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Director

Report Date:
December 18, 2025

Department Response Due:
January 17, 2026

Civilian Review Board
Hearing:
February 27, 2026

Office of Accountability and Transparency

Review Report
Incident OAT24-067

On October 7, 2022, a use of force incident occurred near 25th Drive and Ocotillo Road, when two Phoenix Police Department officers used the police vehicle door to stop a subject on a bicycle. After the stop, one of the officers delivered a closed fist strike to the subject, causing a laceration to his left cheek. The civilian was booked into jail.

This report summarizes OAT's review of the Department's administrative investigation of the incident and provides recommendations to improve future investigations.

Executive Summary

On October 7, 2022, while patrolling near 25th Drive and Glendale Avenue, two Phoenix Police Department (Department) officers witnessed a subject (the Involved Civilian) they believed was conducting a drug sale. When the Involved Civilian rode away on his bicycle, Department officers used emergency lights, sirens, and gave verbal commands to the Involved Civilian to stop, with no response. Involved Officer A pulled alongside the Involved Civilian and Involved Officer B struck the Involved Civilian with the passenger door of the police vehicle, knocking him off his bicycle and to the ground. When Involved Officer A stopped the police vehicle, Involved Officer B exited and pointed his firearm at the Involved Civilian while the Involved Civilian stood up. At this time, Involved Officer A ran around the car to the Involved Civilian and punched him in the face, knocking him to the ground again. The two Involved Officers were then able to secure the Involved Civilian's hands behind him and take him into custody.

The Department's Professional Standards Bureau (PSB) conducted an administrative investigation of this use of force. On March 27, 2023, PSB recommended that Involved Officer A's actions be found out of policy, while Involved Officer B's actions be found within policy.¹

Exercising its discretionary authority, the Office of Accountability and Transparency (OAT) sent the Police Chief and the City Manager a Monitoring Notice on November 4, 2022. After review, OAT concludes that the Department's investigation was thorough and complete.

¹ PSB Final Investigations report, p. 1.

Statutory History and Authority

The City of Phoenix created OAT in 2021 to perform independent civilian oversight of the Department. OAT reviews Department administrative investigations of critical incidents involving sworn personnel and provides community members with a way to report concerns about officers and the Department without fear of retaliation. OAT's authority to review Department investigations falls into two categories: mandatory and discretionary.

Mandatory Cases

Phoenix City Code (P.C.C.) § [20-6](#) requires OAT to review Department administrative investigations of the following:

- Any shooting involving uniformed personnel.
- In-custody deaths.
- Any duty-related incident resulting in death or serious bodily injury.
- Any incident in which Department uniformed personnel are under investigation for, or charged with, homicide, assault, kidnapping, or unlawful sexual behavior under Arizona law.
- Any incident in which Department uniformed personnel are under investigation for or charged by any jurisdiction with a misdemeanor or local law violation in which use of force or threatened use of force is an element of the offense.
- Possible misconduct by uniformed personnel when requested to do so by the City Manager or Civilian Review Board.

Discretionary Cases

P.C.C. § [20-7](#) gives OAT discretion to review:

- Any Department investigation or civilian or employee complaint.
- Any internal investigation by the Department which OAT, the City Manager, or the Civilian Review Board recommends as being in the City's best interest for OAT to be involved.
- Any Department investigation of any incident in which uniformed personnel are accused of a crime or policy violation.

Factual and Procedural History²

Case Timeline

October 7, 2022	Incident
September 19, 2024	OAT learned of incident
November 4, 2024	OAT sent monitoring notice to Department
March 27, 2023	PSB finding within/out of policy
December 18, 2025	OAT released review report

Incident

On October 7th, 2022, at 7:35pm, Department officers were patrolling near 25th Drive and Glendale Avenue when they noticed the Involved Civilian sitting on a bicycle talking with a group of individuals. While observing the group, Involved Officer B saw the Involved Civilian handing items to different individuals consistent with selling drugs.³ As the Involved Civilian began riding away on his bicycle, the Involved Officer noticed that the Involved Civilian's bicycle was missing a rear reflector, and attempted a traffic stop.⁴ The Involved Officers activated the police vehicle's overhead lights, but the Involved Civilian didn't stop.⁵

The Involved Officers drove next to the Involved Civilian and gave him multiple verbal commands to get off the bicycle, but the Involved Civilian continued to ride away.⁶ Involved Officer B, who was in the passenger seat, drew his firearm.⁷ As Involved Officer A repositioned the vehicle alongside the Involved Civilian, Involved Officer B opened the vehicle's door, deliberately striking the Involved Civilian, and knocking him off of the bicycle.⁸ Involved Officer A immediately stopped the police vehicle, and Involved Officer B stepped out of the passenger side and pointed his firearm at the Involved Civilian,

² See Appendix A (p. 6) for a list of investigative materials OAT received from PSB or obtained through public records requests. Case timeline and incident description are based on OAT's review of these materials.

³ IR 2022-00001513146, p. 6.

⁴ *Id.*; IR 2022-00001513146 Supp. 2, p. 3.

