenarios occur after findings.**

# Next Steps: Three Scenarios

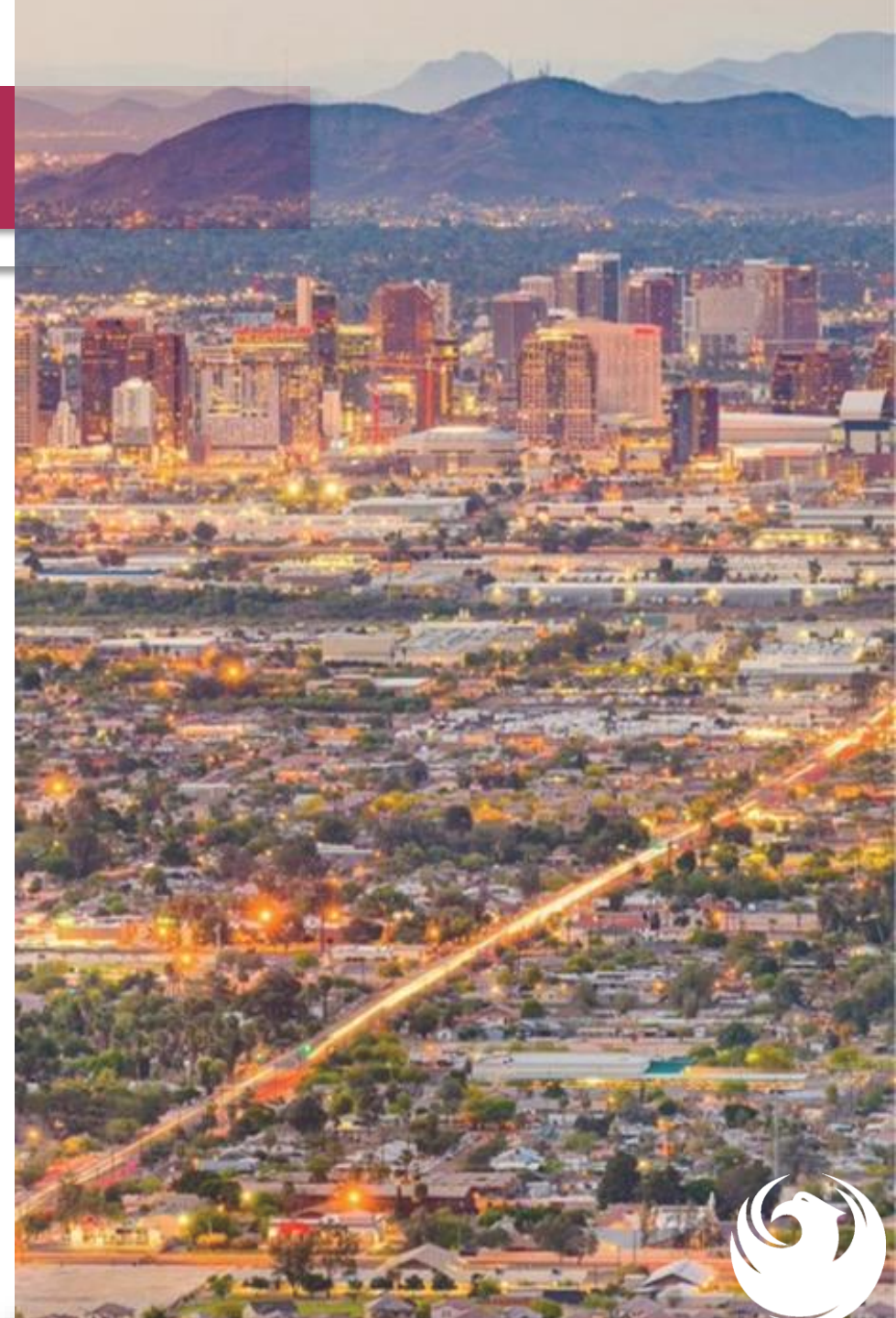
1

## Scenario One

Department of Justice issues a findings report. City and DOJ begin to negotiate a consent decree that is a court order and overseen by an independent monitor and the Court itself, with the continuing involvement of the DOJ.

