### Administration Investigation

Internal					#22-001
External				Page	
Jexternal				D.R. #	22000006
Name and Title of Employee		Employee #	Division		
aura Leon		975	Patrol	· · · · · · · · · · · · · · · · · · ·	
Sex:  Male Female Race:W Home Address	s			Home Phone	
	constant	7			
DETAILS OF COMPLAINT	- Use continuation	sheet if neces	sary		
Pate and Time of Occurrence: Location of C		rrence:			
/2/22 at 1638 hours	Sugar Loaf Trail			-	
Complaint Summary: On 1/2/22 at 1638 hours, Sgt. Leon refused to respond to a call for someone falling off the mountain, after Sgt. Leon requested SFD to was handed over to YCSO Search and Rescue without an official response to the scene, it took 3.25 hours (1916 hours) until a Seduche location of the scene, but coordinates were provided that clear investigate.	to respond. The inc hand off and comm lona PD officer arriv	dent was found unication. Due ed on scene. T	to be with to the the l here was in	in Sedona City lack of commu nitially unclear	Limits and nication and information on
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#### Administration Investigation

/ Internal				Tracking #22-001			
External					Page		
			25	100	D.R. #	22000006	
Name and Title of Employee			Employee #	Division			
Sergeant Laura Leon			975	Patrol			
Sex: ☐ Male   ■Female Race:W	Home Address		323		Home Phone		
DETAILS	OF COMPLAINT -	Lise continuation	chapt if paces	ean/			
Date and Time of Occurrence:	OF CONFERNI	Location of Occu		sary			
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		***************************************					
Complaint Summary:						-10	
tice of Investigation (NOI): I acknowledge that te: $4-5-22$ Notifying Person's Signature:			inst me on: ployee's Signat		auxa l.	eista	
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Lieutenant's Signature Date □ Con 1 - 2		ncur Chief's	signature 1	6/27/20	8 Date		
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1 - 2	NON-CONCURREN	ncur Chief's 3  ICES, GIVE REASO t on: Employe	ONS AND RECO	MMENDAT	8 to son	1-2-3 437 TO FORM	

A TRACKING # SHOULD BE ACQUIRED AND THIS FORM SHOULD BE FORWARDED TO THE APPROPRIATE SUPERVISOR



### OFFICE OF THE CHIEF OF POLICE

### **CONFIDENTIAL MEMORANDUM**

**DATE:** August 30, 2022

III CONFIDENTIAL

TO: Laura L

Laura Leon, Sergeant

FROM:

Charles Husted, Chief of Police

RE:

Post Determination and Personnel Complaint Findings Update

On August 23, 2022, I provided you with a Notice of Proposed Disciplinary Action and Notice of Right to a Predetermination Hearing, with a recommendation to the City Manager for demotion from Police Sergeant to Police Officer.

On August 29, 2022, pursuant to Section 413 of the Sedona Employee Manual, you participated in a predetermination hearing, with your attorney, as an observer. You provided information that better clarified concerns regarding the accuracy of incident facts you previously reported during fact finding interviews. I believe you also demonstrated genuine remorse for failing to uphold your obligations to the associated call for service on January 2, 2022, that precipitated the Internal Affairs investigation. As a result, I am modifying my initial recommendation to the City Manager of demotion to suspension without pay for two (2) working days, to include attendance in an "assertive supervision" or similar training within the next sixmonths.

Additionally, as a result of the clarifying information that you provided during the predetermination hearing, I have modified my findings in the associated Internal Affairs investigation (#22-001) to reflect **Not Sustained** for the allegation of violating department policy 26.1.11.B (Untruthfulness).

As noted in Article 4, Section 409 of the Sedona Employee Manual, the City Manager may suspend an employee without pay for up to (30) working days for reasons set forth in Section 412-B, I through 20. Per Section 413, the City Manager shall make the final decision on suspension without pay within seven (7) days of receipt of the of my recommendation. The City Manager can modify, accept, or reject the recommendation of the department head.

