



Consideration of Citizen Petition Related to the Phoenix Police Department

This report provides the City Council with information in response to a citizen petition submitted by Kim Baker at the Sept. 21, 2022 Formal City Council meeting regarding the Phoenix Police Department (**Attachment A**).

Summary

The petitioner requests the City Council to direct the City Manager's Office to investigate the full dereliction of duty by the Phoenix Police Department concerning "Complaint Report #20210001645266, Bias Hate Crime."

A similar request was submitted by Kim Baker at the Aug. 31, 2022 Formal City Council Meeting (**Attachment B**). The Law Department determined that the request was not a qualified citizen petition. Mr. Baker returned and submitted another citizen petition on Sept. 21, 2022 and the Law Department determined that it was a qualified citizen petition. A staff response dated Sept. 20, 2022 was included in the Sept. 22, 2022 General Information Packet (**Attachment C**) and emailed to Mr. Baker on Sept. 23, 2022, in response to his Aug. 31, 2022 request.

Options for Council Action

- A. Direct the City Manager's Office to research this request consistent with the citizen petition dated Sept. 21, 2022.
- B. Take no further action on the petition.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.

2022 SEP 21 PM 5: 21

Attachment A

CITIZEN'S PETITION

REQUEST FOR ACTION

September 21, 2022

I, Kimmie Dwayne Baker, hereby petition the Mayor and Council to direct the City Manager's Office to investigate the full dereliction of duty by the Phoenix Police Department concerning "Complaint Report #20210001645266, Bias Hate Crime."

- (1) Why did I have to wait for about two hours for officers to respond and they never showed up on October 21, 2021?
- (2) Why is this police department allowing a lead person, David Carlson, Private Investigator, to obstruct justice per ARS 13-2409 when his text message to me met all Criteria of Obstruction?
- (3) Am I being permitted full protection of the law per A.R.S. 13-2409, if they want to fully investigate all suspects and leads.

Please see attachments A, B, C, and D.

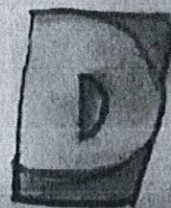
Respectfully Submitted,

Kimmie Dwayne Baker 1550 E. Thunderbird Rd., #2106, Phoenix, AZ 85022

Kim D. Baker

ATTACHMENT A

Y



⏮ Reply all ✓ 🗑 Delete ⚠ Report ▾ ...

(No subject)

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Kim Baker <bkim4749@gmail.com>

To: The UPS Store #4010

👍 ⏮ ⏪ ⏩ ⏭ ...

Wed 8/10/2022 10:14 AM

CAUTION! This email originated from outside of the organization. Please do not open attachments or click links from an unknown or suspicious origin.

I hope you are well. I looked into the situation we discussed, read articles and talked to people, whom I will not get into right now, and it is going to be a rough ride. You need to be aware, I am sure you are, of how rough it can, and will get. My fight, our fight, will be against the judicial system, law enforcement, the penal system, the media and others. You are looking at minimum of \$5,000. I hope you are well

God Bless,
Elder Kim Baker

⏮ Reply ⏭ Forward

ATTACHMENT C

DAVID CARLSON

503.347.1701

CARLSON INVESTIGATIONS

PSID 33672

W: carlsoninvestigations.com

E: david@carlsoninvestigations.com

2:17 2:08



#BringJhessy...



+6

#BringJhessyeHome

Joanne Scott Woods created this group

You're friends with 7 people in this group



Add



Name



Members

See latest updates

Would you be willing to attend a Zoom Meeting on Monday evening, September 27th, with a retired detective and expert witness on missing and exploited children to hear his preliminary findings on the Jhessye Shockley case. Because of information that Kim has had since 2011 that the Court refused to hear during her mother's sentencing hearing that would have shown Jerice Hunter innocent of her daughter's murder, Kim is pursuing and has gathered, along with my support, the official re-opening of the case by the FBI Office and Kyrsten Sinema's Office.




Aa



Aa



Jhessye's body was never found, there is reason to believe that she is still alive, and we, as activists, have a new opportunity to support her and her mother's cause in the name of public interest. Thank you. Hope you all can come!