2

3





# Next Steps: Three Scenarios

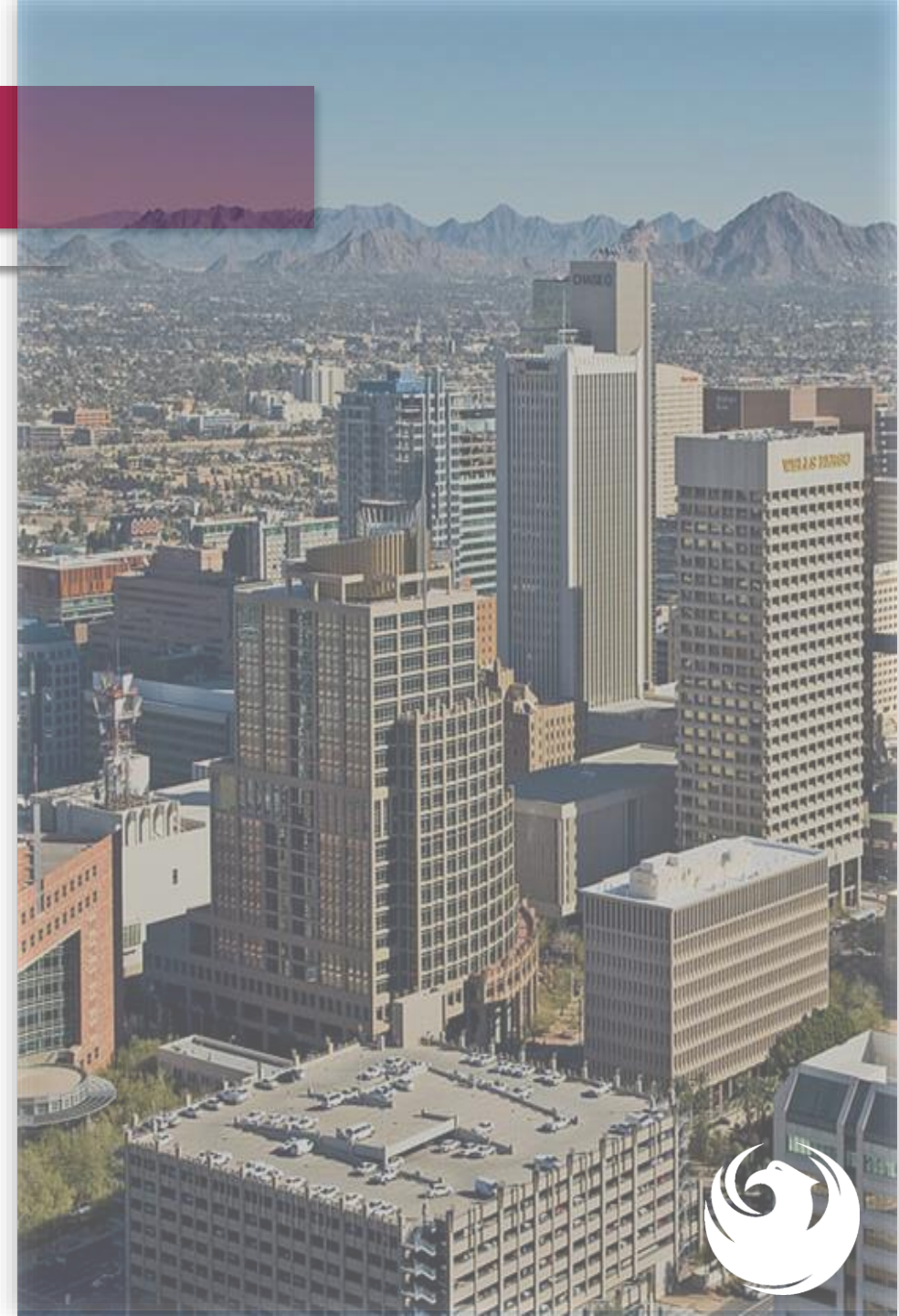
## Scenario Two

Department of Justice issues a findings report. DOJ and the City could negotiate an agreement, which may or may not include the court or independent monitoring. The agreement would require PPD implement certain documented changes.