Sincerely,

Charles Husted Chief of Police



#### OFFICE OF THE CHIEF OF POLICE

## **CONFIDENTIAL MEMORANDUM**

DATE:

August 30, 2022

**(I)** CONFIDENTIAL

TO:

City Manager

FROM:

Charles Husted, Chief of Police

RE:

Recommendation to Uphold Two-Day Suspension of Sergeant Laura Leon

On August 23, 2022, I provided Sergeant Laura Leon a Notice of Proposed Disciplinary Action and Notice of Right to a Predetermination Hearing, with a recommendation for demotion from Police Sergeant to Police Officer.

The recommendation stemmed from sustained Sedona Police Department policy violations associated with an Internal Affairs investigations that was initiated on January 16, 2022. Additionally, the recommendation is based on violations of the following policies in the Employee Manual, Section 412:

- That the employee is inefficient in the performance of his or her duties and responsibilities.
- That the employee has engaged in conduct, either on or off duty, which would bring discredit to the City of Sedona, or which would negatively affect his or her on-the-job performance.

Furthermore, the recommendation is informed by the following prior documented performance issues Sergeant Leon has received in her capacity as a police supervisor:

- Memo of Counseling/Reprimand (April 9, 2020) ~ Patrol staffing levels falling below standards due to failing to follow direction regarding associated requirements (in-part).
- Memo of Counseling/Reprimand (April 9, 2020) Failure to complete an assignment and follow designated timelines/due-dates of assigned tasks.
- Letter of Counseling (December 1, 2020) Failure to complete an assigned task and follow specific directions from your supervisor, associated with failing to properly supervise your subordinate.
- Memo of Counseling (June 30, 2021) Failure to follow policy associated with temporary prisoner detention, to include failing to supervise your subordinate in following the same policy.
- Verbal Counseling (Performance Log February 22, 2022) Counseled by your supervisor regarding three patrol incidents where you failed to personally or have your squad respond.

On August 29, 2022, pursuant to Section 413 of the Sedona Employee Manual, a predetermination hearing was held with Sergeant Leon. She provided information that better clarified concerns regarding the accuracy of incident facts she previously reported during fact finding interviews. Sergeant Leon also demonstrated genuine remorse for failing to uphold her obligations to the associated call for service on January 2, 2022, that precipitated the Internal Affairs investigation. As a result, I am modifying my initial recommendation of demotion to suspension without pay for two (2) working days, to include attendance in an "assertive supervision" or similar training within the next six-months.

As noted in Article 4, Section 409 of the Sedona Employee Manual, the City Manager may suspend an employee without pay for up to (30) working days for reasons set forth in Section 412-B, I through 20. Per Section 413, the City Manager shall make the final decision on suspension without pay within seven (7) days of receipt of the of my recommendation. The City Manager can modify, accept, or reject the recommendation of the department head.

I am requesting you uphold my recommendation of suspension without pay for two (2) working days, to include attendance in an "assertive supervision" or similar training within the next sixmonths.

Sincerely,

Charles Husted

Chief of Police

Approved:

Date:

CC:

City Attorney
Human Resources Manager
Personnel File



#### OFFICE OF THE CHIEF OF POLICE

### CONFIDENTIAL MEMORANDUM

M CONFIDENTIAL

**DATE:** August 23, 2022

TO: Sergeant Laura Leon

FROM: Charles Husted, Chief of Police

RE: Notice of Proposed Disciplinary Action and Notice of Right to a

Predetermination Hearing - Hand Delivered

I have reviewed all details of the Internal Affairs investigation (22-001) initiated on January 16, 2022, in which you were found in violation of Sedona Police Department policies. Based upon the findings in that investigation, previously provided to you in the Findings Memo, I have determined the most appropriate course of action is to recommend to the City Manager your demotion from Police Sergeant to Police Officer.

This recommendation is also based on your violations of the following policies in the Employee Manual, Section 412:

- That the employee is inefficient in the performance of his or her duties and responsibilities.
- That the employee has engaged in conduct, either on or off duty, which would bring discredit to the City of Sedona, or which would negatively affect his or her on-the-job performance.

Furthermore, this recommendation is informed by the following prior documented performance issues you've received in your capacity as a police supervisor:

- Memo of Counseling/Reprimand (April 9, 2020) Patrol staffing levels falling below standards due to failing to follow direction regarding associated requirements (in-part).
- Memo of Counseling/Reprimand (April 9, 2020) Failure to complete an assignment and follow designated timelines/due-dates of assigned tasks.
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- Verbal Counseling (Performance Log February 22, 2022) Counseled by your supervisor regarding three patrol incidents where you failed to personally or have your squad respond.