⁵ IR 2022-00001513146, p. 6.

⁶ Involved Officer B Body Worn Camera (BWC) at 00:42 to 00:56.

⁷ Involved Officer B Interview at 13:40.

⁸ Involved Officer B BWC at 01:15.

commanding him to show his hands.⁹ The Involved Civilian stood up and removed a duffel bag that was slung around his neck, tossing the bag to the side.¹⁰

As Involved Officer B was giving commands to the Involved Civilian, Involved Officer A came around the car and punched the Involved Civilian in the face, knocking the Involved Civilian to the ground.¹¹ The two Involved Officers handcuffed the Involved Civilian with his arms behind his back.¹² The Involved Civilian sustained an injury under his left eye.¹³

The Phoenix Police Department's Investigation

PSB conducted the administrative investigation of this incident. The investigation included two allegations: (1) Officer A: use of an improper fist strike, and (2) Officer B: striking a citizen using the door of a police vehicle. Investigators interviewed both Involved Officers, and reviewed the Involved Officers' body worn cameras, scene photos, and incident report associated with the incident.

PSB completed its investigation on March 27, 2023, and found the improper fist strike by Involved Officer A to be out of policy and the use of the patrol vehicle door to strike by Involved Officer B to be within policy. Involved Officer A received an eight-hour suspension for his actions.

Investigative Sufficiency

Under P.C.C. § 20-10, OAT is tasked with determining whether Department administrative investigations that it reviews are thorough and complete.¹⁴ OAT concludes that the Department's investigation was thorough and complete.

Recommendations for Future Investigations

Although the Department's investigation was thorough and complete, OAT recommends the following to improve future administrative use of force investigations.

⁹ Involved Officer B BWC at 01:18.

¹⁰ *Id.* at 01:19.

¹¹ *Id.* at 01:22; Involved Officer A BWC at 01:10.

¹² Involved Officer B BWC at 01:43; Involved Officer A BWC at 01:32.

¹³ Scene Photos.

¹⁴ OAT's thorough and complete sufficiency determinations include a review and assessment of: allegations made; evidence obtained, reviewed, and analyzed; quality and extent of subject and witness interviews; investigative report clarity and objectivity; and the investigative process.

Recommendation 1: Elicit Answers From Officers About Law, Policy, and Training¹⁵

In this incident, as the Involved Civilian continued to disregard officer commands to stop, Involved Officer A stated “he ain’t stopping, hit him with the door.”¹⁶ Twenty-four seconds later, Involved Officer B opened the passenger door of the moving patrol vehicle and struck the Involved Civilian, knocking him to the ground.¹⁷ In his PSB interview, Involved Officer B described the hitting the Involved Civilian with the moving vehicle’s door as equivalent to an “impact push.”¹⁸

At the time of this incident, Departmental policy classified the intentional use of a police vehicle against a subject on foot as deadly force.¹⁹ Though bicyclists are not on foot, a bicyclist’s body is unprotected by the physical structure of a vehicle in the same way that a pedestrian’s body is unprotected. Even if a bicyclist was considered equivalent to a vehicle and not a pedestrian, Operations Order 1.5.4 also states that, “[e]mployees **will not** attempt to deliberately collide with other vehicles or use a police vehicle to force **any** vehicle off the roadway.”²⁰ Additionally, if the moving vehicle door strike was classified as an “impact push,” rather than classified striking a pedestrian or vehicle with a moving vehicle, Operations Order 1.5.4.H(1) categorizes impact pushes as hard empty hand techniques.²¹ Hard empty hand techniques are justified “when facing the active aggression level of resistance.”²² Active aggression is defined as “physical actions of assault.”²³

Officers must clearly connect their decisions to specific policy provisions and training influences, ensuring their justification is documented and grounded in law, Department policy and training. Investigators must apply this standard objectively, regardless of how the officer characterizes the action (e.g., a “push”).

Investigators must evaluate and document the action accordingly, regardless of the officer’s intent. In these situations, investigators should ask probative questions about why the vehicle was used against a civilian on a bicycle, since using a vehicle in this manner meets the Department’s definition of deadly force and violates the policy that

¹⁵ OAT initially made this recommendation in OAT22-008, 22-009, 23-008, which were published on April 25, 2024. The Department agreed with this recommendation and committed to implement it by August 21, 2024. This investigation predates the initial recommendation and planned implementation date.

¹⁶ Involved Officer A BWC at 00:46.

¹⁷ Involved Officer B BWC at 00:46.

¹⁸ Involved Officer B PSB Interview at 15:15.

¹⁹ Phoenix Police Department, Operations Order 1.5.4.F(1)-(2) (Rev. 7/22).

²⁰ *Id.* (emphasis in original).

²¹ Phoenix Police Department, Operations Order 1.5.4.H(1) (revised 11/21).

²² Phoenix Police Department, Operations Order 1.5.4.I(1) (revised 11/21).

