



Kim Baker
05/21/2025

KRIS MAYES
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
OPEN MEETING LAW ENFORCEMENT TEAM

April 16, 2025

VIA EMAIL

Kimmie Baker
bkim4749@gmail.com

Re: Open Meeting Law and the Phoenix City Council
Investigation No. OML2022-0071

CITY CLERK DEPT.
2025 MAY 21 PM 8:19

Dear Kimmie Baker:

We write to provide you with an update regarding the open meeting law complaint you submitted to this Office on or around November 14, 2022. Due to the volume of open meeting law complaint submissions we receive, the Office must exercise its prosecutorial discretion in processing and resolving such complaints. Given the significant passage of time since the complaints' original submission, this investigation has been administratively closed.

If you believe that the open meeting law violations described in your original complaint(s) are ongoing, please resubmit your complaint with updated information about the continuing violations via the online portal at www.azag.gov/omlet.

If you have questions, you may contact the Open Meeting Law Enforcement Team at OMLETinfo@azag.gov or 602-542-8064. We appreciate you contacting our Office and thank you for your interest in open meetings.

Sincerely,

The Open Meeting Law Enforcement Team
OMLETinfo@azag.gov



Office of Arizona Attorney General
Mark Brnovich
Open Meeting Law Complaint Form



How We Investigate Complaints

The Attorney General's Office (the "Office") is authorized by statute to investigate and resolve allegations that public bodies have violated the Open Meeting Law. The statute requires that complaints submitted to the Office be in writing and signed. We do not act on anonymous complaints. Complaints and supporting materials are public records and may be disclosed as required by law. Upon receipt of the complaint, the case is assigned to a member of the Open Meeting Law Enforcement Team ("OMLET"). The OMLET member will review the complaint and may contact the public body and other witnesses for a response to your allegations and any other relevant evidence. If necessary, the OMLET member will contact you to obtain further information. In order to expedite the process, please consolidate your complaints as much as possible.

How We Resolve Complaints

After gathering the relevant evidence, the OMLET member will work with the public body to reach a resolution of the case. The Office's primary mission in enforcing the Open Meeting Law is to *ensure compliance and educate the public and public officials* about the requirements of the statute. Most cases are resolved with mandatory training and a term of monitoring in which an independent attorney ensures that the public body is complying with the Open Meeting Law. In serious cases, the OMLET member may seek a civil penalty of \$500 per incident. If the public body refuses to reach an agreed resolution, the OMLET member may file suit in superior court seeking that the appropriate remedies be imposed by court order. If the evidence establishes that a public officer violated the Open Meeting Law with the *intent to deprive the public of information*, the OMLET member may seek to have the officer removed from office.

How You Can Help Us

To expedite an investigation as much as possible, please provide as much specific information as you can about the alleged violations, such as the dates and times of events, the people present, and the content of any conversations; this should include the name and contact information for other witnesses who are willing to provide evidence about the alleged violations. Also, please include any documents, photographs, videos, or other evidence that support your allegations.

If you are one of a group of people interested in filing a complaint against a public body, please select one person to file a complaint and attach written statements from the remaining complainants.

2022 NOV 10 AM 11:08
ZAT
RECEIVED



Office of Arizona Attorney General
Mark Brnovich
Open Meeting Law Complaint Form Continued



Name of public entity that is the subject of this complaint:

City Council City of Phoenix

Please describe the conduct that you believe violated the Open Meeting Law. If more space is needed, please attach additional information on a separate sheet.

On October 12, 2022, Item NO. 95, Deputy City Manager Ginger Spencer, offered two options of actions A, and B. I am the person who presented the Citizens Petition in question. I went to the meeting expecting one or the other option to be taken, I spoke in support of the petition, the petition received a motion to proceed, and a second, to further option A. The mayor only took a roll count of three Council member's of the nine that were in attendance, in a attempt to silence the matter. The Mayor got a directive by the City Manager as to what was to happen and refused to follow it.

List the date(s) on which you believe the violation(s) occurred.

October 12, 2022, Formal Council meeting

Please identify all members of the public body whom you believe violated the requirements of the Open Meeting Law.

The Mayor, the Council, and the City Manager. They didn't want to proceed with the Law Departments approval of a qualified Citizens petition See (2) attached.



Office of Arizona Attorney General
Mark Brnovich
Open Meeting Law Complaint Form Continued



If possible, please provide the agenda for any meeting at which you believe a violation occurred. If there are other documents that you believe may assist in our investigation of your complaint, please provide them with this complaint.

Your Information	
Name:	Kimmie Baker
Address:	1550 E Thunderbird # 2106
City:	Phoenix
State:	AZ
Zip:	85022
Phone:	623-219-2621
Email:	bkim4749@gmail.com

I declare under penalty of perjury, that the facts and statements contained in this declaration, including any attached statements, are true, correct, and based upon my personal knowledge. I understand that the information contained in this declaration can only be altered by submitting a new declaration.

Signature: <i>Kim Baker</i>	Date: 11-10-22
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To submit a complaint about a violation of the Open Meeting Law, please complete this form, sign it, and mail it to:

Arizona Attorney General's Office
Attention: Open Meeting Law Enforcement Team/CLD
2005 N Central Avenue
Phoenix, AZ 85004

Alternatively, please visit www.azag.gov/complaints/omlet to submit a complaint online.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 10/12/2022, Item No. 95

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.

CITY CLERK DEPT.

2022 SEP 21 PM 5:21

Attachment A

CITIZEN'S PETITION

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

Addendum to
Citizens Petition
May 21, 2025

- 1 Kimmie Dwayne Baker, hereby Petition the Mayor and Council to investigate the full decretion of duty by the Phoenix Police Department, Complaint report # 20210001645266 Bias Hate Crime.
2. Did Retired Chief Sullivan, leave the force when he knew or should have known that the Attorney Ag. office had resubmitted the Complaint on or About April 16, 2025.
3. Why? is the 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.
4. Am I being permitted full protection of the law Per ARS 13-2409 if the head or acting police Chief will not investigate all suspect and leads.

Respectfully Submitted

Kim Baker