

CONFIDENTIAL DOCUMENT

TO: Charlie Meyer- Tempe City Manager

Cc: Jeff McHenry- Tempe Officers Association

Sir,

Though you have not been with the City of Tempe a long time, enough has been learned about you to indicate that you are a man of strong principle, and one who will address the following issues in the most appropriate manner. The below listed issues and rumors are serious in nature and are perceived as highly detrimental toward the true integrity and sworn ethics of some Tempe Police Managers, as well as describing areas of possible financial waste or potential misuse/abuse of public funds.

We have chosen this anonymous avenue in which to advise you of this information only because Tempe Police Executives are known to thrive on retaliation toward those who point out their misconduct.

Since City of Tempe Policy dictates that employees report misconduct in a timely manner we are beginning this letter one day after learning about the bulk of this information, and will include any additional information which may come to light during the completion of the letter. In bringing this information to your attention we realize City Policy sometimes causes a catch 22 type situation in which one section orders us to bring up situations such as those later detailed, while another section in policy warns against bringing up issues which may seem malicious in nature. The purpose of this particular letter is to comply with the former and is not being completed with any malicious intent. We will clearly tell you that parts of this letter are based on well known facts, part on second hand information, and part on widespread rumors which need to be addressed.

For the purpose of maintaining anonymity while still complying with policy we will include on this letter serial number L30354597F from a one dollar bill which we shall maintain as proof we complied with city reporting requirements if ever challenged to do so. Hopefully this anonymous reporting method will help us avoid the type of retaliation from some in PD management which has been experienced by line level employees in the past. This letter will also specifically detail how other avenues of reporting potential misconduct are perceived to have been cut off by the believed actions of Chief Tom Ryff and/or members of his Executive Team.

We are sending a copy of this letter to current T.O.A. President Jeff McHenry, with some cautions for him to keep in mind which will be detailed in the body of this letter. It should also be noted that we are not disgruntled employees who have received recent discipline, and are not trying to obtain any type of special assignments, promotions, or privileges. However, we have chosen law enforcement for a career and would like to work for leaders who have a high degree of integrity and will keep their sworn ethics in mind over the years to come.

Due to the known fact that anything sent from PD employees to the City Managers Office will somehow accidentally be opened or reviewed by those who are afraid or too curious, your copy of this letter will also be placed in the mailbox of TOA President Jeff McHenry with the trust that it be hand delivered to you in a timely manner.

ISSUE #1

It is becoming widely rumored that in May 2007, while attending the Law Enforcement Memorial event in Washington, D.C. with a contingent of Tempe Police personnel, following the death of Tempe Officer Kevin Weeks, Chief Tom Ryff chose to take advantage of the out of town opportunity by going to the hotel room of line level employee [REDACTED] [REDACTED] for the purpose of engaging in a sexual encounter with this line level employee. Upon completion of the meeting between the two Chief Ryff was seen by other employees as he left [REDACTED] hotel room, and after realizing he had possibly been observed Chief Ryff chose to abruptly fly home from Washington, D.C. prior to the departure of the rest of the Tempe PD contingent.

The above described incident speaks volumes as to the perceived character of Tom Ryff. This rumor is not an isolated incident, as he is also rumored to have had a fairly recent personal relationship with [REDACTED] in the Diversity Office, thus making it unsafe for any line level employee to utilize the Diversity Office to make any complaint against Tempe Police Executives or anyone else in PD Management.

The listed 2 rumored incidents are not believed to be unusual events for Tom Ryff they are simply 2 examples of potential inappropriate conduct since being appointed as Police Chief. If you choose to do a historical review of the rumored antics and misdeeds of Tom Ryff over the course of his career with Tempe PD you may find the profile of a person who has been commonly known as a womanizing adulterer. Tom Ryffs' much rumored extra marital activities are very well known by those who closely worked with, and for him in the traffic bureau and other areas for many years, and many of them often openly gossip to newer employees.

One who believes all of the information and rumors circulating about Tom Ryff in recent years might certainly believe he has led a career of lies and deception to conceal some serious character flaws. It is believed he has been able to minimize the potential release of any information about his misdeeds by way of buying silence from many in the form of supporting continual pay raises for the masses who only have rumored knowledge of his activities, however, he has gone much further to buy the silence of those who have more specific and detailed accounts of his misconduct. It is believed that to silence those who have the most information about his activities Tom Ryff has placed many of them into special assignments and has promoted many of the others, whether or not they were actually qualified for their new positions.

The need for Tom Ryff to keep people silenced by the described means amounts to nothing less than a public official who has basically blackmailed himself to cover his past actions, and in doing so he has placed unqualified people in numerous areas of the PD, as well as possibly having done damage to qualified people who were not selected for assignments or promotions simply because they were not the ones with the "Dirt on the Chief".

An excellent example of Tom Ryffs' maneuvering is the selection of his two Assistant Chiefs, Angel Carbajal and John Rush, neither of which had adequate police experience to be selected as Assistant Chief in any agency the size of Tempe PD. These two were selected after other more qualified and tenured Commanders were strongly discouraged from even applying for the position. Carbajal and Rush were both (pre)selected for the position because neither would risk revealing any serious misconduct on the part of Tom Ryff for fear of potentially losing their future retirements. Both Angel Carbajal and John Rush are believed to be concealing knowledge of the inappropriate encounter Tom Ryff may have had with line level employee [REDACTED] in Washington, D.C., as well as concealing knowledge of other rumored misconduct. It should be noted that since the Washington D.C. incident [REDACTED] [REDACTED] has been assigned to a hard to get position in the Homicide Investigations Unit, while her brother [REDACTED] has been promoted to the rank of Patrol Sergeant (with minimal actual patrol experience) from a low position on the Sergeant list that would not normally be promoted .

The described methods of Tom Ryff have created somewhat of a hostile environment in which a select few individuals will openly admit they have no fear of ever being held accountable for anything because they are "Untouchable", leading others to believe that a form of blackmail and corruption is developing within the Tempe PD.

ISSUE #2

It is becoming widely rumored that the Independent Citizen Survey of the Tempe Police Department, which Tom Ryff ordered a few months back, was actually completed by a close acquaintance of Chief Ryff. Many believe that Tom Ryff misused taxpayer dollars to obtain a favorable report from his acquaintance which would create yet another smoke screen to deceive yourself and many others as to the true value of Tom Ryff and the PD.

Chief Ryff continues to maintain the smoke screen by way of such things as "Chief's Update" emails. In many of these updates he boasts about the progress of the department's crime fighting efforts since he has become Chief, however, the truth is that Tom Ryff, Angel Carbajal, and John Rush have had almost nothing to do with any actual crime fighting efforts or ideas in Tempe. None of these 3 are known for any type of crime fighting ability or knowledge, primarily because each of them have been too concerned with self promotion to ever stay in any position long enough to learn much about actual crime fighting. The lack of actual police knowledge at the top of the department, now coupled with the Executive Teams placement of many unqualified individuals in key areas has led to a widespread lack of respect for many of the current chains of command within the department.

The overall lack of SKA's and leadership exhibited by Tom Ryff, Angel Carbajal, and John Rush are becoming more evident with each passing day, they are often seen scrambling around to find someone to help them clean up problems which their own unskilled decisions have often created. Their activities, as well as the actions of those they have placed in key positions have unfortunately become a source of "Watercooler" type comedic discussion.

