



Disciplinary Process Fact Sheet on Police Response to Shoplifting Call and Social Media Posts

This summer, we had two high profile incidents involving the Phoenix Police Department. These cases attracted a lot of media attention and rightfully the public demanded answers. The two cases include the investigation into the content of some officer's social media posts as well as the police response to a shoplifting call involving family with two young kids. Today we announced the disciplinary action taken on these two cases.

For the last several months, investigators from the department's Professional Standards Bureau (PSB) have been interviewing witnesses and gathering evidence. This bureau is commonly called "internal affairs" in some other organizations. Arizona law protects sworn officers from disciplinary action without just cause and ensures due process. In the same way you would want a thorough investigation if you were accused of wrongdoing, PSB approaches the investigation from a standpoint of determining if there is sufficient evidence to move the case forward to formal discipline. The PSB investigation is the most time-consuming portion of any employee discipline review.

When the PSB portion of both the social media and shoplifting cases were completed, the findings were shared with the employee, their union representatives and the department's executive leadership.

At this point in the process, the chief has the authority to either discipline the employee or send the case to the Disciplinary Review Board (DRB) for a recommendation. The DRB is generally reserved for more serious cases. This panel listens to the evidence and makes a recommendation for discipline to the Police Chief. That discipline can range from written reprimands to suspensions (up to six weeks unpaid) or termination. The DRB is chaired by one of the department's Assistant Police Chiefs with six additional members including two peer officers, two civilian community members, and two police commanders. The sworn and civilian panel participating in a specific case are chosen randomly from a previously vetted pool.

Once the DRB makes its recommendation, it is up to the Police Chief to determine what action to take. Once the decision is made, it is shared with the employee. This process can take several weeks following the completion of the PSB investigation.

The disciplined employee still has a right to appeal the decision. Appeals go to the Civil Service Board. This five-member panel is made up entirely of civilian community members approved by the City Council. That group can either agree with or reduce the level of discipline. This group has the power to reinstate a terminated employee.

In cases of serious misconduct that could result in immediate termination, the employee may be sent to a Loudermill hearing. In this process the employee, their union and/or legal representation, the Police Chief and Human Resource representatives meet to discuss PSB findings. The final decision on employee discipline after a Loudermill hearing rests with the Chief.