Leon Notice of Proposed Disciplinary Action Page 2

Per Section 413 of the Employee Manual, the employee's department head shall provide the employee written notice of the proposed disciplinary action regarding suspension without pay pursuant to Section 409, demotion pursuant to Section 411 or dismissal pursuant to Section 412 at least seven (7) calendar days before the proposed action becomes final and effective.

Should you wish to schedule a predetermination hearing with me, you must request this in writing to me and the City Manager within two days of receiving this notice. If you choose not to request a predetermination hearing, my recommendation will be provided to the City Manager. Within seven (7) days of receiving my recommendation, the City Manager shall make the final decision on whether to modify, accept, or reject the recommendation. Upon her decision, you will be notified in writing.

If you have any questions about this letter or my recommendation, you can contact me or Human Resources at 928-203-5189.

Sot Laura Leon

Date

CC:

City Manager
City Attorney
Human Resources Manager
Personnel File

<sup>\*</sup>Your signature verifies that you received this notice and does not represent agreement or disagreement with the contents and by signing you do not forfeit any of your rights. You may respond in writing to this memorandum.



#### OFFICE OF THE CHIEF OF POLICE

### **CONFIDENTIAL MEMORANDUM**

(I) CONFIDENTIAL

DATE:

August 23, 2022

TO:

Sergeant Laura Leon

FROM:

Charles Husted, Chief of Police

RE:

Disposition of Personnel Complaint (#22-001)

I have reviewed the referenced personnel complaint that was generated internally on January 16, 2022. The allegations listed in the complaint included violation of the following listed department policies. The findings of the personnel investigation related to the referenced allegations include:

- Supervisor Responsibilities (11.7) Sustained
  - You did not ensure efficient, effective, and correct performance of duties by failing to have your subordinates respond to and properly handle the associated (DR# 220000063) call for service (11.7B.1).
  - Additionally, you failed to respond and take tactical control of the emergent circumstance regarding a report of what appeared as someone having fallen off a cliff, whether or not the incident occurred within your primary area of responsibility (11.7D).
- Required Knowledge (26.1.12) Sustained

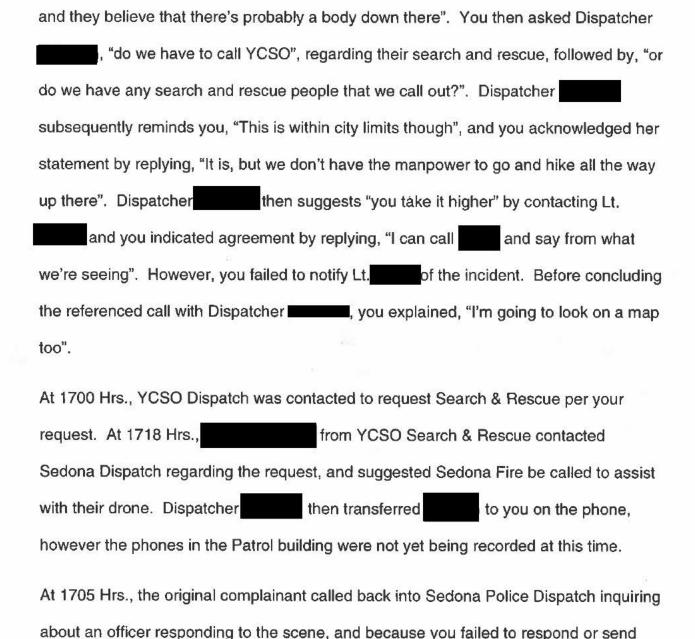
- You failed to demonstrate a working knowledge of policy and procedure by not properly and appropriately handling the associated call for service (26.1.12A).
- You failed to seek and obtain additional information necessary to comply with policy and procedure in the handling of the associated call for service by not contacting
   Lt. Waak for guidance (26.1.12C).
- Death Investigations (41.15.C) Unfounded
- General Standards or Expected Conduct (26.1.1) Sustained
  - Your failure to handle the associated call for service properly and appropriately was detrimental to your duties and position as a police sergeant. Those actions brought an adverse reflection upon yourself and the Department.
- Completion of Assignments (26.1.23) Sustained
  - By not responding to and handling the associated call for service properly and appropriately, you failed to demonstrate the thorough completion of the assigned duties for which you are responsible.