One of the biggest errors and an excellent example of PD Executive Team decision making occurred over this past year when they decided to staff vacant patrol squad positions with officers filling them on overtime. This was a complete farce believed designed to keep the masses paid off and silent until the Executive Team was able to complete their first year in office. The actual results of this additional smoke screen yielded a significant waste of taxpayer dollars due to it adding no real patrol man-hours actually on the street. Anyone with experience was easily able to predict that people would use more sick and vacation time if they knew they could just come in on other shifts that would pay them at a time and a half rate. This catastrophe was either due to a complete lack of experience on the part of the PD Executive Team, or it was intentionally done as a smoke screen with the knowledge that many taxpayer dollars could be wasted for no additional police man-hours on the street.

A very recent example of PD Executive Team decision making involves the reassignment of Sworn Police Commander [REDACTED] to cover the open [REDACTED] position that was created when [REDACTED] (addit.info on [REDACTED] in issue 3) was hired to fill a Police Lieutenant position. The problems with this should be obvious, as they have created a situation wherein we now pay [REDACTED] an additional \$21K a year, and we are paying [REDACTED] to

cover a position that maxes out at over \$40K below her pay grade. It is believed by most that this was done for two purposes 1)- To pay off [REDACTED] (see issue 3 below), and 2)- To provide an easy position for [REDACTED] so she can complete her [REDACTED] education with little interruption from her work. Although this may be in the best interest of [REDACTED] and [REDACTED] it does not seem to be in the best interest of taxpayers or the city budget.

Another very recent example of PD Executive Team decision making was the recent hiring of [REDACTED] as a [REDACTED] person for the PD. It is currently unknown what exactly her salary is, but most believe this to be yet another unnecessary waste of taxpayer dollars on the part of Tom Ryff and his Executive Team for the purpose of self promotion. Many also wonder and speculate as to why Tom Ryff chose this particular [REDACTED] [REDACTED] for the job, the most current rumors are that it's payback for previous positive news spins (covering up any release of the tape of Ryff telling Kells to lie), while others believe it may be for maintaining silence about other unknown things, and many others let Tom Ryff's own womanizing reputation make their decision as to why she was hired. The question is not whether she is a qualified reporter who can do the job; the question is why the position was created for her in the first place.

ISSUE #3

It has become widely believed that Tom Ryff became Police Chief as a direct result of his closed door agreement with previous [REDACTED]. The highly questionable conduct of [REDACTED] in using his previous [REDACTED] position to further Tom Ryff's career has also paid great dividends to [REDACTED], who was first allowed to retire and take over a well paying civilian job at the PD, followed by [REDACTED] recent rehiring to a sworn Lieutenant position with an even higher rate of pay (test requirements were changed so [REDACTED] could pass). Many who have watched the Ryff and [REDACTED] relationship go full circle believe this to be nothing more than a payoff to [REDACTED], who is one of those people who have openly spoke about now being "Untouchable".

The past questionable use of the TOA Presidency by [REDACTED] caused many line level employees to have warranted concerns about their association, this concern also continued thru most of the Presidency of [REDACTED]. Currently the TOA appears to have a President, Jeff McHenry, who is widely respected in the organization for both his integrity and his fair dealings with all sides; this belief is why a copy of this letter will be sent to him, in addition to the fact there is a growing feeling of No Confidence in Tom Ryff, Angel Carbajal, and John Rush which may need to be addressed on behalf of the employees. This copy is being sent with the caution that he only shares its content with other TOA board members on an as-needed basis as he

sees fit. This letter should further urge TOA President McHenry to keep in mind that some members of his current board have been there for a while and one in particular [REDACTED] [REDACTED] (recently promoted to patrol sergeant with no real patrol experience) is widely rumored to have a close personal friendship with Tom Ryff. The degree of this friendship has been speculated upon by many who wonder if this relationship is already more than a friendship (been observed making facial gestures to one another at public events), or if [REDACTED] [REDACTED] will be a potential victim following a predator type grooming process by Tom Ryff. She was recently promoted from a very low position on the sergeants list that would not normally get promoted (generally retest before going this low on list), and most believe she will soon be placed in an administrative position near Tom Ryff. It is believed by many that a review of city and personal phone records should easily reveal that Tom Ryff has had numerous unexplainable phone contacts with younger female employees, as well as in person contacts.

In addition to the previously detailed acts of perceived payoffs/favoritisms afforded to those already listed, it is also believed that Tom Ryff conspired with, or directed Mike Horn to lie and violate public information laws/standards in regard to Ryff's original police application when an official request was made for it. At the time of the request Horn is believed to have lied about the existence of the application because he knew the application would reveal some lies Tom Ryff had provided in regard to ethnicity etc.

The payoff to Horn for the above described unethical act (as well as others) is believed to have resulted in Horn's promotion to a Patrol Lieutenant position despite the fact that he had very little experience in the area. The lack of experience by Horn was revealed almost immediately after his promotion when he displayed several errors and multiple basic officer safety violations which led to his getting beat up by a subject. Despite the fact that his own stupidity and lack of experience being the cause for Horn getting beat up and injured, Tom Ryff and his Executive Team twisted and turned the facts of the incident and awarded Horn with a medal of valor for his errors. Horn was then moved from Patrol to an Administrative Lieutenant position almost immediately, thus putting him back closer to Tom Ryff and affording them the ability to hide the fact Horn had a complete lack of experience in the area he had been promoted to.

Though most agree that it was completely unfair for Horn to get an award and a special assignment for his own errors that led to his beating, most also feel better knowing he is not going to be making any life or death decisions for others in patrol. Many employees tend to believe that anyone else committing the same errors as were committed by Horn would have been disciplined, re-trained, or demoted to a lesser rank or position, unless of course you are someone who has told lies or committed other acts of confidence for Tom Ryff.

Currently very few experienced employees in the PD have any real respect at all for Mike Horn and are left believing that the only reason he was promoted was in fact repayment for his

willingness to lie for Tom Ryff whenever it was needed. It is also believed that Asst. Chiefs Angel Carbajal and John Rush have complete knowledge of the unethical conduct of Horn on Tom Ryff's behalf, however, Carbajal and Rush have chosen not to investigate or report this matter either.

ADDITIONAL INFO:

Until very recently Tom Ryff had Commander [REDACTED] in charge of the PD [REDACTED]. The two of them have been very close in the past, and with this friendship being a well known fact it further hampers any employees' ability to make any complaint of potential misconduct which may involve Chief Ryff or other PD Managers.

Even if Angel Carbajal or John Rush could be trusted by employees' to do the right thing, which they are not, an employee could not make an appointment to speak with them because this would need to be arranged through [REDACTED], with whom Tom Ryff has long been rumored to have a very close relationship with.

As you can see it appears that all of the normal avenues for employees to safely bring forth any potential misconduct have either unintentionally or intentionally been cut-off by the decisions and actions of Tom Ryff and/or members of his Executive Team.

INNER CIRCLE:

It is believed, as is done by many executives, that Tom Ryff has developed an inner circle. However, in most executive inner circle scenarios it is usually those who are very proficient at their jobs and will work hard to make the Chief Executive and the organization look good that become the inner circle. In direct contrast, those currently believed to be within Tom Ryff's inner circle are perceived as lacking any real police experience or proficiency, but will work hard to take the credit for work completed by subordinates, and most importantly it is believed they will keep secrets about misconduct. A few members of Tom Ryff's inner circle are as follows- Asst. Chief Angel Carbajal, Asst. Chief John Rush, Cmdr. [REDACTED], Cmdr. [REDACTED], Lt. Mike Horn, Lt. [REDACTED], Ofcr. Dan Kells, Sgt. Ken Harmon, Sgt. Scott Smith, and Bill Amato. Most of these individuals will have knowledge of the past activities of Tom Ryff, but short of a promise of polygraph few will offer much information.

It is also believed that those listed in Chief Ryff's inner circle will at some time turn on him and will reveal very detailed accounts of misconduct, but that will only come at a point when it is

advantageous to their own career goals. Hopefully having some of these things brought forth to you now will lessen the ability for those others to use it for personal gain in the future.