←  #BringJhessy...   



Possibly. I am flying to DC that day. So it depends on the time.

I'm waiting to hear from Kim and David Carlson. Kim's at work right now. @Kim Baker, let us know when you can. Thanks!

Kim will let us know, as soon as he does, about the date and time. David has tentatively set the meeting time for this Monday, September 27, at 5:00 pm. A place has not been chosen to meet. I suggest a Zoom meeting, so those who

can't attend in person can participate. So far, Emily Key, Doug Nintzel, and Kim plan on meeting David plan in person. His office (Carlson Investigations), mailing address, is in Scottsdale. I will be recording the Zoom meeting and sending you, Dianne and Merissa, the link to the recording afterwards, if you can't attend. I suppose Kim will be taking his laptop to the meeting and I will be begin the meeting from mine.

2:09



#BringJhessy...



As soon as I hear from Him I
will be letting you know.

I just got a call from Kim.
He left a message for David
on Friday for the
confirmation of the time
today and has not received
a reply.

IF he hears from him today,
I will set up a zoom
meeting which can be set
up in a matter of minutes.



Aa



I'm waiting to hear from Kim and David Carlson. Kim's at work right now. @Kim Baker , let us know
when you can. Thanks!



City of Phoenix
OFFICE OF THE CITY MANAGER

2022 AUG 31 PM 5:15
CITY CLERK DEPT.

January 22, 2016

Mr. Kim Baker
12410 W. Flanagan Street
Avondale, AZ 85323

Dear Mr. Baker,

Thank you for coming to meet with me this week. I am not writing this letter as a substitute for anyone else but for myself as the person who manages the Public Safety function for the City.

I was not yet working here in 2011 or 2012 but I can say the Police Department and the City of Phoenix places significant value on customer service. I apologize to you that our customer service to you has been unacceptable.

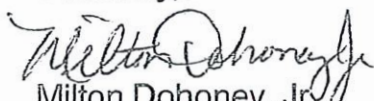
I explained to you in our meeting why I hadn't sat down with you sooner. In hindsight perhaps we could have reached a resolution if I had. As I mentioned I do try to stay out when multiple people are dealing with the same topic.

Let me say categorically that neither the City of Phoenix nor the Police Department condone harassment. We do not want citizens feeling apprehensive about treatment from the Police. We want everyone to be at ease in dealing with the Police, and we accept the responsibility to make that happen.

In the course of our interaction with you, we mistakenly misidentified the officer in question. Please forgive this mistake. No harm will come to that officer as a result of the mistake.

Going forward I hope that a more positive rapport can be established between you and the City of Phoenix. Thanks for your consideration.

Sincerely,


Milton Dohoney, Jr.
Assistant City Manager

BCC: Chief Yahner
Tracee Crockett
Brad Holm

CITIZEN'S PETITION

REQUEST FOR TWO ACTIONS TO BE TAKEN BY THE PHOENIX POLICE DEPARTMENT
CONCERNING AN OPEN INVESTIGATION OF HATE CRIME INCIDENT REPORT #20210001645266,
THOSE OF OBSTRUCTION OF JUSTICE BY PRIVATE INVESTIGATOR DAVID CARLSON
AND DERELICTION OF DUTY BY PHOENIX POLICE DETECTIVE COLLINS

August 31, 2021

On October 21, 2021, I, Kimmie Dwayne Baker, became the victim of a Bias Crime. A note was left on the windshield of my truck, saying "You Dead Nigger." (See "Attachment A.") I was at work when it happened.

The only tangible lead I had was uncovered by a man named David Carlson, a private investigator I had met in downtown Phoenix. Mr. Carlson, though, has been permitted by Phoenix Police Department Detective Collins to lie and obstruct justice concerning this Bias Crime.

On or about September 24, 2021, Mr. Carlson sent me the attached text message in which he openly admits that he had talked to people and read articles. During the investigation, Detective Collins asked me to forward the messages to him and I did. (See "Attachment B.")