On April 5, 2022, the following listed policy violation allegations were incorporated into the personnel complaint. The findings of the personnel investigation related to the referenced allegations include:

- Untruthfulness (26.1.11.B) Sustained
  - o During the referenced administrative investigation, you failed to accurately report all facts and information pertaining to the "coordinates" associated with the location of the associated call for service. Additionally, your statement and characterization that Dispatcher was unsure of whether or not the call location was within the City of Sedona was not factually accurate.
- Administrative Interviews with Department Personnel (52.1.7.A) –
   Not Sustained

## Justification for above findings:

On January 2, 2022, at 1638 Hrs., you were dispatched to a suspicious activity call at Sugarloaf Mountain regarding a person who possibly fell off the mountain. At 1642 Hrs., you called dispatch to gather additional information regarding the incident. During the recorded phone call, Dispatcher advised you that the call was within our city limits, and you replied, "Yea, but we don't have the manpower to do the YCSO search and rescue, so how do we usually do that?". Dispatcher then advised you again that the call was within the city limits, further telling you that the caller described her location as being "at the vista" and there appears to be "skid marks". Additionally, during your phone call with Dispatcher she stated, "They found a broken necklace on the rocks below, a cell phone, a backpack, and a bottle of alcohol,



At 1722 Hrs., Sedona Police Officer calls Dispatcher requesting "coordinates". You are overheard in the background of the recorded call to "get

transferred her to YCSO Search &

one of your officers to the call, Dispatcher

Rescue for assistance.

on the call asking her to call the complainant back for "coordinates" so they can be given to (YCSO Search & Rescue). Although the original complainant's cell phone number was attached to the initial call, at no time did you attempt or assign one of your officers to contact the caller directly to coordinate a specific location or response.

At 1729 Hrs., Dispatcher advises you over the phone of the "latitude and longitude" coordinates and that they have been entered into the call. Your reply to Dispatcher included, "There they are, I see them. I'll call him back, thank you". You acknowledged in your initial interview with Sqt. on 2/23/2022 that you provided the referenced coordinates to gover the phone. Although the provided coordinates mapped within the Sedona city limits, you failed to recognize the location as being well within the Sedona Police Department's jurisdiction and respond to the call for a potentially fallen victim accordingly. Per your interviews with Sqt. this investigation, you explained the call was outside Sedona city limits, indicating this as a reason for not responding. Additionally, you explained that your team would have responded had you known the call was within the City of Sedona. During your interview on 2/23/2022 you acknowledged, "You know, we could have gone and somebody could have done different things, but we all had tasks that we were trying to get accomplished".

At 1736 Hrs., Dispatcher advises you over the radio, "Sedona Fire wants to know where we can meet". You responded on the radio, "You want to give them. (YCSO Search & Rescue) number so they can coordinate, or do they need PD to show up?". You then followed up over the radio, "The best we would be able to do is meet at the bottom of Sugar Loaf trail where the potential victim is". During your on 2/23/2022 you were asked, "Did either or the officers on interview with Sqt. shift suggest going to the trailhead", and your response included, "Again, yes. (Officer said, "You want me to go?", and I said, "No, where are we going to go?". At 1802 Hrs., you advised over the radio that you had left a message for the Battalion Chief at Sedona Fire that "SAM-3 would be taking over the call". During your interview with Sqt. on 2/23/2022 as you were describing your initial phone call with Dispatcher , you stated, "I called her because it seemed like there was more to this call than just the small bit of information that she gave over the radio, to include that she wasn't sure whether it was actually in the city or not". There was no indication during the initial dispatch, as you described, where Dispatcher "wasn't sure whether (the call location) was actually in the city or not", which was later corroborated in your subsequent phone call with Dispatcher where she advised you multiple times that the call was within the city limits. Dispatcher stated the following in the initial dispatch of the referenced call for service, "Sam-1, I received a 911 from someone at the Sugarloaf Vista, top of Sugarloaf trail. reporting what appeared as someone having fallen off the cliff. They have a backpack, a necklace that is torn off, skid marks, and a bottle of alcohol near-by". The Sedona

Police Department CAD (Spillman) and GIS jurisdictional maps show Sugarloaf trailhead and the entirety of Sugarloaf Loop Trail within the Sedona City limits.