PROBLEMS/QUESTIONS:

Should your review of the listed incidents reveal confirmation and corroboration the following issues will need to be directly addressed.

- 1) Did Tom Ryff participate in the Tempe PD offense of "Conduct Unbecoming" by using a Police Officer Memorial event to engage in a sexual encounter with a line level employee?
- 2) Did Tom Ryff "Violate Public Trust" by becoming involved in an extra-marital encounter during a trip that was in any way funded with Taxpayer Dollars?
- 3) Has Tom Ryff's past or current conduct damaged the reputation of the Office of Police Chief if any of the already rumored information should ever a larger or public audience?
- 4) Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by concealing knowledge of the Washington, D.C. incident and failing to investigate or report the potential misconduct?
- 5) Has any relationship between Tom Ryff and [REDACTED] in the Diversity Office compromised the ability for employees to receive fairness from the Diversity [REDACTED] when voicing a complaint involving Police Executives?
- 6) Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by concealing knowledge of any potential indiscretion with the Diversity Office which may hamper an employee's ability to receive fair treatment there?
- 7) Did Tom Ryff "Violate Public Trust" by using Taxpayer Dollars to have a favorable Citizen Survey completed by a personal acquaintance of his?
- 8) Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by concealing knowledge of any potential improprieties with the Citizen Survey?

- 9) Has Tom Ryff utilized special assignments and promotions in an unprofessional and unfair manner to keep those who have dirt on him quiet, thus causing unqualified people to be placed in certain key positions, while more qualified people were ignored and possibly treated unfairly simply because they weren't the ones who had "Dirt on the Chief"?
- 10) Did Tom Ryff and his Executive Team "Violate Public Trust" by utilizing Tax Payer Dollars for the sole purpose of quieting people and keeping them from opening his personal closet of misdeeds when he decided to fund patrol vacancies with overtime pay despite a very predictable outcome of no additional man hours put on the street?
- 11) Did Tom Ryff and his Executive Team "Violate Public Trust" by spending Taxpayer Dollars to create unnecessary PD positions for the purpose of both creating assignments/promotions for unqualified friends and their relatives, as well as building an extra wall of insulation around themselves to keep secrets hushed and provide for their own positive publicity?
- 12) Has Tom Ryff "Violated Public Trust" in misusing Taxpayer Dollars by specifically placing PD Commander [REDACTED] in a position, which is rated well below her current pay grade, for the primary purpose of allowing her more time to complete her personal education goals?
- 13) Has Tom Ryff "Violated Public Trust" in misusing Taxpayer Dollars to hire [REDACTED] (deleting parts of the testing process [REDACTED] could not pass) as a Police Lieutenant for the sole purpose of maintaining [REDACTED] silence about their past dealings, thus nurturing [REDACTED] "Untouchable" status and furthering Tom Ryff's own acts of self blackmail to keep his personal closet closed?
- 14) Have Tom Ryff and his Executive Team "Violated Public Trust" by wasting Taxpayer Dollars on an unnecessary reorganization of the PD for the purposes of both creating a diversionary smoke screen to buy time in position, as well as creating "payback" positions for friends who keep their secrets?
- 15) Has Tom Ryff's personal relationship with [REDACTED], and his assignment and friendship of Commander [REDACTED] to [REDACTED] created an intentional roadblock to keep employees from reporting misconduct?

- 16) Did Tom Ryff "Violate Public Trust" and put citizens and employees in potential jeopardy when he promoted Mike Horn to a Patrol Lieutenant position despite the fact Horn had no real knowledge or experience in the area, having done so for the primary purpose of repaying Horn for past unethical favors?

- 17) Did Assistant Chiefs Angel Carbajal and John Rush "Violate Public Trust" by having knowledge of Mike Horn's unethical conduct on behalf of Tom Ryff and failing to investigate or report the matter, thus allowing Horn to be promoted into a position he was not really qualified for and putting citizens and other employees in potential jeopardy?

As you can see from this small example of the type of questions that need to be answered there are a number of things which have been affected by the unexplainable decisions of Tom Ryff and his Executive Team. The known facts, rumors, and second hand information not only address simple unprofessional conduct, but instead open an array of questions about sworn public trust, misuse of taxpayer dollars, placing ones self in a position to be black mailed, abuse of position to payoff those who keep your secrets even if they are not qualified, possible unfair treatment of other employees who did not receive assignments/promotions simply because they were not known to have "Dirt on the Chief", and failure to properly investigate and/or report knowledge of potential serious misconduct. Currently knowledge and rumors of these definitely questionable and possibly corrupt practices are proving themselves as harmful to the overall morale and effectiveness of the Tempe Police Department, and as more and more employees learn that it is okay for those at the top to lie and conceal information then they too will most probably begin this type of activity themselves. Currently the belief of many, based on placements and other occurrences, is that it is okay to be a liar and/or truth manipulator as long as you are doing so in a manner which will benefit Tom Ryff, Angel Carbajal, and John Rush. The bottom line is that Tom Ryff's professional and personal ethics are in question, as he has been involved in known activities (listed both above, as well as on the www.tempepolicecloset.com website) which are terminable under city policy and are also things which may lead to the revocation of his sworn police officer status by AZPOST. It is also a known fact that Tom Ryff encourages those cops closest to him to lie if they need to, and it is believed that his above listed Assistant Chiefs will do what they need to do to avoid the admission of any knowledge about misdeeds because doing so would not only show their possible involvement, but would also show that they failed to follow policy in reporting/investigating knowledge of potential serious misconduct by another.

Suggestions for Temporary Adjustments if Necessary

Should your investigation into these issues confirm serious misconduct and/or cover up on the part Chief Tom Ryff, Asst. Chief Angel Carbajal, and Asst. Chief John Rush as many believe it will, then please keep in mind that there are currently only 2 Commanders left in the Tempe PD who rightfully receive any type of true respect from all levels, those being [REDACTED] and [REDACTED], as most others at the Commander and Lieutenant levels have little actual experience and are widely known for having been fast-tracked into their positions due to friendships and perceived payoffs.

With the above caution having been given in regard to many, it should also be said that there are a number of highly experienced and well respected individuals at various levels of the PD who are very capable of filling any position in the department. Should your investigation reveal the expected outcome that Tom Ryff, Angel Carbajal, and John Rush were involved in serious misconduct, or involved in concealing knowledge of each others misconduct, it is requested that you remove them from their current positions before they cause further embarrassment and damage to the PD or the City of Tempe, as each of these 3 already receive little if any true respect due to their ongoing antics and lack of overall job knowledge. If such action is required it is requested that you not be fooled by fast-trackers who will say anything to get what they want, and that you instead take a hard look at who you use to temporarily fill any positions, as this will be a crucial time for the morale of the PD and only the appointment of highly respected and experienced individuals can bring quick remedy to the problem. In making any necessary replacements please be encouraged to speak with such respected individuals [REDACTED] and Jeff McHenry to get a better perspective on each of them, as well as getting their honest thoughts on other highly respected and experienced individuals within the PD. Both [REDACTED] and McHenry should have a good representative view on who has earned respect in the PD by way of hard work and experience, as well as having a good view of those who received their positions or assignments by way of friendships etc. Both may also be able to give you great insight as to potential outside candidates who are already known to the PD.

While you are considering the overall contents of this document and any other issues you may have knowledge of in regard to PD leadership, please keep in mind that those in PD Management who may have intentionally concealed and/or failed to investigate/report knowledge of potential serious misconduct are just as wrong as those who committed the acts. It is strongly believed that Angel Carbajal and John Rush have both concealed knowledge of Tom Ryffs past misconduct, however, neither had the personal ethics, sense of duty, leadership strength, or backbone to investigate or report the potential misconduct.