On Page 1 of 2 of Mr. Carlson's interview by Detective Collins, he denies that he spoke to anyone about the missing child, Jhessey Shockley. He denies meeting me in person, although he is the one who gave me the attached business card. (See "Attachment C.") He lied to Detective Collins about probative matters that he had in his care. Detective Collins did not investigate Mr. Carlson further, despite the evidence he received from me. His dereliction of duty is totally unacceptable.

October 21, 2021 was the date when I found the note on my truck. My text messages started with Mr. Carlson on Monday, September 20 through Friday, September 24, 2021. Mr. Carlson either did the crime or knows who is involved, but he's been given a pass to lie to the Phoenix Police Department.

It has been almost a year. Because the investigation is still open, Mr. Carlson should be arrested for obstruction of justice. I want Detective Collins cited for dereliction of duty and Mr. Carlson arrested.

Respectfully Submitted,

Kimmie Dwayne Baker 1550 E. Thunderbird Rd., #2106, Phoenix, AZ 85022

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ATTACHMENT A

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↩ Reply all ✓ 🗑 Delete ⚠ Report ▾ ...

(No subject)

ⓘ Retention: Exchange 90 days Deletion Policy (3 months) Expires: Tue 11/8/2022 10:14 AM

KB

Kim Baker <bkim4749@gmail.com>

To: The UPS Store #4010

👍 ↩ ⏮ ⏭ ...

Wed 8/10/2022 10:14 AM

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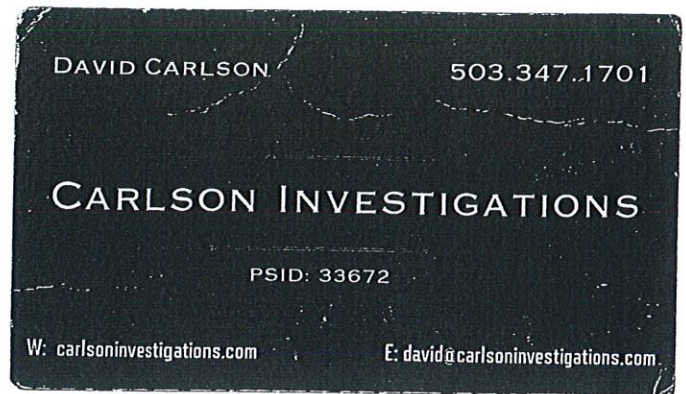
I hope you are well. I looked into the situation we discussed, read articles and talked to people, whom I will not get into right now, and it is going to be a rough ride. You need to be aware, I am sure you are, of how rough it can, and will get. My fight, our fight, will be against the judicial system, law enforcement, the penal system, the media and others. You are looking at minimum of \$5,000. I hope you are well

God Bless,
Elder Kim Baker

↩ Reply

⏭ Forward

ATTACHMENT C



Attachment C



City of Phoenix

To: Jeri L. Williams
Police Chief

Date: September 20, 2022

From: Warren Brewer, Commander
Violent Crimes Bureau

Subject: MR. KIM BAKER THREATS REPORT/INCIDENT 2021-1645266

This memorandum is being generated to document the investigation regarding incident #2021-1645266, a bias motivated threats case which occurred at the Lovecraft restaurant located at 3128 E. Cactus Road. The victim, Kim Baker, reported that after finishing his shift at the above listed address he returned to his vehicle, which was parked on the property, and found a note under the windshield wiper. Mr. Baker drove to a different location, removed the note and found it contained a threat stating, "you dead n*****." Mr. Baker contacted Phoenix Police to report the threat, and the below timeline documents the investigative steps completed.

October 21, 2021 – Officer Vaden #10737 responded to 1550 E. Thunderbird Road and contacted Mr. Baker. The officer learned that Mr. Baker called Phoenix Police the night before; however, after an extended wait, he left the area and made a call from his home. Officer Vaden authored an original report outlining the threatening note left on Mr. Baker's vehicle and he impounded the note. The note was created using cut out letters to spell out the threat. When asked about a possible suspect, Mr. Baker states it may be related to information regarding a missing 10-year-old girl he shared with media and the Federal Bureau of Investigation.