1

2

3



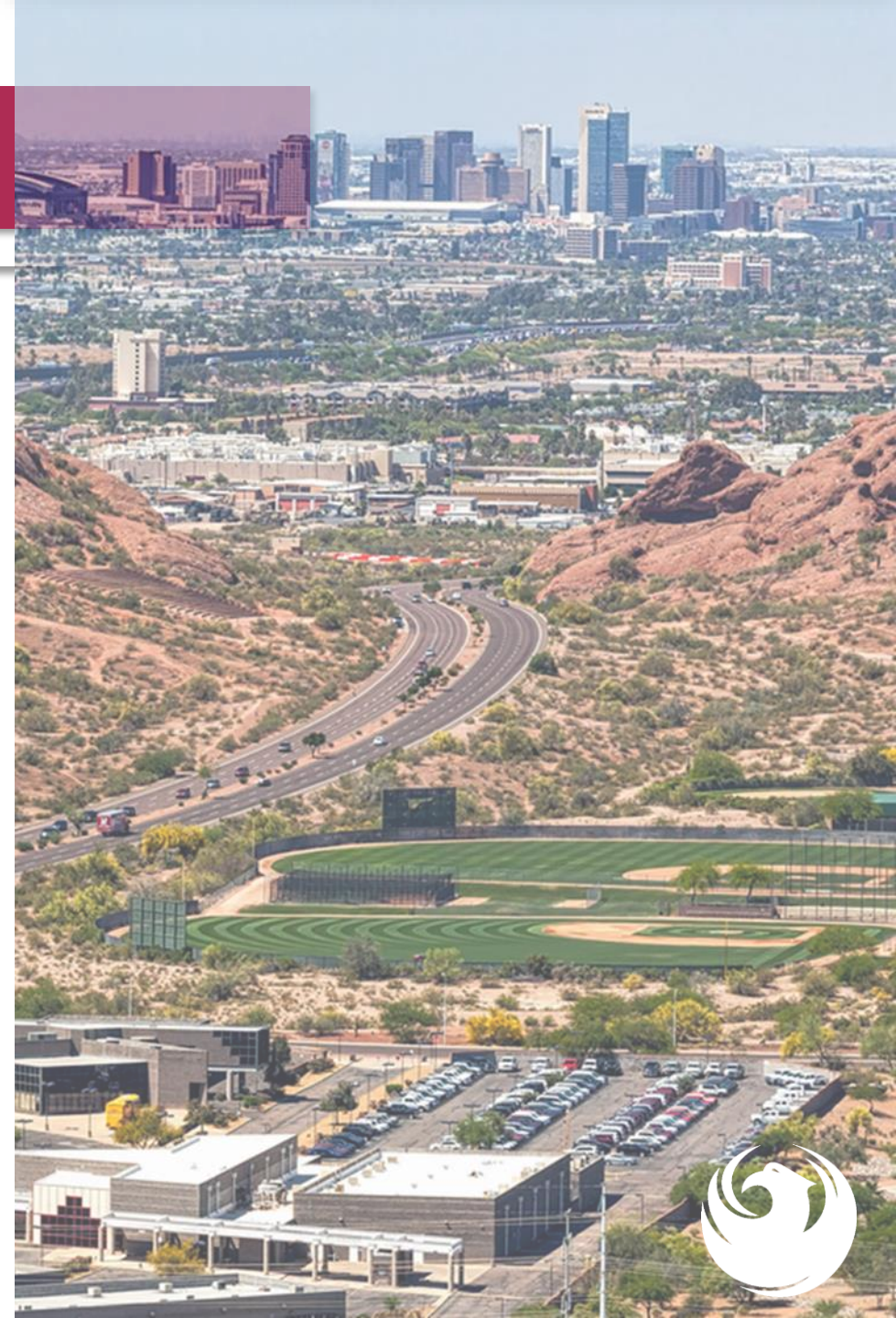
# Next Steps: Three Scenarios

## Scenario Three

1 Department of Justice issues a findings report. An agreement is not reached with the DOJ. The DOJ can file litigation against the City, in which they would have to prove a pattern or practice of Constitutional or other violations of federal law.

2

3





# Questions

[PHX Newsroom](#)[Translate](#)

## Department of Justice Community Resources

Visit:  
[Phoenix.gov/DOJ](https://phoenix.gov/DOJ)

To keep our community informed, the Phoenix Police Department would like to let you know that the U.S. Department of Justice (DOJ) is currently conducting a Civil Pattern or Practice inquiry into the Phoenix Police Department. The department welcomes this inquiry to help us understand how we can better serve the community. It is important to note that this investigation is an investigation of systems and policies identifying practices or patterns related to specific areas. This is not an investigation of individuals or any one specific incident.

To provide feedback, give input, or find out more about this process you can contact the DOJ directly at 866-432-0335 or email [phoenix.community@usdoj.gov](mailto:phoenix.community@usdoj.gov).

If you are having trouble reaching the DOJ, please feel free to contact the Phoenix Police Department Liaison Team at [ppd.dojinvestigation@phoenix.gov](mailto:ppd.dojinvestigation@phoenix.gov).

### Statements and Press Conferences

- [The Phoenix Police Department Welcomes Next Steps in DOJ](#)

### August 3, 2023 - Two Year DOJ Update



### August 5, 2021 - News Conference