It is understood how in today's society that the personal morality of the Chief and his Assistants may not be deemed as important by some, however, there is a bigger picture to be viewed when their morality, ethics, and character flaws have put them in the position of needing to make decisions that impact the department in a negative way just to cover the tracks of their misdeeds. It is also understood that some of the listed information may be simple rumor, but with this information being just a sampling of the negative information going around it seems highly likely that this information does have a lot of truth to it.

According to the previously mentioned www.tempepolicecloset.com website some information about Tom Ryff encouraging employees to lie in the past has already been given to the Mayor and City Manager, but the site also indicates the information was ignored. It is unknown if that claim is true or not, but it is requested that the contents of this document be formally addressed, as everyone knows it is our policy to address even anonymous information when it is being given about line level employees and it is only fair that this apply to all employees. Currently there appears to be no blame toward the City Managers Office or the Mayor, as most believe Tom Ryff and his Executive Team have most probably lied to both of these offices to cover their tracks. It is a well known fact that Tom Ryff used to verbally imply that he had former City Manager Will Manley in his "hip pocket", but we are putting our faith in the fact that this will not become the case with you.

Currently the City of Phoenix is dealing with an embarrassing situation involving Chief [REDACTED] and Internal Affairs Sgt [REDACTED] (accused of keeping pornography on city computer and showing to fellow employee) which is being described in the media as a "Payoff" and "Quid Pro Quo" situation, in which favoritism and lesser discipline may have been afforded to [REDACTED] due to his helping [REDACTED] out by misusing [REDACTED] retirement board position to cast a vote favorable to [REDACTED] retirement status. It's very sad to say that this situation at Phoenix PD is actually "small potatoes" in comparison to the believed payoffs, paybacks, and unexplainable favoritisms which have very often been displayed by Tempe PD Management in recent years. It is believed that a serious review of what has been going on with Tempe PD Management (in addition to an honest look at the behavior also identified on the listed website) will reveal a good number of questionable issues which are not even part of those already mentioned herein.

With the above information now being submitted to you we believe that our duty to report this information has been fulfilled in accordance with both PD and City policy. It is unfortunate that an anonymous method had to be utilized; however, this is the situation that Tempe PD Management has created for us.

Memorandum



City Attorney

DATE: February 13, 2009

TO: Charlie Meyer, City Manager
Andrew Ching, City Attorney

FROM: Dave Park, Assistant City Attorney

SUBJECT: Findings re: Anonymous Allegations Against Chief Ryff

I was asked to review a number of allegations set forth in an anonymous memo titled "Confidential Document" recently submitted to the City Manager's Office (and copied to Tempe Officer's Association President, Jeff McHenry"). The memo purports to identify a pattern of misconduct engaged in by Tempe Police Chief Tom Ryff. Because some of the alleged wrongdoings are related to personnel decisions made by Chief Ryff, those matters were assigned to the City's Human Resources Department for investigation. My findings on the non-personnel related allegations are set forth below.

Enumerated Allegation No. 1:

Did Tom Ryff participate in the Tempe PD offense of "Conduct Unbecoming" by using a Police Officer Memorial Event to engage in a sexual encounter with a line level employee?

Enumerated Allegation No. 2:

Did Tom Ryff "Violate Public Trust" by becoming involved an extra-marital encounter during a trip that was in any way funded with Taxpayer Dollars?

Enumerated Allegation No. 3:

Has Tom Ryff's past or current conduct damaged the reputation of the Office of Police Chief if any of the already rumored information should ever [sic] a larger or public audience?

Enumerated Allegation No. 4:

Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by concealing knowledge of the Washington, D.C. incident and failing to investigate or report the potential misconduct?

Evidence Cited in Support of the Allegations 1-4:

It is becoming widely rumored that in May 2007, while attending the Law Enforcement Memorial event in Washington, D.C. with a contingent of Tempe Police personnel...Chief Tom Ryff chose to take advantage of the out of town opportunity by going to the hotel room of line level employee [REDACTED] for the purpose of engaging in a sexual encounter with this line level employee. Upon completion of the meeting between the two Chief Ryff was seen by other employees as he left [REDACTED] hotel room, and after realizing he had possibly been observed Chief Ryff chose to abruptly fly home from Washington, D.C. prior to the departure of the rest of the Tempe PD contingent.

Findings:

From May 12-16, 2007 a contingent of representatives from the Tempe Police Department attended National Police Week in Washington, D.C. According to materials prepared prior to the event by then Commander Tim Bulson, sixteen Tempe employees attended the conference: Greg Bacon; [REDACTED]; Tim Bulson; John Butler; Michael Carleton; Aaron Colombe; Chris Coppersmith; Jeff Corder; Cindy Davies; Todd Long; [REDACTED]; Heather Penner, Tom Ryff, Stefan Sprigstroh; Aimee Willcoxson; and Daniel Wong.

According to travel requisition forms and interviews of the attendees, it appears that the Tempe representatives stayed in three hotels in the Washington, D.C. area. The Hilton, Alexandria Mark Center Hotel was considered the "host" hotel for the event, and was the primary hotel for families of officers being recognized during the memorial services. As the escort for Kevin Weeks's family (which attend the event), [REDACTED] stayed at this hotel, along with Ofc. Greg Bacon (who was related by marriage to the Weeks family). Sgts. Davies and Penner stayed at the Holiday Inn, which was the primary hotel used by officers participating in honor guard ceremonies. The remaining Tempe employees stayed at the Doubletree Crystal City hotel in Arlington.

All sixteen Tempe employees who attended were interviewed and none could provide any factual support for the rumored relationship between Chief Ryff and [REDACTED].¹ No City employees ever saw (or heard from anyone else) that Chief Ryff entered or left [REDACTED] hotel, nor did they observe Chief Ryff socializing with [REDACTED] in an unprofessional or personal manner. Greg Bacon, the only City employee who was booked at the

¹ Chief Ryff and [REDACTED] deny any sexual relationship during the National Police Week events or at any other time.

same hotel as [REDACTED], does not recall ever seeing her at the hotel and had no recollection of her staying there.

Rumors of a relationship between Chief Ryff and [REDACTED] appear to have first surfaced one or two weeks after the group returned from the National Police Week events. [REDACTED] believes the rumors may have started in the Traffic Division of the Police Department, however, I have been unable to confirm that during my interviews. Nonetheless, it appears that the rumors were short lived and not particularly widespread, as many of those who attended Police Week had never heard them until I discussed it with them.

Shortly after she first became aware of the rumors, [REDACTED] spoke with several employees in the Traffic Division, whom she believed may have been the source of the rumors. She also contacted Chief Ryff and informed him of the rumors. [REDACTED] stated that she wanted Chief Ryff to be aware these stories were being circulated, but she declined his suggestion that she file a complaint, since she had already confronted the employees she believed to have been responsible. Although Chief Ryff informed his Assistant Chiefs of the rumors, he accepted [REDACTED] request, and did not seek any further inquiry into the source of the rumors. Chief Ryff believed her attempts to resolve the matter were consistent with the City's S.O.L.V.E. problem resolution policy.

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Enumerated Allegation No. 5:

Has any relationship between Tom Ryff and [REDACTED] in the Diversity Office compromised the ability for employees to receive fairness [REDACTED] when voicing a complaint involving Police Executives?

Enumerated Allegation No. 6:

Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by concealing knowledge of any potential indiscretion with the Diversity Office which may hamper an employee's ability to receive fair treatment there?

Evidence Cited in Support of the Allegations:

... he [Chief Ryff] is also rumored to have had a fairly recent personal relationship with [REDACTED] in the Diversity Office, thus making it unsafe for any line level employee to utilize the Diversity Office to make any complaint against Tempe Police Executives or anyone else in PD Management.