October 23, 2021 – Officer Vaden authored a supplement describing an email she received from Mr. Baker. In the email, Mr. Baker stated that his boss, Ryan Castillo, said the cameras at the Lovecraft restaurant do not cover the area his vehicle was parked in. Therefore, no surveillance video is available showing who left the note on Mr. Baker's vehicle.

October 27, 2021 – Detective Collins #8813 was assigned the case and began his investigation. On the same date, he took a photograph of the impounded note. Detective Collins also responded to the scene of the incident and to take overall photographs of the area. He also canvassed the area looking for additional video surveillance cameras. The detective contacted three adjacent businesses to inquire about surveillance cameras, a floral shop, It's all Goodz Smoke Shop and the Lovecraft restaurant. The cameras for each of the businesses did not record the area of the parking lot where Mr. Baker's vehicle was parked.

October 27, 2021 – Detective Collins submitted a forensic lab request for latent fingerprints and DNA analysis for the impounded note.

October 27, 2021 – Detective Collins spoke with Mr. Baker over the telephone and learned that Mr. Baker believes a private investigator, David Carlson, who no longer wishes to work with him may have information regarding the note left on his vehicle. Mr. Baker does not believe Mr. Carlson is the suspect; however, Mr. Baker believes Mr. Carlson may know who left the note.

October 28, 2021 – Detective Collins responded to Mr. Baker's residence to collect exclusionary buccal swabs. Detective Collins also contacted the owner of the parking lot where Mr. Baker's vehicle was parked at the time of the incident. The owner confirmed that all video footage from the property had been made available to Detective Collins, and the footage does not capture the area where Mr. Baker's vehicle was parked on the day of the incident.

October 28, 2021 – Detective Collins contacted an employee at the Arco Gas Station, located at 12222 N. 32nd Street, where Mr. Baker said he waited for police contact. Detective Collins watched footage from October 21, 201 and observed Mr. Baker waiting for police contact.

October 28, 2021 – Detective Collins received emails from Mr. Baker which contained text messages that Mr. Baker sent to Mr. Carlson.

October 29, 2021 – Detective Collins received an email from Mr. Baker which contained a Zoom meeting invitation to Mr. Baker, possibly from Nicole Grigg at ABC 15. When Detective Collins inquired as to the purpose of this meeting, Mr. Baker stated that the meeting was cancelled.

November 1, 2021 – Detective Collins contacted a representative of Arco to collect the surveillance footage. However, the representative was unable to download the footage. A representative of Its all Goodz Smoke Shop also informed Detective Collins the video footage was not available.

November 1, 2021 – Detective Collins spoke with Private Investigator, David Carlson. Mr. Carlson denied speaking to anyone regarding his conversations with Mr. Baker or having knowledge of who may have left the note on Mr. Baker's vehicle. He told Detective Collins that due to a conflict of interest, he declined to work as a private investigator for Mr. Baker. Mr. Carlson also stated that he had not spoken with Mr. Baker for several weeks.

November 2, 2021 – Detective Collins responded to the Arco with Forensic Imaging Unit personnel and was able to obtain the surveillance footage from October 21, 2021.

November 8, 2021 – Detective Collins received an email from Ryan Castillo, the owner of Lovecraft restaurant. The email contained a statement describing what Mr. Baker told him regarding the missing juvenile case and the threatening note found on his truck. Mr. Castillo again confirmed that the surveillance cameras did not capture the area of the parking lot where the victim's vehicle was parked.

Detective Collins has completed all reasonable investigative steps regarding this incident. He has exhausted all known leads and submitted a lab request for the impounded note. The case is currently considered an ongoing investigation in a Pended Status awaiting processing of the note by the Phoenix Police Crime Lab.

9/13/2022 – Please forward through the chain of command and provide to Mr. Baker reference his Citizen Request for Information.

9/13/2022 – Detective Collins has completed a thorough investigation and exhausted all leads. If additional information is learned in the future, investigators will conduct follow-up in an effort to successfully resolve this investigation. Mr. Baker's complaint to City Council will be documented in a Blue Team incident and Mr. Baker will be sent a letter documenting our findings.