



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

August 13, 2021

Ed Zuercher
City Manager
City of Phoenix
200 West Washington Street, 12th Floor
Phoenix, Arizona 85003

Dear Mr. Zuercher:

I write in response to your letter dated August 12, 2021, requesting the Arizona Attorney General's Office to: (1) conduct an investigation of five Phoenix Police Officers for potential criminal charges related to filing arrest reports and grand jury testimony, (2) review the Phoenix process of filing gang charges, and (3) review the process leading to the grand jury testimony for a gang-related indictment.

Regarding your first request, Phoenix City Attorney Cris Meyer and I previously discussed this same request on June 22, 2021, and I informed him that our office does not have jurisdiction to conduct such an investigation based on a referral from the City of Phoenix. I suggested at the time that he reach out to another county attorney with this request. We observe, however, that these matters appear to primarily involve personnel and ethical issues as opposed to criminal misconduct.

With regard to your second and third requests, our office again has no jurisdiction to review the Phoenix process for filing gang charges or its process for leading to grand jury testimony for a gang-related indictment.

Finally, it is our understanding that the Department of Justice has opened an investigation into the City of Phoenix and the Phoenix Police Department that will involve a review of what appears to be the same issues raised in your request to our office. Thus, the review you seek at the recommendation of your outside counsel appears to already be underway by a separate law enforcement agency.

For the reasons above, we respectfully decline your request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Kanefield", is written over a light blue circular stamp.

Joseph Kanefield
Chief Deputy & Chief of Staff