Findings:

There are no specific facts alleged to support allegations 5 and 6, which makes an inquiry into the veracity of the claims difficult.² However, if there was truly a widely held perception in the Police Department that the [REDACTED] objectivity had been compromised by a relationship with Chief Ryff, it is logical that such concerns would be aired at the City's only other "safe haven" department, Human Resources. Deputy Manager (and former interim Human Resources Manager) Jon O'Connor, is not aware of any complaints made by Police employees which suggested there is/was an inappropriate personal relationship between Chief Ryff and [REDACTED]. I have found no factual support for allegations 5 and 6.

* * *

Enumerated Allegation No. 7:

Did Tom Ryff "Violate Public Trust" by using Taxpayer Dollars to have a favorable Citizen Survey completed by a personal acquaintance of his?

Enumerated Allegation No. 8:

Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by concealing knowledge of any potential improprieties with the Citizen Survey?

Evidence Cited in Support of Allegations 7-8:

It is becoming widely rumored that the Independent Citizen Survey of the Tempe Police Department, which Tom Ryff ordered a few months back, was actually completed by a close acquaintance of Chief Ryff. Many believe that Tom Ryff misused taxpayer dollars to obtain a favorable report from his acquaintance which would create yet another smoke screen to deceive yourself and many others as to the true value of Tom Ryff and the PD.

Findings:

The allegations reference an unidentified "Independent Citizen Survey of the Tempe Police Department," however, I have been unable to locate or identify any such survey. Since 1994, the Police Department has conducted its own annual citizen survey, and has continued to do so for the past two years under Chief Ryff. This annual survey is typically overseen by one of the more junior Police Analysts and conducted primarily over the telephone by Arizona State University volunteers. Because this survey is conducted by the Police Department, it could not be classified as "independent." Furthermore, this survey does not seem to support a claim that it

² Both [REDACTED] and Chief Ryff deny any personal relationship outside of work.

was “actually completed by a close acquaintance of Chief Ryff,” since it has always openly been conducted by Tempe Police Department employee. From what I have been able to determine, Chief Ryff has never sought an “independent” survey of the Police Department, and therefore, allegations 7 and 8 appear to be false.

* * *

Enumerated Allegation No. 9:

Has Tom Ryff utilized special assignments and promotions in an unprofessional and unfair manner to keep those who have dirt on him quiet, thus causing unqualified people to be placed in certain key positions, while more qualified people were ignored and possibly treated unfairly simply because they weren't the ones who had “Dirt on the Chief”?[sic]

Findings:

To be reviewed by Human Resources.

* * *

Enumerated Allegation No. 10:

Did Tom Ryff and his Executive Team “Violate Public Trust” by utilizing Tax Payer Dollars for the sole purpose of quieting people and keeping them from opening his personal closet of misdeeds when he decided to fund patrol vacancies with overtime pay despite a very predictable outcome of no additional man hours put on the street?

Evidence Cited in Support of Allegation 10:

One of the biggest errors and an excellent example of PD Executive Team decision making occurred over this past year when they decided to staff vacant patrol squad positions with officers filling them on overtime. This was a complete farce believed designed to keep the masses paid off and silent until the Executive Team was able to complete their first year in office. The actual results of this additional smoke screen yielded a significant waste of taxpayer dollars due to it adding no real patrol man-hours actually on the street. Anyone with experience was easily able to predict that people would use more sick and vacation time if they knew they could just come in on other shifts that would pay them at a time and a half rate. This catastrophe was either due to a complete lack of experience on the part of the PD Executive Team, or it was intentionally

done as a smoke screen with the knowledge that many taxpayer dollars could be wasted fro no additional police man-hours on the street.

Findings:

Allegation number 10 amounts to a criticism of the Police Department's budget and/or staffing decisions. These are managerial decisions and, to the extent they are worthy of investigation, should be reviewed by someone familiar with the day-to-day operations of the department.

* * *

Enumerated Allegation No. 11:

Did Tom Ryff and his Executive Team "Violate Public Trust" by spending Taxpayer Dollars to create unnecessary PD positions for the purpose of both creating assignments/promotions for unqualified friends and their relatives, as well as building an extra wall of insulation around themselves to keep secrets hushed and provide for their own positive publicity?

Findings:

To be reviewed by Human Resources.

* * *

Enumerated Allegation No. 12:

Has Tom Ryff "Violated Public Trust" in misusing Taxpayer Dollars by specifically placing PD Commander [REDACTED] in a position, which is rated well below her current pay grade, for the primary purpose of allowing her more time to complete her personal educational goals?

Facts Cited in Support of Allegation No. 12:

A very recent example of PD Executive Team decision making involves the reassignment of Sworn Police Commander [REDACTED] to cover the open [REDACTED] position that was created when [REDACTED] ...was hired to fill a Police Lieutenant position. The problems with this should be obvious, as they have created a situation wherein we now pay [REDACTED] an additional \$21K a year, and we are paying [REDACTED] to cover a position that maxes out at over \$40K below her pay grade. It is believed by most that this was done for two purposes 1)- To pay of [REDACTED] ... and 2)- To provide an easy position to [REDACTED] so she can complete her [REDACTED] education with little interruption from her work. Although

this may be in the best interest of [REDACTED] and [REDACTED] it does not seem to be in the best interest of taxpayers or the city budget.

Findings:

On August 18, 2008, [REDACTED] was hired to fill a vacant Lieutenant position, leaving his position as the [REDACTED] vacant. That vacant position was immediately staffed by Commander [REDACTED] until the vacancy could be filled through the normal recruitment process. A recruitment for that position was opened on August 25, 2008. Seven candidates were interviewed on October 2, 2008, however, no satisfactory candidate emerged. Since that date, a City-wide hiring freeze has been implemented, and currently remains in place. Under the circumstances, the decision to assign a current employee to the vacated [REDACTED] position has reduced the Police Department payroll by one position, which amounts to a net savings to the Police Department. This allegation is unsubstantiated.

* * *

Enumerated Allegation No. 13:

Has Tom Ryff "Violated Public Trust" in misusing Taxpayer Dollars to hire [REDACTED] (deleting parts of the testing process [REDACTED] could not pass) as a Police Lieutenant for the sole purpose of maintaining [REDACTED] silence about their past dealings, thus nurturing [REDACTED] "Untouchable" status and furthering Tom Ryff's own acts of self blackmail to keep his personal closet closed?

Findings:

To be investigate by Human Resources.

* * *

Enumerated Allegation No. 14:

Have Tom Ryff and his Executive Team "Violated Public Trust" by wasting Taxpayer Dollars on an unnecessary reorganization for the PD for the purposes of both creating a diversionary smoke screen to buy time in position, as well as creating "payback" positions for friends who keep their secrets.

Facts Cited in Support of Allegation No. 14:

None.

Findings:

I have been unable to locate any specific allegations related to an “unnecessary reorganization” of the Police Department in the memo. Accordingly, this veracity of this claim cannot be reviewed.

* * *

Enumerated Allegation No. 15:

Has Tom Ryff's personal relationship with [REDACTED], and his assignment and friendship of Commander [REDACTED] to [REDACTED] created an intentional roadblock to keep employees from reporting misconduct?

Facts Cited in Support of Allegation No. 15:

Until very recently Tom Ryff had Commander [REDACTED] in charge of the PD [REDACTED]. The two of them have been very close in the past, and with this friendship being a well known fact it further hampers any employees' [sic] ability to make any complaint of potential misconduct which may involve Chief Ryff or other PD Managers.