Your failure to respond and appropriately handle the referenced call for service involving the apparent circumstance of "someone having fallen off the cliff" was exacerbated by the stationary time of you and your patrol units before and during the incident, where other activities would have precluded your response. Automatic Vehicle Locator (AVL) data on January 2<sup>nd</sup>, 2022, demonstrated the following; Your patrol vehicle remained stationary at the Sinagua East Patrol Building from 1348 Hrs. to the end of your shift (approx. 1800 Hrs.), Officer patrol vehicle remained stationary at the Sinagua East Patrol Building from 1400 Hrs. to the end of his shift (approx. 1800 Hrs.), and Officer patrol vehicle remained stationary at the Sinagua East Patrol Building from 1452 Hrs. through 1745 Hrs. Officer then drove to Bashas and parked to the rear of the store (per AVL), which is in proximity to the original call location entered at the Sugarloaf Trailhead, however you had instructed him not to respond to the call.

During your interviews with Sgt. regarding this investigation you provided inaccurate statements regarding "coordinates" associated with the location of the referenced call for service that were also contradictory to the information and conversations that occurred as the outlined incident unfolded. Some of these inaccurate and inconsistent statements include:

- During your interview with Sgt. Pelletier on 2/23/2022 you claimed to have received initial "coordinates" of the incident that you and your officers had mapped well outside the Sedona City Limits. You described having these "coordinates" prior to the latitude and longitude GPS location entered and provided to you by Dispatcher at 1729 Hrs. When asked regarding the origin of these initial "coordinates" you stated (in part), "it was whatever coordinates we had, these magic coordinates, I don't know where I got them or whatever. I don't know if I got them at one point off of the compute or whatever".
- During your interview with Sgt.
   you wanted Dispatcher
   to call the original complainant back for a better
   location you stated, "as best I remember, I was under the impression that the
   GPS coordinates that I had, that we were looking for were not in the city".
- During your interview with Sgt.
   on 4/5/2022, when confronted with investigative information that demonstrated your previously referenced initial "coordinates" did not exist, to include related computer log checks conducted by City of Sedona Information Technology staff, you replied by stating, "That's fucking bullshit". Additionally, you explained, "I've told you this all along. I don't know where I got those numbers. I don't know. And it's not a lie. It might be a mistake. It was probably, I know it had to have been my mistake".

On 2/27/2022, four days subsequent to your initial interview, you sent Sgt.

Lt. an email, entitled, "Please make part of the investigation". You provided the following (in part) in the email - "I came to the conclusion that I might never understand

what happened or if I miscopied numbered or what but I know that I wouldn't have purposefully failed my department by making us look like we didn't know what we were doing. When I heard what you played back for me on the recording, it was like it had been a whole other call that was different from how I remembered it. I had to accept that it was human error; my error, and my duty to apologize. When I asked about what they would normally do in a case like this, with only two officers on and it getting dark soon, I was talking and asking to confirm that we would hand off to YCSO by trying to get input to get to what I knew we should do... if I would have had the correct coordinates. I feel awful about this. If I would have been correct about the coordinates, it would have been a simple call, like so many other times we've done and my decision would have been correct".

On 6/1/2022 you participated in a polygraph examination, conducted by part of the internal investigation. During the examination, the polygrapher asked you, "Did you have coordinates before those listed in the CAD comments?", and your answer was, "No". This response by you was not consistent with your prior statements regarding having "coordinates" prior to those entered into CAD by Dispatche

Your actions constituted inefficiency, inexcusable neglect of duty, willful disobedience of a lawful rule, and caused discredit to your employment in public service, which are cause for disciplinary action. As a result of these findings, a recommendation for discipline will be submitted to the City Manager for consideration.

Please feel free to contact me if you have any questions regarding this memo.