²³ Phoenix Police Department, Operations Order 1.5.2.F (Rev. 6/21).

prohibits using police vehicles to force any vehicles or person off the roadway.²⁴ Investigators must ask officers to explain how their actions align with relevant laws, policies, and training. Interviews should explore the officer's understanding of policy at the time, available alternatives, and the reasoning behind their chosen level of force. This level of scrutiny ensures the force used was reasonable, necessary, and consistent with policy, not based on personal interpretation or hindsight.

Recommendation 2: Refer Incidents Involving Use of a Vehicle to Strike a Pedestrian/Bicyclist to the Critical Incident Review Board Chair²⁵

Per Operations Order 3.18, Sections 11(B)(1)(d), “[a]ny intentional use of a City vehicle against a person on foot or in another vehicle,” warrants referral to the Critical Incident Review Board Chair for a review determination.²⁶ Whether the Involved Civilian is classified as a pedestrian or a person in another vehicle, he was intentionally struck by the door a moving patrol vehicle.

This use of force warrants a higher-level review and consideration than a PSB investigation alone generates. The Department's updated Operations Orders support this recommendation as “[i]ntentional use of a police vehicle to strike a pedestrian, cyclist, or occupied vehicle,” are now classified as Level III uses of force—the same classification as officer involved shootings and uses of force resulting in death, serious physical injury, and injury requiring hospitalization.²⁷

Recommendation 3: Provide Written Analysis in Support of Conclusions and Recommendations from PSB, CIRB, and the Police Chief²⁸

PSB investigations that are not referred out for an in/out of policy determination should include a written analysis that supports their conclusions. At the time of this investigation, the Department's investigative findings only consisted of the final determination as to whether the Involved Officers' actions were in or out of policy, without an explanation of how that decision was reached based on the facts of the case. Administrative investigations are strengthened when there is transparency surrounding the analysis and conclusions underlying the investigative findings. Further, this level of transparency

²⁴ *Id.*

²⁵ OAT initially made this recommendation in OAT22-010, published on February 22, 2024. The Department agreed with this recommendation and committed to implement it by July 17, 2024. This investigation predates the initial recommendation and planned implementation date.

²⁶ Phoenix Police Department, Operations Order 3.18B(1)(d) (Rev. 6/21).

²⁷ Phoenix Police Department, Operations Order 1.5.4.F (Rev. 9/25).

²⁸ OAT initially made this recommendation in OAT22-008, which was published on April 24, 2024. The Department agreed with this recommendation and committed to implement it by August 21, 2024. This investigation predates the initial recommendation and planned implementation date.

increases public understanding of Department decisions and demonstrates that those decisions are well-reasoned and grounded in law and policy.

Conclusion

OAT respectfully submits the above report and recommendations in compliance with P.C.C. § 20-8 and requests a response from the Police Chief within 30 days, by January 17, 2025.

Appendix A

Administrative Investigation Materials List

Item	Date Received
Videos	
Involved Officer A Body Worn Camera	November 6, 2024
Involved Officer B Body Worn Camera	November 6, 2024
Photographs	
Photos	November 6, 2024
Audio Recordings	
Involved Officer A PSB Interview	November 6, 2024
Involved Officer B PSB Interview (2)	November 6, 2024
Documents	
Investigation cover page/checklist	November 6, 2024
PSB Materials List (2)	November 6, 2024
PSB Final Investigation Report	November 6, 2024
BT RTR Report	November 6, 2024
BT PGP Report	November 6, 2024
BT FET Report	November 6, 2024
IAPro RTR Report	November 6, 2024
IAPro PGP Report	November 6, 2024
IAPro FET Report	November 6, 2024
EXO Review Class 1	November 6, 2024
Notice of Investigation (2)	November 6, 2024
Notice of Findings (2)	November 6, 2024
Investigative Review Control Form (2)	November 6, 2024
Status Update memo	November 6, 2024
AZ Post Email – No Action	November 6, 2024
Comparable Discipline	November 6, 2024
Employee(s) Bio Information	November 6, 2024
Civilian Bio Information	November 6, 2024
Work History	November 6, 2024
Maricopa County Attorney's Office documents (e.g., turn down letters)	November 6, 2024
IR 2022-00001513146	June 23, 2025
Evidence Audit Trail / Body Worn Camera Log	November 6, 2024
CFS 22001513145 Data Sheet(s)	June 23, 2025

Appendix B
Review Case Details

OAT Case Number:	OAT24-067
Incident Type:	Use of Force
Incident Date and Time:	October 7, 2022, 7:35pm
Incident Location:	25th Drive and Ocotillo Road
Officers Involved:	Two
Officer Injuries:	None
Civilians Involved:	One
Civilian Injuries:	Laceration, left cheek
Investigation Initiated by:	Department
OAT Review Notice Sent:	November 4, 2022
OAT Authority (Mandatory/Discretionary):	Discretionary
Department Incident Report Number:	PSB22-0086
Department Administrative Case Number:	2022-00001513146
PSB Finding:	Involved Officer A: Out of Policy Involved Officer B: Within Policy
OAT Review Report Date:	December 18, 2025