Even if Angel Carbajal or John Rush could be trusted by employees' [sic] to do the right thing, which they are not, an employee could not make an appointment to speak with them because this would need to be arranged through [REDACTED], with whom Tom Ryff has long been rumored to have a very close relationship with.

As you can see it appears that all of the normal avenues for employees to safely bring forth any potential misconduct have either unintentionally or intentionally been cut-off by the decisions and actions of Tom Ryff and/or members of his executive team.

Findings:

Even assuming the facts set forth above are true, it is difficult to identify a specific alleged wrongdoing. Unlike some of the other personnel related claims in the memo, with respect to these employees the author does not suggest that Com. [REDACTED] or [REDACTED] are unqualified for their positions that, or that they failed to perform the duties required by their jobs. The allegation is only that they have personal friendships with Chief Ryff, and the appointments of Com. [REDACTED] and [REDACTED] to their respective positions may “unintentionally or intentionally” have discouraged employee complaints through “normal” channels. Given the lack of any alleged impropriety, in these allegations, this claim cannot be reviewed.

* * *

Enumerated Allegation No. 16:

Did Tom Ryff "Violate Public Trust" and put citizens and employees in potential jeopardy when he promoted Mike Horn to a Patrol Lieutenant position despite the fact [sic] Horn had no real knowledge or experience in the area, having done so for the primary purpose of repaying Horn for past unethical favors?

Enumerated Allegation No. 17:

Did Assistant Chiefs Angel Carbajal and/or John Rush "Violate Public Trust" by having knowledge of Mike Horn's unethical conduct on behalf of Tom Ryff and failing to investigate or report the matter, thus allowing Horn to be promoted into a position he was not really qualified for and putting citizens and other employees in potential jeopardy?

Findings:

To be reviewed by Human Resources.

Memorandum

City of Tempe



Date: February 13, 2009

To: Charlie Meyer, City Manager
Renie Broderick, Human Resources Manager

From: Karen Mihlfeld, Sr. Human Resources Analyst

Subject: Fact Finding Investigation

Background Information:

During January, 2009 a "Confidential Document" was sent to Charlie Meyer, the City of Tempe City Manager, and copied to Jeff McHenry, President of the Tempe Officers Association ("TOA"). The document was anonymous (Attachment A) and stated that it was being sent "Since City of Tempe Policy dictates that employees report misconduct in a timely manner..."

The Human Resources Department was asked by the City Manager to investigate several allegations related to specifically to Police Department recruitments. The anonymous document did not provide a lot of facts nor did it provide any documents as proof. The allegations addressed here were drawn from specific comments in the document that could be investigated and verified. The determination to sustain or not sustain the allegations is based on documentation and facts that exist.

Allegation #1:

An excellent example of Tom Ryffs maneuvering is the selection of his two Assistant Chiefs, Angel Carbajal and John Rush, neither of which had adequate police experience to be selected as Assistant Chief in any agency the size of Tempe PD. (Attachment A, under Issue 1)

Findings:

The Assistant Police Chief classification has existed since February 1999. In February 2007, the Assistant Police Chief job description was revised to include the ability to hire a non-sworn Assistant Police Chief to oversee the Support Services Division. The sworn qualifications were changed to add "(to include some experience in each area)" referring to the three years of supervisory or managerial experience in three operational areas.

An internal city-wide recruitment for Assistant Police Chief was opened on February 20, 2007 and closed on March 6, 2007. The job bulletin, RC#2311P, (Attachment B) listed the minimum qualifications for the position as:

- “Equivalent to a Bachelor’s Degree from an accredited college or university with major course work in police science, public administration, criminology or a related field. A Master’s Degree is highly desirable.
- A minimum of three years experience as a Commander with the City of Tempe’s Police Department; OR
- A minimum of three years supervisory or managerial experience in the three operational areas: patrol, investigation, and support services (to include some experience in each area), including one year as a City of Tempe Commander; OR
- A minimum of three years experience involving management of a support services function (Office of Management and Budget, Crime Analysis, Identification, Detention, Communications, or a related field) with the City of Tempe Police Department, including one to two years of supervisory experience.”

The opportunity to apply for this position was open to all eligible employees within the Tempe Police Department. Four employees applied for this position – [REDACTED], Angel Carbajal, [REDACTED] and John Rush. All four met the minimum qualifications as determined by the assigned Sr. Human Resources Analyst, Bonnie Wallace.

The previously held positions of the candidates within the City of Tempe included:

Sworn:

Name	Officer Hire Date	Sergeant Hire Date	Lieutenant Hire Date	Commander Hire Date
Carbajal, Angel	N/A	11/13/90	7/12/99	9/4/00
[REDACTED]	1/14/94	2/28/00	N/A	11/14/05
Rush, John	10/28/93	2/28/00	N/A	1/17/06

Non-Sworn:

Name	Sr. Mgmt Asst Hire Date	Police Admin Mgr Hire Date	Fiscal Research Admin Hire Date
[REDACTED]	10/5/92	7/19/99	7/3/00

Mr. Carbajal exceeded the minimum qualifications for the position with over six (6) years of experience as a City of Tempe Commander. [REDACTED] and Mr. Rush had more than three years of supervisory experience in the three

operational areas as Police Sergeants plus one year of experience as a Police Commander. [REDACTED] qualifications are not mentioned in the allegations.

All four candidates went through a competitive process which included an oral board interview and employee forum. The results of the process (Attachment C) reflect three candidates receiving oral board interview recommendation of above average or excellent. The employee forum results were relatively evenly distributed. As a result of the recommendations, three candidates were promoted to the rank of Assistant Police Chief on April 30, 2007 – [REDACTED], Angel Carbajal, and John Rush.

The allegation also states that Mr. Carbajal and Mr. Rush did not have adequate police experience for an agency the size of Tempe. A review of surrounding cities slightly larger than Tempe showed the following minimum qualifications for an Assistant Police Chief position:

City of Mesa (Attachment D):

Graduation from an accredited college or university with a Bachelor's Degree in Criminal Justice, Public or Business Administration, or a related field. A minimum of five years progressively responsible supervisory/management experience in a Police Department or law enforcement agency of comparable or larger in size and complexity to the Mesa Police Department.

City of Scottsdale (Attachment E):

A Bachelor's degree in Criminal Justice, Public Administration or related field and over two years of recent experience at the level of a Police Captain.

City of Chandler (Attachment F):

Bachelor's Degree in a job-related field is required and a Master's Degree in Criminal Justice or related field; at least one (1) year as Police Commander with the Chandler Police Department, or, if selected from outside the department, three (3) years' Command level experience with another police agency.

The City of Tempe minimum qualifications for Assistant Police Chief are consistent with other police agency in the surrounding cities.

Conclusion:

The Assistant Police Chief recruitment was a competitive process. Any and all police officers who met the minimum qualifications were eligible to apply. Of the four candidates who applied, three were promoted. There is nothing to substantiate that Chief Ryff "maneuvered" these individuals into the Assistant Police Chief positions.

Allegation #2:

...while her brother [REDACTED] has been promoted to the rank of Patrol Sergeant (with minimal actual patrol experience) from a low position on the Sergeant list that would not normally be promoted. (Attachment A, under Issue 1)

Findings:

A competitive, internal Police Sergeant recruitment (RC#2451P) was opened July 18, 2007 and closed on August 15, 2007. The qualifications for the position state:

"Applicants must be a current, regular City of Tempe employee with a minimum of three years of current, continuous service as a Tempe Police Officer."

Twenty-two (22) Police Officers applied for Police Sergeant. The minimum qualifications were reviewed and determined by the Human Resources Department. Louis Telles, Senior Human Resources Analyst determined that all twenty-two candidates met the minimum qualifications.

Promotion to Police Sergeant is based on total test scores after a testing process. Candidates are promoted to Police Sergeants as openings occur. The selection process included: a knowledge test; an operational exercise; an oral board interview; and work history review. To ensure the integrity of the process, Mr. Telles worked closely with the Police Department. Candidates whose final score exceeded 60% (135) of the total points (225) of the three scored phases, which were worth 75 points each, (knowledge test, operational exercise and oral board interview) were eligible for promotion.

Out of the original twenty-two candidates, seven candidates scored below 60%. None of those seven candidates has been promoted. One candidate who scored above 60% has not yet been promoted.

[REDACTED] scored more than 70% of the total points and was ranked as twelve (12) out of twenty-two (22) on the list (Attachment G.) The first candidate was promoted in September 2007. It was almost another year before [REDACTED] was promoted on September 8, 2008. [REDACTED] was eligible for promotion. Two other candidates who scored lower than [REDACTED] were also promoted. (Attachment G)

Conclusion:

[REDACTED] was hired as a Police Officer on February 26, 2001. He applied for the position of Police Sergeant and successfully completed a competitive

promotional process. There is nothing to indicate that [REDACTED] received preferential consideration.

Allegation #3:

Another very recent example of PD Executive Team decision making was the recent hiring of [REDACTED] as a [REDACTED] person for the PD. Many also wonder and speculate as to why Tom Ryff chose this particular [REDACTED] [REDACTED] for the job, the most current rumors are that it's payback for previous positive news spins (covering up any release of the tape of Ryff telling Kells to lie)... The question is not whether she is a qualified reporter who can do the job; the question is why the position was created for her in the first place. (Attachment A, under Issue 3)

Findings:

On August 5, 2008 Chief of Police Tom Ryff requested a reclassification of the position of Public Relations Officer to Community Affairs Specialist. City Manager, Charlie Meyer, at the request of Chief Ryff, approved the reclassification as well as authorization to open a concurrent internal/external recruitment for the position on August 6, 2008 (Attachment H.)

The Community Affairs Specialist position was created in February 2008. Recruitment for the original position was conducted in March 2008 resulting in the selection of Charles Cobb. The eligibility list from that recruitment was not utilized since past practice had been to conduct a new recruitment if the eligibility list was over one month old. No changes were made to the job description when the reclassification occurred to create a second Community Affairs Specialist.

The recruitment was opened concurrently internally/externally on August 11, 2008 and closed on August 25, 2008 (Attachment I.) The minimum qualifications for the position state:

- "Three years of increasingly responsible public relations, media relations, public affairs or community outreach experience, preferably with a diversity focus for a government agency. Public contact experience in minority communities as well as in a law enforcement/public safety environment is also preferred; and
- Equivalent to an Associate's degree from an accredited college with major coursework, or supplemental coursework, in criminal justice/law enforcement, communications, journalism, public administration, public relations or a related field."

Tammy Milhon, Human Resources Specialist, received forty-six (46) applications for the position. Of those forty-six (46), twenty (20) did not meet the minimum qualifications. The qualified applicants are typically broken down into three

groups: A – most qualified; B – exceeds the minimum qualifications; and C – meets the minimum qualifications. [REDACTED] application was marked “A.”

Following standard procedure, Chief Ryff and Lieutenant Mike Horn (Media Relations Lieutenant) reviewed the applications of the qualified applicants. A memo from Mike Horn (Attachment J) on August 28, 2008, stated four applicants from the A group were selected and, “based on our review, it looks like the following should be included: [REDACTED] and [REDACTED]. As an added preferred, we included those with significant law enforcement related media relations/PIO experience. This included: [REDACTED].”

Interviews were conducted on September 9, 2008. The oral board interview panel consisted of Charles Cobb, Community Affairs Specialist; Steven Carbajal, Police Sergeant (Media Relations Sergeant); and Susan Edwards, Principal of Corona del Sol. The oral board interview included a presentation. After the interview, candidates were asked to complete a written exercise. The results of the interview were the recommendation to hire [REDACTED].

[REDACTED] graduated from ASU in May 2005 with a BA in Journalism and Mass Communication. After graduation, [REDACTED] was the Public Safety Reporter for the [REDACTED]. Other experience included freelance writing and reporter/columnist work while attending ASU.

Conclusion:

[REDACTED] meets the minimum qualifications for the position and was selected through a competitive process.

There is no evidence that this position was created for [REDACTED].

Allegation #4:

It has become widely believed that Tom Ryff became Police Chief as a direct result of his closed door agreement with previous [REDACTED]. The highly questionable conduct of [REDACTED] in using his previous [REDACTED] position to further Tom Ryffs' career has also paid great dividends to [REDACTED], who was first allowed to retire and take over a well paying civilian job at the PD, followed by [REDACTED] recent rehiring to a sworn Lieutenant position with an even higher rate of pay (test requirements were changed so [REDACTED] could pass.) (Attachment A, under Issue 3.)

Findings:

The internal recruitment for Police Chief was opened on September 27, 2006 and closed on October 11, 2006. The only applicant for the position was Tom Ryff.

The proposed Police Chief Internal Process was extensive (Attachment K.) Mr. Ryff was interviewed by a panel with external evaluators that ultimately included Enrique Perez, Chief Deputy US Marshal, District of Arizona; Joel Navarro (current City Council member); and Johnny Vasquez, Detective, City of Phoenix. The panel's direction was to provide one of two options to the City Manager. Option number one was to recommend that Mr. Ryff be put through a comprehensive selection process that included management, employee groups, and citizen question and answer forums. Option number two was to recommend that the City Manager conduct a thorough external recruitment process.

The panel recommended Option number one and, upon conclusion of the comprehensive selection process, Mr. Ryff was appointed Chief of Police on November 27, 2006.

Chief Ryff's personnel file contains a letter from the Tempe Officers Association dated October 9, 2006 and signed by TOA President Bryan Hall stating, "On behalf of the Executive Board of the Tempe Officer's Association, I am excited to declare the Board's unanimous support of Tom Ryff as the next Chief of Police."

The Detention Administrator internal competitive recruitment opened on April 3, 2006 and closed on April 17, 2006 (Attachment L.) Based on the number of applications received, the recruitment was opened as an external competitive recruitment on April 24, 2006 with a first review of applications on May 22, 2006 (Attachment M.) The external recruitment generated enough qualified candidates to conduct interviews on June 13, 2006. There were two internal candidates, [REDACTED], Police Sergeant, and Zack Downing, Detention Supervisor. In addition, two external candidates were invited to interview for the position. [REDACTED] was the successful candidate for the position.

[REDACTED] was a Police Sergeant and [REDACTED] with the City of Tempe until he retired on September 30, 2006. [REDACTED] was rehired as the Detention Administrator on October 2, 2006.

In 2007, Chief Ryff requested the re-instatement of the Lieutenant classification to reduce the span of control for Police Commanders. The job description for Lieutenant was completed in October 2007. An internal competitive recruitment was opened on November 19, 2007 (Attachment N.) That recruitment did not result in a sufficient number of qualified applicants to fill all the vacancies. Six internal candidates applied and one withdrew. After a competitive process, four were promoted. An external competitive recruitment was initiated to fill the remaining vacancies.

When the external Lieutenant recruitment opened on February 25, 2008 (Attachment O), [REDACTED] sent an email (Attachment P) to Lena Jones, the Sr. HR Analyst assigned to handle the recruitment, on March 4, 2008 stating:

The verbiage in this announcement states that you "must have a minimum of three years of current, continuous service as a Sergeant or higher". I took that to mean that I could not apply since I am not currently a Sergeant. So, please clarify... can I, and people in similar situations, such as those that have recently retired from a local PD, apply for this position."

Shortly thereafter, Assistant Police Chief Angel Carbajal and Commander [REDACTED] requested the removal of "current" service from the minimum qualifications. The word "current" meant that only someone who is a Sergeant or higher with the City of Tempe or other agencies throughout the country at the time of application could apply. It would have excluded anyone who was not a Sergeant or higher or had retired from sworn police duty at the time of application. After several discussions and an email from Human Resources discouraging changes to the minimum qualifications (Attachment Q), the change was made. The job description and job bulletin were revised to remove the word "current" from the qualifications. As a result of that change, two candidates who would not have been eligible under the original "current" qualifications were able to apply. [REDACTED], as well as Michael Deltenre who retired from the City of Phoenix, were able to meet the minimum qualifications.

The selection process for Lieutenant was competitive. The process included an oral board interview panel, with external evaluators, as well as a practical exercise. Ten candidates went through the process, but only five were selected to fill the Lieutenant vacancies. [REDACTED] and three other internal candidates, as well as Mr. Deltenre mentioned above, were the successful candidates for Police Lieutenant.

Conclusion:

The dates do not correspond regarding [REDACTED] alleged assistance as [REDACTED] to Chief Ryff's career. [REDACTED] retired from the City of Tempe three days after the recruitment for the Police Chief vacancy opened. The letter of support from the TOA was signed by Bryan Hall, not [REDACTED]. There is nothing to indicate that [REDACTED] had any influence over the individuals tasked with determining the selection of the Police Chief.

[REDACTED] began the selection process for Detention Administrator several months before Mr. Ryff's appointment to Chief. He went through an external competitive process and was the successful candidate.

The change to the job description and job bulletin during the external recruitment may have led to the misperception that the "test requirements" for the position had been changed to accommodate [REDACTED], when in fact, it had not.

Allegation #5:

"...one in particular [REDACTED] (recently promoted to patrol sergeant with no real patrol experience) is widely rumored to have a close personal friendship with Tom Ryff." (Attachment A, under Issue 3)

Findings:

A competitive, internal Police Sergeant recruitment (RC#2451P) was opened July 18, 2007 and closed on August 15, 2007. The qualifications for the position state:

"Applicants must be a current, regular City of Tempe employee with a minimum of three years of current, continuous service as a Tempe Police Officer."

Twenty-two (22) Police Officers applied for Police Sergeant. The minimum qualifications were reviewed and determined by the Human Resources Department. Louis Telles, Senior Human Resources Analyst determined that all twenty-two candidates met the minimum qualifications.

Promotion to Police Sergeant is based on total test scores after a testing process. Candidates are promoted to Police Sergeants as openings occur. The selection process included: a knowledge test; an operational exercise; an oral board interview; and work history review. To ensure the integrity of the process, Mr. Telles worked closely with the Police Department. Candidates whose final score exceeded 60% (135) of the total points (225) of the three scored phases, which were worth 75 points each, (knowledge test, operational exercise and oral board interview) were eligible for promotion.

Out of the original twenty-two candidates, seven candidates scored below 60%. None of those seven candidates has been promoted. One candidate who scored above 60% has not yet been promoted.

[REDACTED] scored more than 70% of the total points and was ranked as thirteen (13) out of twenty-two (22) on the list (Attachment G.) The first candidate was promoted in September 2007. It was almost another year before [REDACTED] was promoted on September 8, 2008. [REDACTED] was eligible for promotion. One other candidate who scored lower than [REDACTED] was also promoted. (Attachment G)

Conclusion:

[REDACTED] was hired as a Police Officer on March 26, 2001. She applied for the position of Police Sergeant and successfully completed a competitive promotional process. There is nothing to indicate that [REDACTED] received preferential consideration.

Allegation #6:

"...it is also believed that Tom Ryff conspired with, or directed Mike Horn to lie and violate public information laws/standards in regard to Ryff's original police application when an official request was made for it. At the time of the request Horn is believed to have lied about the existence of the application because he knew the application would reveal some lies Tom Ryff had provided in regard to ethnicity etc." (Attachment A, under Issue 3)

Findings:

The nature of the public information law violations set forth in this allegation is unclear. However, as a matter of policy, only employees or their authorized representatives are permitted to review human resources personnel files. These files are maintained exclusively within the Human Resources Department, and may only be reviewed with a member of the Human Resources staff present. To the extent the allegation suggests that Mr. Horn altered documents in Chief Ryff's personnel file, he would not have had the ability to even access those files without the knowledge of Human Resources staff.

Moreover, a review of Chief Ryff's personnel file contains an original application when he applied with the City of Tempe to become a Police Officer in 1979; an original application when he applied for promotion to Police Sergeant; and an original application when he applied for Police Chief. None of these forms request any information about an applicant's ethnicity, gender, age or disability. Each application appears to be unaltered and in its original condition.

Conclusion:

Since no specific details were provided regarding this issue, there is no basis to verify that Mike Horn lied or falsified information for Chief Ryff.

Allegation #7:

"The payoff to Horn for the above described unethical act (as well as others) is believed to have resulted in Horn's promotion to a Patrol Lieutenant position despite the fact that he had very little experience in the area."

Findings:

Mike Horn was hired on February 10, 1997 as a Police Officer. On May 6, 2002, he was promoted to Police Sergeant. When the Police Lieutenant classification was reinstated in 2007 and an internal recruitment opened to fill several positions, Mr. Horn applied. Six internal candidates applied, but one later withdrew. The competitive process included a written exercise and oral board

interview. The oral board interview panel included Assistant Police Chief Angel Carbajal, Joe Brudman, Commander with Chandler Police Dept, Lynn Koboloski, Lieutenant with Mesa Police Department, and Ira King, Tempe citizen and member of the Citizen Review Board. Applicants were required to complete each phase of the process. Candidates who successfully completed both phases of the process were referred to Chief Ryff and the management team for final approval. Four of the five candidates were promoted, including Mr. Horn.

Conclusion:

Mr. Horn met the minimum qualifications for the position of Police Lieutenant and was selected through a competitive process.

Summary:

A review of the findings and conclusions regarding the allegations shows that there has been no violation of the City of Tempe Rules and Regulations. No further action is required.

Memorandum



City of Tempe

Date: February 17, 2009
To: File
From: Charles W. Meyer
Subject: **Findings re: Anonymous Allegations Against Chief Ryff**

On 1/27/2009, I received a multi-page anonymous complaint, which expressed dissatisfaction with Chief of Police Tom Ryff and the members of the Police Department's executive staff. The complaint contained allegations ranging from questionable promotional practices, the improper assignments of personnel, workplace decisions based upon personal relationships, as opposed to merit, as well as other executive management decisions.

As the complainant alleged misconduct and identified the names of numerous city employees as being involved, I determined that an administrative investigation was necessary to evaluate the validity of the allegations.

The administrative investigation was conducted jointly by staff members from the City Attorney's Office and the Human Resources Department. The investigation was initiated on 1/27/2009 and concluded on 2/17/2009. As part of the investigative process, employees named in the complaint were interviewed and past promotional processes and employment actions were reviewed for adherence to City policy.

Several of the allegations related to the qualifications of certain employees either hired or promoted. The Human Resources Department reviewed the qualifications of each of the employees questioned as well as the process used. In each instance, they determined that the employees were qualified and that there was no evidence that the process used was improper.

Other allegations suggest misconduct by Chief Ryff regarding an incident alleged to have occurred in Washington D. C. in 2007. Every department member who traveled to Washington was interviewed and none either saw, or heard about the behavior alleged.

Other similar allegations proved difficult to investigate due to little or no evidence provided in the complaint. Nonetheless, each allegation was still investigated and no evidence was found to substantiate the complaints.

The complaint alleging the excessive use of overtime is continuing.

Having completed investigation on all but one allegation, I find the allegations to be unfounded.